

providing that the Fund shall be subrogated to the rights of a claimant whenever payment has been made in certain actions or claims; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,

Article 48A - Insurance Code  
 Section 243(b) and (c), 243F(b), 243H(a)(3)(vi) and (b), and 243J  
 Annotated Code of Maryland  
 (1979 Replacement Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article 48A - Insurance Code

243.

(b) The executive director of the Fund shall be the administrative head of the Fund and shall be responsible for the exercise of all powers and duties conferred upon the Fund by this subtitle, except for and subject to those powers and duties conferred upon the board of trustees. The first executive director shall be appointed by the Governor and shall serve at the pleasure of the Governor. A vacancy occurring in the office of executive director after July 1, [1976] 1982, shall be filled by the board of trustees[.], WITH THE APPROVAL OF THE GOVERNOR. However, (1) the incumbent executive director shall not vote on the selection of his successor, and (2) if the board fails to agree on the successor, the Governor shall appoint him. An executive director appointed after July 1, [1976] 1982 serves at the pleasure of the board. The compensation of the executive director shall be determined by the board of trustees, with the approval of the Governor.

(c) The board of trustees of the Fund shall consist of 11 persons, selected as follows. The executive director is a member [and chairman] of the board [ex officio] OF TRUSTEES, and, except as provided in subsection (b), has the power to vote. Five members shall be appointed by the Governor with the advice and consent of the Senate, and serve at the pleasure of the Governor. Five members shall be appointed by the board of directors of the Industry Automobile Insurance Association in accordance with § 243M. TWO OF THE 5 INDUSTRY AUTOMOBILE INSURANCE ASSOCIATION MEMBERS SHALL BE RESIDENTS OF THIS STATE. THE CHAIRMAN OF THE BOARD OF TRUSTEES SHALL BE SELECTED BY THE BOARD OF TRUSTEES. HOWEVER FOR EACH SUCCESSIVE TERM, THE CHAIRMANSHIP SHALL ALTERNATE BETWEEN A GUBERNATORIAL APPOINTEE AND AN INDUSTRY AUTOMOBILE INSURANCE ASSOCIATION