

SERVE A ONE YEAR TERM. A MEMBER SERVES UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED. AN APPOINTMENT TO A VACANCY IN AN UNEXPIRED TERM IS LIMITED TO THE REMAINDER OF THAT TERM. THE GOVERNOR SHALL FILL ANY VACANCY IN AN UNEXPIRED TERM. THE GOVERNOR SHALL DESIGNATE A CHAIRMAN FROM AMONG THE MEMBERS REPRESENTING THE GENERAL PUBLIC. MEMBERS OF THE BOARD SHALL RECEIVE THE COMPENSATION PROVIDED IN THE STATE BUDGET AND SHALL BE REIMBURSED FOR ACTUAL EXPENSES. THE BOARD SHALL HAVE THE STAFF PROVIDED IN THE BUDGET.

REVISOR'S NOTE: This subsection is new language derived from Article 41, section 236(a) of the Code.

(B) RECOMMENDATIONS TO SECRETARY; ACTING IN LIEU OF ADVISORY BOARD.— THE BOARD MAY MAKE RECOMMENDATIONS TO THE SECRETARY REGARDING THE OPERATION AND ADMINISTRATION OF THE DEPARTMENT AS IT DEEMS NECESSARY OR DESIRABLE. IF NO ADVISORY BOARD IS CREATED FOR THE DEPARTMENT AS PROVIDED FOR IN § 1-105 OF THIS ARTICLE, THE BOARD OF REVIEW SHALL ADVISE THE SECRETARY AS TO ALL MATTERS AFFECTING THE DEPARTMENT WHICH HE SUBMITS FOR ITS CONSIDERATION.

REVISOR'S NOTE: This subsection is new language derived from Article 41, section 236(b) of the Code.

(C) APPEALS TO BE HEARD AND DETERMINED BY BOARD; ANNUAL REPORT TO SECRETARY.—IN ADDITION, THE BOARD SHALL HEAR AND DETERMINE APPEALS FROM THOSE DECISIONS OF THE SECRETARY OR ANY UNIT WITHIN THE DEPARTMENT WHICH ARE SUBJECT TO JUDICIAL REVIEW UNDER THE ADMINISTRATIVE PROCEDURE ACT OR UNDER ANY OTHER PROVISION OF LAW. THE BOARD ALSO SHALL HEAR AND DETERMINE APPEALS FROM ACTIONS OR FAILURES TO ACT BY ANY UNIT WITHIN THE DEPARTMENT FOR WHICH THE SECRETARY, BY RULE OR REGULATION, PROVIDES FOR REVIEW BY THE BOARD. THE BOARD SHALL REPORT AT LEAST ANNUALLY TO THE SECRETARY. ITS REPORT SHALL INCORPORATE A SUMMARY OF APPEALS HEARD AND DETERMINATIONS MADE. A BOARD MEMBER MAY NOT PARTICIPATE IN ANY DETERMINATION OR VOTE IN ANY PROCEEDING AS TO WHICH HE HAS, DIRECTLY OR INDIRECTLY, A PRIVATE INTEREST.

REVISOR'S NOTE: This subsection is new language derived from Article 41, section 236(c) of the Code.