

~~BE--A--GRADUATE--OF--A--SCHOOL--OF--CHIROPRACTIC--DIFFERENT--FROM
THAT--ATTENDED--BY--ANY--REMAINING--MEMBERS--OF--THE--BOARD-~~

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 499(b) -- except for item (5) of that subsection -- and from Art. 43, § 500 and the second sentence of § 511.

In subsection (a)(3) and (4) of this section, as to the substitution of the phrase "with the advice of the Secretary" for "on the recommendation of the Secretary", see the General Revisor's Note to this article.

Subsection (e) of this section is standard language added to this and, where necessary, corresponding sections of other titles of this article to state the duty of an individual appointed to any office of profit or trust to take the oath specified in Art. I, § 9 of the State Constitution.

In subsection (a)(3) of this section, new language is added to clarify that an incumbent member may decline renomination and to fill a gap in the law.

In subsection (b) of this section, new language is added to state explicitly what presently is only implied in the law -- i.e., that each chiropractor member of the Board must be a "licensed" chiropractor.

Subsection (f)(2) of this section is standard language added to provide for staggered terms for the membership and to reflect the practice of the Board. Chapter 702, Acts of 1980 deleted the stagger provisions for the initial appointees to the Board and left the law silent as to the present staggering of terms. The Commission to Revise the Annotated Code has relied on the past and current practice of the Governor and the Board as to the terms for its members and, therefore, retained the staggered term provision.

Subsection (f)(3) of this section is standard language added to this and, where necessary, corresponding sections of other titles of this article 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).