

(III) THREE SHALL BE MEMBERS OF THE PUBLIC WHO ARE NOT ELIGIBLE TO PARTICIPATE IN ANY OF THE SUPPLEMENTAL RETIREMENT PLANS, AT LEAST ONE OF WHOM SHALL HAVE EXPERIENCE WITH DEFERRED COMPENSATION AND SALARY REDUCTION PLANS.

(B) TENURE; VACANCIES.

(1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 1994.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(C) REMOVAL.

THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE OR MISCONDUCT.

REVISOR'S NOTE: Subsections (a) and (b)(1) and (2) of this section are new language derived without substantive change from former Art. 73C, § 2(b) and (c)(1) and (2).

Subsection (b)(3) and (4) of this section is standard language added to avoid gaps in membership by indicating that a member serves until a successor takes office. These additions are supported by the cases of Benson v. Mellor, 152 Md. 481(1927), and Grooms v. La Vale Zoning Board, 27 Md. App. 266(1975).

Subsection (c) of this section is new language substituted for former Art. 73C, § 2(c)(4), reflecting the provisions of Md. Const., Art. II, § 15.

In subsection (b)(2) of this section, the effective date of the bill that enacted this article, "October 1, 1994", is substituted for the former date, "July 1, 1985". This substitution is not intended to alter the terms of any member of the Board. The terms of members serving on October 1, 1994, end as follows: (1) three in 1994; (2) three in 1995; and (3) three in 1996.

Defined terms: "Board" § 35-101  
"Supplemental retirement plans" § 35-101

35-203. CHAIRMAN.

THE GOVERNOR SHALL APPOINT A CHAIRMAN FROM AMONG THE MEMBERS OF THE BOARD APPOINTED UNDER § 35-202(A)(2)(I) OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73C, § 2(c)(3).

Defined term: "Board" § 35-101