



Maryland State Licensed Beverage Association

150 E. Main St., Suite 104, Westminster, MD 21157 ♦ (410) 876-3464, (800) 921-1381
FAX: (410) 871-2545 ♦ Website: www.mslba.org ♦ E-mail: mslba@msn.com



2019 General Assembly Session Preview

By J. Steven Wise; Schwartz, Metz & Wise, P.A.

MSLBA Lobbyist & Legal Counsel

The 2019 General Assembly Session begins a new four-year term for all statewide elected officials including Governor, Lieutenant Governor, Attorney General and Comptroller, as well as Delegates and Senators from each of Maryland's 47 legislative districts. Governor Larry Hogan and Lieutenant Governor Boyd Rutherford were re-elected to another four-year term, becoming the first Republicans to be re-elected to that position in over 50 years. Attorney General Brian Frosh of Montgomery County and Comptroller Peter Franchot, also of Montgomery County, were re-elected.

The 188 member General Assembly will be comprised of 60 new members—43 in the House and 17 in the Senate—a 32% turnover. The numbers of Democrats and Republicans also changed: In the House of Delegates, there are now 42 Republicans (versus 50 previously) and 99 Democrats. In the Senate, there are 15 Republicans (versus 14 previously) and 32 Democrats. The Senate also experienced substantial leadership changes due to retirements and election defeats. Only one standing committee will have the same chair—Judicial Proceedings with Senator Bobby Zirkin (Dist. 11/Balt. Co.), though it will also have a new Vice Chair in Senator Will Smith (D-Montgomery). The other standing committees all will have new chairs as follows:

Budget & Taxation	Nancy King (D-Montgomery), Chair Bill Ferguson (D-Balt. City), Vice Chair
Finance	Delores Kelley (D-Balt. County), Chair Brian Feldman (D-Montgomery), Vice Chair
EHE	Paul Pinsky (D-Prince George's), Chair Shirley Nathan-Pulliam (D-Balt. Co/Balt City), Vice Chair

Committee assignments for all Senators were announced in November, and can be see here: <http://mgaleg.maryland.gov/webmg/frmcommittees.aspx>). The House will announce Committee assignments in mid-December, but notable leadership changes include Delegate Eric Bromwell (D-Balt. Co.) becoming Vice-Chair of the Economic Matters Committee, and Delegate Joseline Pena-Melnyk (D-Prince George's/Anne Arundel) becoming Vice-Chair of the Health and Government Operations Committee.

With so many new legislators, MSLBA members should take the opportunity to invite them to their places of business and educate them on the important issues that will be discussed over the coming 4-year term, beginning with the 2019 Session. Some of these issues are as follows:

Beer & Wine Sales in Chain Stores and Supermarkets

In nearly every recent session of the General Assembly, we have seen legislation introduced that would allow chain and grocery stores to sell beer and wine. Some legislation has

pertained only to one jurisdiction, while other legislation has been statewide. Members of MSLBA should fully anticipate that such a bill will be introduced. You'll note that the State's chief regulator of alcohol, Comptroller Franchot, in the summer of 2018 called for beer and wine to be sold in supermarkets. Those MSLBA members who own package stores understand that such a fundamental change in how alcohol is sold in Maryland would spell the end of some locally owned Maryland businesses and the jobs they represent, and does not result in better selection of products (as has been asserted). Members should take this opportunity to invite their legislators—especially the newly elected ones—to their stores to share their concerns over this proposal.

Dram Shop Legislation

In three of the last five years legislation was introduced that would have imposed liability upon a licensee if he served a patron while the patron was under the influence, and the patron later causes a motor vehicle accident. This is commonly referred to as “dram shop” liability. It is fully expected that such legislation will be filed again this year. This proposal affects all licensees, from on-premise to off-premise to even permit holders who offer short-term events where alcohol is served, such as festivals. Retailers must serve responsibly and ensure servers are properly trained and supervised, and maintain order in their establishments, but turning plaintiff's lawyers loose on every retail establishment is not good policy when adequate penalties already exist for those retailers who do not play by the rules.

Breweries

MSLBA members will recall that we spent dozens of hours hammering out a compromise on legislation that reformed the brewery laws in the State during the 2017 Session. These were driven by Diageo opening its Guinness facility, Maryland's brewers seeking reform, and our industry wanting to maintain the 3-tier system around which our members have all made their investments. In the end, all parties—Diageo, the MD Brewers Association, the MD Beer Wholesalers and MSLBA—agreed to the legislation that was passed.

It is expected that in 2019, the Maryland brewers and possibly Diageo will seek legislation to increase the number of barrels that they serve in their taprooms, among other measures. MSLBA's Legislative Committee will be reviewing these as they are proposed.