

(H) REMOVAL.

THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE, MISCONDUCT, NEGLIGENCE OF DUTIES, OR OTHER SUFFICIENT CAUSE.

REVISOR'S NOTE: Subsections (a) through (c), (g)(1), (3), and (4), and (h) of this section are new language derived without substantive change from former Art. 75 1/2, § 4, § 6, and § 3(c) and (d)(3) and the first clause of (2).

Subsections (d) and (e)(2) of this section are new language that repeats the provisions of present Art. 41, § 8-102(d) and (e) and the second sentence of (c).

Subsection (e)(1) of this section is standard language added as an inherent and essential corollary to subsection (d)(4) of this section.

Subsection (f) of this section is standard language substituted for former Art. 75 1/2, § 3(d)(1), which required an appointee to "receive a certificate of his appointment from the Governor" and to "file with the Secretary of State his written oath ... for the faithful discharge of his official duty." The substituted language clarifies that the oath to be taken is that required for all appointees to offices of profit or trust. Under Art. 70, §§ 7 and 12 of the Code, the oath is taken before a clerk of court, who submits a report to the Secretary of State.

Subsection (g)(2) of this section is new language substituted for the second through sixth clauses of former Art. 75 1/2, § 3(d)(2), which provided for the terms of members appointed under Ch. 208, Acts of 1978, and was obsolete. This substitution is not intended to alter the term of any member of the Board. See § 7 of Ch. ____, Acts of 1989. Accordingly, in subsection (g)(1) of this section, the specific reference to "July 1" is added. The terms of the members serving on October 1, 1989, end as follows: (1) 1 in 1990; (2) 1 in 1991; (3) 2 in 1992; (4) 1 in 1993; and (5) 1 in 1994.

In subsection (a)(1) and (2)(ii) of this section, respectively, the references to a total Board membership of 6 members and to 2 consumer members are substituted for the former references to "five" members, including "one ... member from the public". These substitutions reflect that, in accordance with the provisions now codified as Art. 41, § 8-102(c) of the Code, the Governor chose to add a consumer member. The position is considered to be a permanent addition to the Board membership.