

(B) TERMS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION:

(I) THE TERM OF A MEMBER OF THE COMMISSION IS 3 YEARS; AND

(II) THE TERMS OF THE MEMBERS OF THE COMMISSION ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 1999.

(2) (I) THE ATTORNEY GENERAL, SECRETARY OF GENERAL SERVICES, AND SECRETARY OF BUDGET AND MANAGEMENT SHALL SERVE AS EX OFFICIO MEMBERS OF THE COMMISSION.

(II) AN EX OFFICIO MEMBER OF THE COMMISSION MAY SERVE PERSONALLY AT ANY COMMISSION MEETING OR DESIGNATE A REPRESENTATIVE FROM THE EX OFFICIO MEMBER'S UNIT WHO MAY ACT AT ANY COMMISSION MEETING TO THE SAME EFFECT AS IF THE EX OFFICIO MEMBER WERE PERSONALLY PRESENT.

(C) APPOINTMENT OF SUCCESSOR.

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

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

REVISOR'S NOTE: Subsections (a), (b), and, as it describes a member's term, (c)(2) of this section are new language derived without substantive change from former Art. 41, § 4-401(c)(2) and (3).

Subsection (b)(1)(ii) of this section is standard language substituted for the former obsolete reference in Art. 41, § 4-401(c)(3)(i) to the initial terms of the eight members of the Commission not serving in an ex officio capacity. This substitution is not intended to alter the term of any member of the Commission. The terms of the members serving on October 1, 1999, end as follows: (1) three on July 1, 2000; (2) two on July 1, 2001; and (3) three on July 1, 2002.

Subsection (c)(1) of this section and the clause "until a successor is appointed and qualifies" in subsection (c)(2) of this section are 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 holdings in Benson v. Mellor, 152 Md. 481 (1927) and Grooms v. LaVale Zoning Board, 27 Md. App. 266 (1975).

In subsection (a) of this section, the former reference to members "who collectively possess the following qualifications" is deleted as implicit in the enumeration of the individual members.

In subsection (a)(4)(i) of this section, the phrase "members of the public" is