

HOUSE BILL 1016

A2

8lr1259
CF 8lr1309

By: **Prince George's County Delegation**

Introduced and read first time: February 7, 2008

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2008

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Board of License Commissioners – Compensation of**
3 **Board's Attorney**

4 **PG 330–08**

5 FOR the purpose of clarifying a provision of law relating to the payment of certain
6 legal fees to the attorney for the Prince George's County Board of License
7 Commissioners for representing the Board in court; requiring the County
8 Council of Prince George's County to pay the attorney for the Board up to a
9 certain amount in a certain fiscal year under certain circumstances; providing
10 that the payment made under this Act is in addition to the annual salary of the
11 attorney for the Board as provided by law; stating a certain intent; providing
12 for the termination of a certain provision of this Act; and generally relating to
13 compensation for the attorney to the Prince George's County Board of License
14 Commissioners.

15 BY repealing and reenacting, without amendments,
16 Article 2B – Alcoholic Beverages
17 Section 15–109(r)(1) and (6)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2007 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article 2B – Alcoholic Beverages
22 Section 15–109(r)(5)
23 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2005 Replacement Volume and 2007 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That the Laws of Maryland read as follows:

4 **Article 2B - Alcoholic Beverages**

5 15-109.

6 (r) (1) This subsection applies only in Prince George's County.

7 (5) (i) The attorney for the Board shall be appointed by, and serve
8 at the will of, the Board.

9 (ii) The attorney shall receive an annual salary of \$15,500.

10 (iii) In addition to the annual salary designated in subparagraph
11 (ii) of this paragraph, the County Council shall pay to the attorney for the Board:

12 1. All court costs and expenses incurred therein by the
13 attorney to the Board; and

14 2. Legal fees that the Board approves for representing
15 the Board in court[, including fees approved by the Board but not paid in prior fiscal
16 years].

17 (iv) The Board shall establish the fee rate for representing the
18 Board in court.

19 (6) (i) The County Council shall pay for all expenses of the Board
20 of License Commissioners upon the submission of an annual budget.

21 (ii) In that budget, the salary of the members of the Board, the
22 salary of the attorney for the Board, and any additional compensation for legal fees for
23 the attorney for the Board, shall be approved as hereinbefore set forth.

24 (iii) All other expenses, including, but not restricted to, the
25 compensation of the inspectors, the salary of the administrator as limited herein,
26 compensation of other personnel, who shall be qualified and employed under the
27 county merit system, printing, supplies, and office space, shall be at the discretion of
28 the County Council.

29 SECTION 2. AND BE IT FURTHER ENACTED, That:

30 (1) for fiscal year 2008 only, the County Council of Prince George's
31 County, on the submission of a request of the Board of License Commissioners of

1 Prince George’s County, shall pay to the attorney for the Board of License
2 Commissioners up to \$53,500, as requested by the Board;

3 (2) the payment by the County Council of Prince George’s County
4 made in accordance with paragraph (1) of this section is in addition to the annual
5 salary of \$15,500 to be paid to the attorney for the Board of License Commissioners for
6 fiscal year 2008, as provided under Article 2B, § 15–109(r)(5)(ii) of the Annotated
7 Code of Maryland; and

8 (3) it is the intent of the General Assembly that the additional
9 payments to the attorney for the Board of License Commissioners provided for under
10 this section are prospective in effect and may not be construed to be retroactive
11 payments to the attorney for the Board of License Commissioners.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 June 1, 2008. Section 2 of this Act shall remain effective for a period of 2 years and 1
14 month and, at the end of June 30, 2010, with no further action required by the General
15 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.