

legislative interpretation. The General Assembly may want to consider a substantive amendment to correct this apparent conflict.

One additional substantive change is recommended. In subsection (b), the reference to "§§ 2.01 through 2.11" should probably be amended to reference "§§ 2.01 through 2.12", to reflect the 1975 amendment adding § 2.12 to Subtitle 2 of the article.

Planning Commission Generally

3.01. Grant of power.

(a) A [county or municipal corporation is hereby authorized and empowered to make,] LOCAL JURISDICTION MAY ENACT, adopt, amend, [extend, add to, or] AND execute a plan as provided in this article and create by ordinance a planning commission with the powers and duties [herein] set forth IN THIS ARTICLE.

(b) [Where] A MUNICIPAL CORPORATION MAY BE INCLUDED AS PART OF A COUNTY PLAN UNDER THIS ARTICLE IF:

(1) [the] THE legislative body of [a] THE municipal [corporation] CORPORATION, by A resolution directed to the legislative body of the county in which [said] THE municipal corporation is located, indicates the intention to participate in [a countywide program under the applicable provisions of this article, and where the] THE COUNTY PLAN; AND

(2) THE legislative body of [said] THE county approves [such] THE resolution[, then said municipal corporation shall be included for such purposes as part of said county].

DRAFTER'S NOTE: In subsection (a) of this section, the defined term "local jurisdiction" is substituted for the former reference to "county or municipal corporation".

Former subsection (c) of this section is transferred without substantive change to the Session Laws.

3.02. Composition of commission; appointment, compensation, [term] TERM, and removal of members; vacancies[; special provisions as to Allegany, Carroll, Charles, and Cecil Counties].

(a) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A PLANNING commission CREATED UNDER THIS SUBTITLE shall consist of either five or seven [members, one of whom] MEMBERS.

(2) ONE OF THE MEMBERS may be a member of the local legislative [body to serve] BODY, SERVING in an ex officio capacity concurrent with [his] THE MEMBER'S official term.

(B) (1) The members OF A PLANNING COMMISSION shall be appointed by the local legislative body or by [such] THE person [or persons as the local legislative body