

(III) THE STATE POLICE RETIREMENT SYSTEM; AND

(2) THREE REPRESENTATIVES FROM THE PUBLIC APPOINTED BY THE BOARD OF TRUSTEES WITH THE APPROVAL OF THE BOARD OF PUBLIC WORKS FOR STAGGERED 3-YEAR TERMS WHO:

(I) ARE NOT MEMBERS, RETIREES, OR BENEFICIARIES UNDER ANY OF THE SEVERAL SYSTEMS; AND

(II) HAVE HAD EXPERIENCE IN THE MANAGEMENT AND CONTROL OF LARGE INVESTMENTS.

(C) QUALIFICATIONS.

THE BOARD OF TRUSTEES MAY:

(1) SET ADDITIONAL QUALIFICATIONS FOR PUBLIC MEMBERS; AND

(2) ADOPT REGULATIONS ON ETHICAL STANDARDS AND CONFLICTS OF INTEREST FOR PUBLIC MEMBERS.

(D) CHAIRMAN.

BY RESOLUTION, THE BOARD OF TRUSTEES SHALL DESIGNATE THE CHAIRMAN OF THE INVESTMENT COMMITTEE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 73B, § 1-103(g)(2)(i), the second and third sentences of (g)(2)(ii), and, as it related to the authority of the Board of Trustees to specify the number and the chairman of the Investment Committee, the first sentence of (g)(2)(ii).

In subsection (a)(2) of this section, the introductory clause "[e]xcept as provided in subsection (b)(2) of this section" is added in light of the inconsistency between former Art. 73B, § 1-103(g)(2)(i), which required the Board of Trustees to appoint the members of the Investment Committee exclusively from the membership of the Board, and former Art. 73B, § 1-103(g)(2)(ii)2, which required the Board of Trustees to appoint three representatives from the public to serve on the Investment Committee. This inconsistency arises because under § 21-104(a)(11) of this subtitle, the public membership of the Board of Trustees is limited to only two individuals. In practice, two public members of the Board of Trustees and three public members who do not represent the Board of Trustees participate on the Investment Committee. The State Retirement Agency advises that the intent of Ch. 698, Acts of 1988, which added § 1-103(g)(2)(ii)2, was to have three public representatives on this Committee who are not members of the Board of Trustees. This addition is called to the attention of the General Assembly.

Also in subsection (a)(2) of this section, the reference to "members of the Investment Committee" is added to clarify that the Board of Trustees appoints the membership of the Investment Committee, which is ongoing.