

(III) IF THE CHAIRMAN AND VICE CHAIRMAN ARE ABSENT OR OTHERWISE UNABLE TO PRESIDE, THE INDIVIDUAL WHO IS SELECTED UNDER THE RULES OF THE INVESTIGATING COMMITTEE.

(2) AT A HEARING, THE PRESIDING OFFICER:

(I) SHALL EXAMINE THE WITNESSES OR SUPERVISE THE EXAMINATION BY ANY OTHER MEMBER OF THE INVESTIGATING COMMITTEE OR BY STAFF WHO ARE AUTHORIZED TO EXAMINE WITNESSES; AND

(II) MAY DIRECT A WITNESS TO ANSWER A RELEVANT QUESTION OR TO PROVIDE A RELEVANT BOOK, DOCUMENT, OR PAPER.

REVISOR'S NOTE: Subsections (a), (b), and (c)(1)(i) and (ii) and (2) of this section are new language derived without substantive change from former Art. 40, § 81(b) and the first sentence of § 83(d).

Subsection (c)(1)(iii) of this section is new language added to state expressly that which is implicit in light of subsection (b) of this section.

In subsection (a)(1) of this section, the former reference to the "law" that created the investigating committee is deleted since, under § 2-1603(a) of this subtitle, an investigating committee may be established only by resolution.

Subsection (c)(2)(i) of this section is revised as a duty of the "presiding officer". Although former Art. 40, § 81(b) directed the chairman to "conduct the examination", this reference to the chairman was modified by the language "if present and able to act", which suggested that, in the absence of the chairman, the vice chairman or other presiding officer had this duty.

Defined terms: "Hearing" § 2-1601
"Investigating committee" § 2-1601

2-1606. QUORUM; VOTING; STAFF.

(A) QUORUM; VOTING.

(1) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF AN INVESTIGATING COMMITTEE IS A QUORUM.

(2) UNLESS THERE IS A QUORUM, AN INVESTIGATING COMMITTEE MAY NOT ACT AT ANY MEETING OR HOLD A HEARING.

(3) UNLESS A GREATER VOTE EXPRESSLY IS REQUIRED IN THIS SUBTITLE, AN INVESTIGATING COMMITTEE MAY ACT BY A MAJORITY VOTE OF ITS MEMBERS WHO ARE PRESENT AT A MEETING AND VOTE.