

(G) REMOVAL.

THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE OR MISCONDUCT.

REVISOR'S NOTE: This section is new language derived without substantive change from the last clause of Art. 43, § 606(a)(1) and from Art. 43, § 606(a)(3), (4)(i) through (iv), and (5) through (8).

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

Also in subsection (a)(3) and (4) of this section, the present reference to the Governor filling vacancies on the Board is deleted as unnecessary.

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.

As to subsection (f) of this section, the present phrase relating to appointing members to the Board as terms expire "other than by abolition of positions" is deleted as obsolete.

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).

Subsection (f)(4) of this section also is added as standard language. It follows from the requirement that there be staggered terms. An inherent aspect of staggered terms is that they must begin and end at set intervals. For circumstances under which this subsection applies, see the General Revisor's Note to this article.

Subsection (g) of this section is new language derived without substantive change from Art. II,