

(G) REMOVAL.

THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE OR MISCONDUCT.

REVISOR'S NOTE: Subsections (a)(1), (2)(i), and (3), (b), and (f)(1) of this section are new language derived without substantive change from the second and third sentences and the second clause of the fourth sentence of former Art. 56, § 489.

Subsection (a)(2)(ii) of this section is new language added to reflect that, in accordance with the provisions now codified as Art. 41, § 8-102(c) of the Code, the Governor chose, in 1974, to add 2 consumer members. These positions are considered to be permanent additions to the membership of the Board. Accordingly, in subsection (a)(1) of this section, the reference to a total membership of 5 members is substituted for the former, inaccurate reference to "three (3) members".

Subsections (c) and (d)(2) of this section are new language that repeats the provisions of present Art. 41, § 8-102(d) and (e) and the second sentence of (c).

Subsection (d)(1) of this section is standard language added as an inherent and essential corollary to subsection (c)(4) of this section.

Subsection (e) of this section is standard language added to state the requirement that an individual appointed to any office of profit or trust take the oath specified in Md. Constitution, Art. I, § 9.

Subsection (f)(2) of this section is standard language substituted for the first clause of the fourth sentence of former Art. 56, § 489, which provided for the terms of the members of the first Board and was obsolete. This substitution is not intended to alter the term of any member of the Board. See § 7 of Ch. ____, Acts of 1989. Accordingly, in subsection (f)(1) of this section, the specific reference to "July 1" is added. The terms of the members serving on October 1, 1989, end as follows: (1) 1 in 1990; (2) 1 in 1991; and (3) 3 in 1992.

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