

(i) *The Secretary of Agriculture may, in his discretion, exercise or perform any power, duty, responsibility or function which any of the divisions, offices, boards, commissions, departments or other agencies within the Department of Agriculture are authorized to exercise or perform, except for those powers, duties, responsibilities and functions which are vested by law in the Board of Review of the Department of Agriculture and the Maryland ~~Agriculture~~ AGRICULTURAL Commission.*

436. *Board of Review.*

(a) *The Board of Review of the Department of Agriculture is hereby created. It shall consist of seven members appointed by the Governor with the advice of and consent of the Senate of Maryland. Of the seven members so appointed, not less than four shall be selected from and represent the general public. The remaining members shall be persons of knowledge and experience in one or more of the fields under the jurisdiction of the Department of Agriculture. Of the members initially appointed, three shall be for terms of three years, two for terms of two years, and two for terms of one year. Thereafter, all appointments shall be for terms of three years. The Governor shall designate a Chairman from among the members representing the general public. The Governor shall fill any vacancy which occurs before the expiration of a term, for the balance of the term so remaining. Members of the Board shall receive such compensation as provided in the budget and shall be reimbursed for actual expenses. The Board shall have such staff as provided in the Budget.*

(b) *The Board shall hear and determine appeals from those decisions of the Secretary or any offices, boards, commissions, departments, or agencies within the Department of Agriculture which are subject to judicial review under any provisions of law. The Board shall also hear and determine appeals from those actions or failures to act by any offices, boards, commissions, departments or agencies within the Department of Agriculture for which the Secretary, by regulations, provides for review by the Board. The Board shall report at least annually to the Secretary and its report shall incorporate a summary of appeals heard and the determinations thereof by categories. No member of the Board shall participate in any determination nor vote in any proceeding as to which he has, directly or indirectly, a private interest.*

(c) *The Governor, upon the recommendation of a majority of the Board or upon the recommendation of the Secretary, may remove any member of the Board for one or more of the following:*

(1) *Conviction of a crime involving moral turpitude, or of any criminal offense the effect of which is to prevent or interfere with the performance of Board duties.*

(2) *Failure to attend regularly scheduled meetings of the board.*

(3) *Failure to carry out duties assigned by the Board or its Chairman.*

(4) *Acceptance of other office or the conduct of other business conflicting with or tending to conflict with performance of Board duties.*