

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 1159

(Senator Conway, *et al.*)

Education, Health, and Environmental Affairs

Economic Matters

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**Baltimore City Board of License Commissioners - Members - Terms and  
Appointment**

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This emergency bill requires the Governor to fill a vacancy on the Baltimore City Board of Liquor License Commissioners (BLLC) within 15 days. When evaluating an applicant for BLLC membership, the Governor must consider the need for geographic, political, racial, ethnic, cultural, and gender diversity on the board.

If the Governor does not appoint and the Senate does not confirm four members to the board by April 12, 2016, the Governor's board appointment and removal powers are repealed and are granted to the Mayor and President of the City Council of Baltimore City.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** None. Baltimore City finances and operations are not affected.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** If the Governor does not appoint and the Senate does not confirm four members to the board by April 12, 2016, the Mayor of Baltimore City must appoint two regular members to the board and the president of the city council must appoint one regular member and one alternate member to the board with the advice and consent of the Senate if the Senate is in session. If the Senate is not in session, then the mayor and president of the city council make these appointments alone. When evaluating an applicant

for BLLC membership, the mayor and president of the city council must consider the need for geographic, political, racial, ethnic, cultural, and gender diversity on the board.

An appointment must be made within 15 days after the vacancy occurs. The mayor must make the appointment to fill a vacancy on the board if the vacancy occurs during the term of office of an individual originally appointed by the mayor. If the vacancy occurs during the term of office of an individual originally appointed by the president of the city council, then the president of the city council must make the appointment to fill the vacancy.

The board must designate a chair from among the regular members of the board.

The mayor and president of the city council may remove a member for misconduct in office, incompetence, or willful neglect of duty. A member who is charged must be given a copy of the charges against them by the appointing officer who appointed them, and the member must be given an opportunity to be heard in person or by counsel with at least 10 days' notice. If a member is removed, the appointing officer who removed the member must file with the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.

**Current Law:** BLLC is an agency of the State of Maryland and not subject to the direct supervision of the mayor and the Baltimore City Council. BLLC is responsible for processing applications for and renewals of licenses to sell beer, wine, and liquor; conducting periodic inspections of businesses licensed to sell alcoholic beverages; collecting all license fees and fines; fining, suspending, or revoking the licenses of violators of alcoholic beverage laws; and licensing and regulating adult entertainment businesses in Baltimore City. BLLC also issues licenses for special events (such as one-day licenses for beer and wine festivals).

Although BLLC is a State agency, all revenues from licenses, fines, and late fees are paid to Baltimore City's Director of Finance, and all BLLC expenditures are paid by the city. Furthermore, BLLC is included in Baltimore City's annual budget, and its financial activity is included in the city's *Comprehensive Annual Financial Report*.

BLLC consists of three regular members and one alternate member who may serve if any regular member is absent or recused. All members of BLLC are appointed by the Governor. If the Senate is in session, the Governor must make appointments to BLLC with the advice and consent of the Senate. If the Senate is not in session, the Governor makes appointments alone.

Each BLLC appointee must be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity. At least one appointee must be a member of the Maryland Bar. The term of a member of BLLC is two years and

begins on July 1. The terms of members are staggered as required by law. At the end of a term, a member continues to serve until a successor is appointed. A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2016  
min/hlb Revised - Senate Third Reader/Updated Information - March 18, 2016

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Analysis by: Trevor S. Owen

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510