

Subsection (e)(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).

Subsection (e)(4) of this section is also 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.

In subsection (a) of this section, the former phrase "to the Secretary of Personnel" is deleted as unnecessary because the Advisory Council's only duty is to advise the Secretary.

In subsection (b)(1) of this section, the conflict caused by the requirement in former § 48E(b)(1) that the Secretary or a representative be appointed by the Governor and the requirement in former § 48E(d)(1) that the Secretary serve as a "continuing member" of the Advisory Council, is resolved by adding the reference to the Secretary's "designee" and indicating that neither is required to be appointed by the Governor.

Defined term: "Secretary" § 1-101

8-106. SAME — DUTIES AND OPERATIONS.

(A) GENERAL DUTIES.

THE ADVISORY COUNCIL SHALL ADVISE THE SECRETARY ON:

(1) HEALTH INSURANCE BENEFIT OPTIONS THAT SHOULD BE INCLUDED IN THE PROGRAM;

(2) TYPES OF HEALTH CARE PROVIDERS THAT SHOULD BE USED TO PROVIDE HEALTH INSURANCE BENEFITS UNDER THE PROGRAM;

(3) PROCEDURES FOR SOLICITING BIDS OR REQUESTING PROPOSALS FROM HEALTH CARE PROVIDERS FOR CONTRACTS FOR THE PROGRAM;

(4) THE IMPLEMENTATION, MAINTENANCE, AND ADMINISTRATION OF THE HEALTH INSURANCE BENEFITS UNDER THE PROGRAM; AND

(5) NEGOTIATIONS INVOLVING HEALTH INSURANCE BENEFITS UNDER THE PROGRAM.

(B) MEETINGS.

THE ADVISORY COUNCIL SHALL MEET AT LEAST QUARTERLY AT THE TIMES AND PLACES THAT IT DETERMINES.

(C) RECORDS AND REPORTS.

THE ADVISORY COUNCIL SHALL:

(1) MAINTAIN A RECORD OF ITS MEETINGS, PROCEEDINGS, AND TRANSACTIONS; AND