

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 creating the commission in the ordinance may designate] DESIGNATED as the appointing power IN THE ORDINANCE CREATING THE COMMISSION.

(2) Where there is a single local elected executive, the members OF A PLANNING COMMISSION shall be appointed by the local executive and confirmed by the local legislative body.

(C) [All members may serve with] EACH MEMBER OF A PLANNING COMMISSION IS ENTITLED TO the compensation THAT the local legislative body [deems] CONSIDERS appropriate.

(D) (1) The term of each member is [five] 5 years or until the member's successor takes office[, except that the respective terms of the five members first appointed shall be].

(2) THE TERMS OF THE MEMBERS OF A PLANNING COMMISSION SHALL BE [on a] staggered [basis].

(E) (1) After a public hearing, THE LOCAL LEGISLATIVE BODY MAY REMOVE THE members OF A PLANNING COMMISSION [may be removed by the local legislative body] for inefficiency, neglect of duty, or malfeasance in office.

(2) The local legislative body THAT REMOVES A MEMBER OF A PLANNING COMMISSION shall file a written statement of reasons for the removal.

(F) Vacancies occurring [otherwise] OTHER than through the expiration of A term shall be filled for the unexpired term by the local legislative body or by [whatever] THE person [or persons as the local legislative body creating the commission may designate] DESIGNATED in the ordinance as the appointing power.

[(b) (5)] (G) In a municipal corporation, the local legislative body may designate one alternate member of the commission who may sit on the commission in the absence of any member of the commission. When the alternate is absent, the local legislative body may designate a temporary alternate to sit on the commission.

DRAFTER'S NOTE: This section is transferred without substantive change from former § 3.02(a) and (b)(5) of this subtitle.

In subsection (d) of this section, the first portion of the second clause of the