

An. Code, 1924, sec. 349. 1912, sec. 414. 1910, ch. 180, sec. 2 (p. 342).
1914, ch. 750. 1916, ch. 713. 1924, ch. 534, sec. 414. 1927, ch. 201, sec. 2.

349. There shall be a public service commission, and the same is hereby created and established, which said public service commission shall be vested with and possessed of the powers and duties in this sub-title specified, and also all powers necessary or proper to enable it to carry out fully and effectually all the purposes of this sub-title.

The said public service commission shall consist of three members, all of whom shall be appointed by the Governor, and one of whom shall be designated by the Governor to be and, upon so being designated, shall be the chairman of said commission.

Each commissioner, at the time of his appointment and qualification, shall be a resident of the State of Maryland, and shall have resided in said State for a period of at least five years next preceding his appointment and qualification, and he shall also be a qualified voter therein and not less than twenty-five years of age.

One of said commissioners shall hold office for two years from the beginning of his term of office and until his successor shall qualify; one of said commissioners shall hold office for four years from the beginning of his term of office and until his successor shall qualify; and one of said commissioners shall hold office for six years from the beginning of his term of office and until his successor shall qualify. The term of office of each commissioner shall begin on the first Monday of May, in the year nineteen hundred and ten (1910), and the appointment of each of said commissioners shall be made and announced by the Governor not less than ten days before said first Monday of May, nineteen hundred and ten. The Governor, at the time for making and announcing the appointment of said three commissioners, as well as in the commission issued by him to each of them, shall designate which of said commissioners shall serve for the term of two years, and which shall serve for the term of four years, and which shall serve for the term of six years, as aforesaid, and also which shall be the chairman of said commission. Upon the expiration of each of said terms, the term of office of each commissioner thereafter appointed shall be six years from the time of his appointment and qualification and until his successor shall qualify.

Vacancies in said commission shall be filled by the Governor for the unexpired term. Each commissioner shall be eligible for reappointment, in the discretion of the Governor.

In the event that the term of office above ascertained and prescribed for each of said commissioners, or the term of office hereinafter prescribed for the general counsel, shall in respect to any of said commissioners or the general counsel be held and decided by the courts, and particularly by the Court of Appeals of Maryland, to be in excess of the period or term of office allowed or permitted by the Constitution of Maryland, then, in such event, the term of office of each of said commissioners, or said general counsel, shall, and this Act hereby declares and determines that the term of office of each of them shall be for the period of two years from and after the first Monday of May in the year nineteen hundred and ten (unless