

# SENATE BILL 638

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By: **Senator Simonaire**

Introduced and read first time: January 30, 2014

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – Board of License**  
3 **Commissioners**

4 FOR the purpose of requiring the Governor, at certain times and in a certain manner,  
5 to appoint a certain number of persons to the Board of License Commissioners  
6 for Anne Arundel County from certain lists of nominees submitted by certain  
7 Anne Arundel County Senators; requiring the Governor to fill, in a certain  
8 manner, a vacant seat on the Anne Arundel County Board of License  
9 Commissioners from a certain list of nominees submitted by certain Anne  
10 Arundel County Senators; and generally relating to the Anne Arundel County  
11 Board of License Commissioners.

12 BY repealing and reenacting, with amendments,  
13 Article 2B – Alcoholic Beverages  
14 Section 15–101(a) and (c)  
15 Annotated Code of Maryland  
16 (2011 Replacement Volume and 2013 Supplement)

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

19 **Article 2B – Alcoholic Beverages**

20 15–101.

21 (a) (1) [For] **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS**  
22 **SECTION, FOR** the jurisdictions in which this section is effective, the Governor,  
23 biennially, by and with the advice and consent of the Senate, if in session, and if not in  
24 session, then the Governor alone, shall appoint three persons who shall constitute and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 be styled "The Board of License Commissioners for Baltimore City or .....  
2 County", as the case may be.

3 (2) In making the appointments, the Governor shall designate one of  
4 the appointees in Baltimore City and each of the counties to be the chairman of the  
5 respective boards.

6 (3) The commissioners shall be residents and voters of Baltimore City  
7 or the respective counties, as the case may be, and they shall be persons of high  
8 character and integrity and of recognized business capacity.

9 (4) [In] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS  
10 SECTION, IN the case of any vacancies in the number of the license commissioners in  
11 Baltimore City or in any county which occur when the legislature is not in session, the  
12 Governor shall appoint some eligible person to fill the vacancy during the remainder of  
13 the term of office of the person originally appointed.

14 (c) (1) (I) 1. EVERY 2 YEARS, THE GOVERNOR, WITH THE  
15 ADVICE AND CONSENT OF THE SENATE IF IN SESSION, SHALL APPOINT THREE  
16 PERSONS AS THE BOARD OF LICENSE COMMISSIONERS FOR ANNE ARUNDEL  
17 COUNTY, FROM A LIST OF NOMINEES AS PROVIDED IN PARAGRAPH (2) OF THIS  
18 SUBSECTION.

19 2. IF THE SENATE IS NOT IN SESSION, THE  
20 GOVERNOR ALONE SHALL APPOINT THREE PERSONS AS THE BOARD OF  
21 LICENSE COMMISSIONERS FOR ANNE ARUNDEL COUNTY, FROM A LIST OF  
22 NOMINEES AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

23 (II) In Anne Arundel County not more than two members of the  
24 Board of License Commissioners shall belong to the same political party.

25 (2) (I) THE GOVERNOR SHALL APPOINT TWO MEMBERS OF  
26 THE ANNE ARUNDEL COUNTY BOARD OF LICENSE COMMISSIONERS FROM:

27 1. A LIST OF NO MORE THAN SIX NOMINEES  
28 SUBMITTED BY THE ANNE ARUNDEL COUNTY SENATORS REPRESENTING THE  
29 POLITICAL PARTY WITH THE HIGHEST NUMBER OF MEMBERS ELECTED IN THE  
30 MOST RECENT GENERAL ELECTION; OR

31 2. ON REQUEST OF THE GOVERNOR, AN ADDITIONAL  
32 LIST OF NO MORE THAN SIX NOMINEES SUBMITTED BY THE ANNE ARUNDEL  
33 COUNTY SENATORS DESCRIBED IN ITEM 1 OF THIS SUBPARAGRAPH.

34 (II) THE GOVERNOR SHALL APPOINT ONE MEMBER OF THE  
35 ANNE ARUNDEL COUNTY BOARD OF LICENSE COMMISSIONERS FROM:

1                   **1. A LIST OF NO MORE THAN THREE NOMINEES**  
2 **SUBMITTED BY THE ANNE ARUNDEL COUNTY SENATORS REPRESENTING THE**  
3 **POLITICAL PARTY WITH THE SECOND HIGHEST NUMBER OF MEMBERS ELECTED**  
4 **IN THE MOST RECENT GENERAL ELECTION; OR**

5                   **2. ON REQUEST OF THE GOVERNOR, AN ADDITIONAL**  
6 **LIST OF NO MORE THAN THREE NOMINEES SUBMITTED BY THE ANNE ARUNDEL**  
7 **COUNTY SENATORS DESCRIBED IN ITEM 1 OF THIS SUBPARAGRAPH.**

8                   **(3) (I) UNDER THE PROCEDURES SPECIFIED IN**  
9 **SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, THE GOVERNOR SHALL**  
10 **FILL A VACANT SEAT ON THE ANNE ARUNDEL COUNTY BOARD OF LICENSE**  
11 **COMMISSIONERS.**

12                   **(II) IF THE TWO REMAINING MEMBERS OF THE BOARD ARE**  
13 **FROM THE SAME POLITICAL PARTY, THE GOVERNOR SHALL FILL THE VACANT**  
14 **SEAT FROM:**

15                   **1. A LIST OF NO MORE THAN THREE NOMINEES**  
16 **SUBMITTED BY THE ANNE ARUNDEL COUNTY SENATORS REPRESENTING THE**  
17 **POLITICAL PARTY WITH THE SECOND HIGHEST NUMBER OF MEMBERS ELECTED**  
18 **IN THE MOST RECENT GENERAL ELECTION; OR**

19                   **2. ON REQUEST OF THE GOVERNOR, AN ADDITIONAL**  
20 **LIST OF NO MORE THAN THREE NOMINEES SUBMITTED BY THE ANNE ARUNDEL**  
21 **COUNTY SENATORS DESCRIBED IN ITEM 1 OF THIS SUBPARAGRAPH.**

22                   **(III) IF THE TWO REMAINING MEMBERS OF THE BOARD ARE**  
23 **NOT FROM THE SAME POLITICAL PARTY, THE GOVERNOR SHALL APPOINT A**  
24 **SUCCESSOR FROM:**

25                   **1. A LIST OF NO MORE THAN THREE NOMINEES**  
26 **SUBMITTED BY THE ANNE ARUNDEL COUNTY SENATORS REPRESENTING THE**  
27 **POLITICAL PARTY WITH THE HIGHEST NUMBER OF MEMBERS ELECTED IN THE**  
28 **MOST RECENT GENERAL ELECTION; OR**

29                   **2. ON REQUEST OF THE GOVERNOR, AN ADDITIONAL**  
30 **LIST OF NO MORE THAN THREE NOMINEES SUBMITTED BY THE ANNE ARUNDEL**  
31 **COUNTY SENATORS DESCRIBED IN ITEM 1 OF THIS SUBPARAGRAPH.**

32                   **[(2)] (4) The provisions of § 15–107 of this article apply in the City of**  
33 **Annapolis.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   July 1, 2014.