

(D) COMPENSATION.

A MEMBER OF THE BANKING BOARD:

(1) MAY NOT RECEIVE COMPENSATION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

REVISOR'S NOTE: This section is new language derived without substantive change from the first two paragraphs of Art. 11, § 27.

As to subsection (b) of this section, present Art. 11, § 27 is unclear as to whether a member appointed to fill a vacancy must be nominated by the organization that the member represents. In subsection (b) (2) of this section, the revision assumes that each organization only submits nominees when the position of its representative is vacant.

In subsection (c) of this section, the present references to the terms of the initial members are deleted as obsolete. The continuing stagger created under that provision is now covered under subsection (c) (2) of this section. The term of one appointed member expires on June 1 of each odd numbered year.

Subsection (c) (3) of this section is standard language added to provide for gaps in membership by indicating that a member serves until a successor takes office. This provision is supported by the cases of Benson v. Mellor, 152 Md. 481 (1927) and Grooms v. LaVale Zoning Board, 27 Md. App. 266 (1975).

Art. 41, § 221A(c) of the Code provides for inclusion of at least one consumer representative on each regulatory and advisory board within the Department of Licensing and Regulation. In 60 Op. Att'y Gen. _____ (1979), Attorney General Sachs interpreted that provision to permit appointment of a consumer representative to a board if there is not a "consumer representative" on the board. Under this provision, two consumer representatives currently serve on the Banking Board.

2-203. FUNCTION AND DUTIES.

(A) FUNCTION.

THE FUNCTION OF THE BANKING BOARD IS ADVISORY.
