

Chapter 43

(Senate Bill 153)

AN ACT concerning

Harford County – Liquor Control Board Membership – Nomination Process

FOR the purpose of altering the process in which nominees are selected for vacancies on the Harford County Liquor Control Board resulting from expired terms; requiring the County Executive to submit the name of one nominee within a certain time to the County Delegation of State Senators and Delegates for its advice and consent; requiring the County Delegation to approve or reject the nominee within a certain time; specifying that if the County Delegation fails to act the nominee shall be considered to have been approved; requiring the County Executive to submit the name of a new nominee to the County Delegation under certain circumstances if the previous nominee is rejected; requiring the County Executive to submit the name of the nominee approved by the County Delegation to the County Council for its advice and consent; specifying certain procedures to follow to fill a vacancy on the Board other than one resulting from an expired term; and generally relating to the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 15–201(c)(3) and (j)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

Article 2B – Alcoholic Beverages

15–201.

(c) (3) (i) Nominees shall be selected for vacancies on the Harford County Liquor Control Board with consideration given to geographical representation.

(ii) 1. The appointment process to fill vacancies **RESULTING FROM EXPIRED TERMS** on the Harford County Liquor Control Board is as [follows:

1. The County Executive shall present a list of nominees to the Harford County Delegation to the Maryland General Assembly for their advice

and consent. The list shall contain a minimum of 3 names for each vacancy and be presented 60 days prior to the occurrence of the vacancy;

2. Within 7 working days from the receipt of the list from the County Executive, the Harford County Delegation shall consent by approving the nominees or by deleting names from the list of nominees. If the delegation fails to act on the list within the 7 working day period, all of the nominees are, by operation of the law, automatically consented to as originally submitted by the County Executive;

3. Within 7 working days of the receipt of the list that was acted upon by the delegation, the County Executive may replace any nominee that was deleted by the delegation and may resubmit the list for delegation approval in accord with subparagraph 2 of this paragraph;

4. The County Executive shall submit 1 of the nominees for each vacancy to the County Council for its advice and consent.]**PROVIDED IN THIS SUBPARAGRAPH.**

2. AT LEAST 60 DAYS BEFORE THE EXPIRATION OF A MEMBER'S TERM, THE COUNTY EXECUTIVE SHALL SUBMIT THE NAME OF ONE NOMINEE TO THE HARFORD COUNTY DELEGATION TO THE MARYLAND GENERAL ASSEMBLY, CONSISTING OF HARFORD COUNTY SENATORS AND DELEGATES, FOR THE ADVICE AND CONSENT OF THE DELEGATION.

3. WITHIN 7 WORKING DAYS AFTER THE DELEGATION RECEIVES THE NAME OF THE NOMINEE:

A. THE DELEGATION SHALL APPROVE OR REJECT THE NOMINEE; OR

B. IF THE DELEGATION FAILS TO ACT, THE NOMINEE SHALL BE CONSIDERED TO HAVE BEEN APPROVED.

4. IF THE DELEGATION REJECTS THE NOMINEE, THE COUNTY EXECUTIVE SHALL SUBMIT THE NAME OF A NEW NOMINEE TO THE DELEGATION WITHIN 7 WORKING DAYS AFTER THE COUNTY EXECUTIVE RECEIVES NOTICE OF THE REJECTION.

5. THE COUNTY EXECUTIVE SHALL CONTINUE TO SUBMIT NAMES OF NOMINEES IN ACCORDANCE WITH SUBSUBPARAGRAPHS 3 AND 4 OF THIS SUBPARAGRAPH TO THE DELEGATION UNTIL A NOMINEE IS APPROVED.

6. THE COUNTY EXECUTIVE SHALL SUBMIT THE NAME OF THE APPROVED NOMINEE TO THE COUNTY COUNCIL FOR ITS ADVICE AND CONSENT.

(j) **(1) [In] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, IN case of a vacancy on an appointive board for any reason whatsoever, it shall be filled for the unexpired term in the same manner as the original appointment[; except that in].**

(2) IN Worcester County, the vacancy shall be filled by the Governor with the advice and consent of the Senate.

(3) IN HARFORD COUNTY, TO FILL A VACANCY OTHER THAN ONE RESULTING FROM AN EXPIRED TERM:

(I) THE COUNTY EXECUTIVE, AS SOON AS PRACTICABLE, SHALL SUBMIT THE NAME OF ONE NOMINEE TO THE HARFORD COUNTY DELEGATION TO THE MARYLAND GENERAL ASSEMBLY, CONSISTING OF HARFORD COUNTY SENATORS AND DELEGATES, FOR THE ADVICE AND CONSENT OF THE DELEGATION; AND

(II) THEREAFTER, THE PROCEDURES UNDER SUBSECTION (C)(3)(II)3 THROUGH 6 OF THIS SECTION SHALL BE FOLLOWED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, April 13, 2010.