

Md. Ann. Code art. 2B, § 15-101

Annotated Code of Maryland
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*** Current through all chapters of the 2011 Special Session of the General Assembly ***

ARTICLE 2B. ALCOHOLIC BEVERAGES
TITLE 15. LICENSING AGENCIES.
SUBTITLE 1. BOARDS OF LICENSE COMMISSIONERS.

Md. Ann. Code art. 2B, § 15-101 (2011)

§ 15-101. Appointed by Governor and Senate

(a) Qualifications. --

(1) For the jurisdictions in which this section is effective, the Governor, biennially, by and with the advice and consent of the Senate, if in session, and if not in session, then the Governor alone, shall appoint three persons who shall constitute and be styled "The Board of License Commissioners for Baltimore City or County", as the case may be.

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

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

(4) In the case of any vacancies in the number of the license commissioners in Baltimore City or in any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.

(b) Allegany County. --

(1) This subsection applies only in Allegany County.

(2) Appointments shall be for terms of 6 years each. The terms of the members are staggered as required by the terms of the members of the Board on January 1, 1994.

(3) Two of the members of the Board of License Commissioners shall be members of that political party which at the last preceding general election in Allegany County polled the greatest number of votes in the aggregate for the several offices of County Commissioner therein. The third member of the Board of License Commissioners shall be a member of that political party which at the last preceding general election in Allegany County polled the second highest number of votes in the aggregate for the several offices of County Commissioner therein.

(c) Anne Arundel County. --

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

(2) The provisions of § 15-107 of this article apply in the City of Annapolis.

(d) Baltimore City. -- The provisions of this section apply in Baltimore City.

(e) Baltimore County. -- The provisions of § 15-104 of this article apply in Baltimore County.

(f) Calvert County. --

(1) In Calvert County, 1 regular member of the Board shall always be a member of that political party which at the last preceding gubernatorial election polled the second highest number of votes throughout the State for that office.

(2) (i) In addition to the regular members appointed to the Board, the Governor shall appoint an alternate Board member.

(ii) The alternate Board member's term shall run concurrently with the terms of the regular members serving in office on July 1, 1986.

(iii) The alternate Board member serves on the Board in the absence of a regular Board member.

(iv) When serving on the Board, the alternate Board member has all of the powers and responsibilities of a regular Board member.

(g) Caroline County. --

(1) This subsection applies only in Caroline County.

(2) The members of the Liquor Control Board constitute the Board of License Commissioners.

(3) The term of office for the members of the Board is 3 years.

(4) Appointments to the Board shall be made by the Governor with the advice and consent of the House of Delegates, if in session, and if not in session, the Governor shall make the appointments which shall continue in force until the end of the next session of the General Assembly.

(5) (i) A substitute member of the Board shall be appointed by the Governor with the advice and consent of the House of Delegates, if in session, and if not in session the Governor shall make the appointment which shall continue in force until the end of the next session of the General Assembly.

(ii) The term of office of the substitute member shall be 3 years from the first Monday in May.

(iii) In the event of the temporary or permanent incapacity, from any cause, of a regular member of the Board, or in the event of a vacancy from any cause on the regularly constituted Board, the substitute member upon the request of the chairman or the majority of the Board shall serve in the place of the regular member so incapacitated or causing the vacancy until the incapacity has terminated or the vacancy has been filled.

(iv) While serving, the substitute member has all the powers and authority and is subject to all the duties imposed by law upon a regularly appointed member of the Board.

(h) Carroll County. -- The provisions of § 15-104 of this article apply in Carroll County.

(i) Cecil County. -- The provisions of § 15-104 of this article apply in Cecil County.

- (j) Charles County. -- The provisions of § 15-104 of this article apply in Charles County.
- (k) Dorchester County. -- The provisions of § 15-105 of this article apply in Dorchester County.
- (l) Frederick County. -- The provisions of § 15-103 of this article apply in Frederick County.
- (m) Garrett County. -- The provisions of § 15-108 of this article apply in Garrett County.
- (n) Harford County. -- The provisions of § 15-201(c)(6) of this article apply in Harford County.
- (o) Howard County. -- Repealed.
- (p) Kent County. -- The provisions of § 15-105 of this article apply in Kent County until the Board of County Commissioners passes the resolution for which provision is made by Chapter 236 of the Acts of the General Assembly of 1991.
- (q) Montgomery County. -- The provisions of § 15-104 of this article apply in Montgomery County.

(r) Prince George's County. --

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

(2) (i) The Board of License Commissioners consists of 5 members.

(ii) The Governor shall appoint 4 of the 5 Commissioners from the political party obtaining the highest number of votes in the last gubernatorial general election in the county, and the Governor shall appoint 1 Commissioner from the political party obtaining the next highest number of votes in the county election.

(iii) Before making the appointments or filling any vacancy, the Governor shall request the central committees for Prince George's County representing each of the 2 leading political parties of the State to designate at least 4 eligible candidates for each position; and the Governor shall appoint one of the persons so designated unless in his judgment all of the persons are unfit or incompetent, in which case he shall file a written statement to that effect with the Secretary of State. The statement shall set forth the facts and the grounds therefor and shall call upon the committees for Prince George's County for another list of 6 names for each position to be filled, from which list and the original list the Governor shall make the appointments.

(3) The term of a member is 3 years. The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 1985.

(4) Not more than 4 of the appointees shall belong to the same political party.

(s) Queen Anne's County. -- The provisions of § 15-104 of this article apply in Queen Anne's County.

(t) St. Mary's County. -- The provisions of § 15-102 of this article apply in St. Mary's County.

(u) Somerset County. --

(1) The provisions of this subsection apply only in Somerset County.

(2) The Governor shall appoint three persons who constitute the Board of License Commissioners and who hold office for terms of 2 years each.

(3) The appointments are subject to confirmation by the Senate of Maryland.

(4) One of the members of the Board shall be designated as its chairman, and not more than two members of the Board shall belong to the same political party.

(v) Talbot County. -- In Talbot County the appointments shall be for terms of 6 years. The Board shall organize by electing its own chairman.

(w) Washington County. --

(1) The provisions of this subsection apply only in Washington County.

(2) All terms shall be for 6 years and the terms of the members are staggered as required by the terms of the members of the Board on January 1, 1994.

(3) No more than two of the appointees shall belong to the same political party.

(x) Wicomico County. --

(1) This subsection applies only in Wicomico County.

(2) The Governor shall appoint three persons, subject to the advice and consent of the Senate, who constitute the Board of License Commissioners.

(3) (i) The term of a member is 4 years.

(ii) The terms of members continue to be staggered as required by the terms provided for members of the Board on July 1, 1994.

(iii) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(4) One of the members of the Board shall be designated as its chairman.

(y) Worcester County. --

(1) This subsection applies only in Worcester County.

(2) (i) The Governor shall appoint three persons who constitute the Board of License Commissioners and who hold office for terms of 4 years each.

(ii) The terms of the members are staggered as required by the terms of the members of the Board on January 1, 1994.

(3) The appointments are subject to confirmation by the Senate of Maryland.

(4) One of the members of the Board shall be designated as its chairman.

(5) (i) In addition to the regular members appointed to the Board, the Governor shall appoint an alternate Board member.

(ii) The alternate Board member's term shall run concurrently with the term of the regular members.

(iii) The alternate Board member shall serve on the Board in the absence of a quorum of the regular members due to illness or conflict of interest.

(iv) When serving on the Board, the alternate Board member has all of the powers and duties of a regular Board member.

HISTORY: An. Code, 1951, § 139; 1947, ch. 501, § 130; ch. 785, § 60 (aa); 1951, ch. 604, § 127 (a-1), (e); ch. 621, § 127 (a-1); 1953, § 176; 1959, ch. 370, § 2; ch. 589, § 1; ch. 733; 1961, chs. 245, 649; 1963, ch. 868; 1967, ch. 721; 1967, Sp. Sess., ch. 6; 1968, ch. 101, § 1; 1970, ch. 179; ch. 633, § 2; 1971, ch. 566, § 1; 1972, ch. 332; 1976, ch. 478, § 1; 1977, ch. 638, § 2; ch. 753, §§ 1, 3; 1983, ch. 33; 1984, ch. 255; 1985, chs. 347, 664; 1986, ch. 305; 1989, ch. 5, § 15; ch. 214; 1994, ch. 3, § 2; ch. 244; 1995, ch. 3, § 1; 1998, ch. 686, § 1; 1999, ch. 34, § 1; 2001, ch. 29, § 6.

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