

(B) POLICE OFFICIAL MEMBERS.

(1) THE SECRETARY SHALL APPOINT THE THREE POLICE OFFICIALS TO BE MEMBERS OF THE COMMISSION WITH THE APPROVAL OF THE GOVERNOR AND THE ADVICE AND CONSENT OF THE SENATE.

(2) THE THREE MEMBERS APPOINTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REPRESENT DIFFERENT GEOGRAPHIC AREAS OF THE STATE.

(C) TENURE; VACANCIES.

(1) THE TERM OF A MEMBER WHO IS APPOINTED UNDER SUBSECTION (B) OF THIS SECTION IS 3 YEARS.

(2) THE TERMS OF THE MEMBERS WHO ARE APPOINTED UNDER SUBSECTION (B) OF THIS SECTION ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2003.

(3) AT THE END OF A TERM, A MEMBER WHO IS APPOINTED UNDER SUBSECTION (B) OF THIS SECTION 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 REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) DESIGNATION OF REPRESENTATIVES.

EXCEPT FOR THE THREE MEMBERS APPOINTED BY THE SECRETARY UNDER SUBSECTION (B) OF THIS SECTION, A MEMBER OF THE COMMISSION MAY SERVE PERSONALLY AT A COMMISSION MEETING OR MAY DESIGNATE A REPRESENTATIVE FROM THE MEMBER'S UNIT, AGENCY, OR ASSOCIATION WHO MAY ACT AT ANY MEETING TO THE SAME EFFECT AS IF THE MEMBER WERE PERSONALLY PRESENT.

REVISOR'S NOTE: Subsections (a), (b), (c)(1) and (2), and (d) of this section are new language derived without substantive change from former Art. 41, § 4-201(b)(1) and (2) and, except as it related to establishing the Commission, the introductory language of (b).

Subsection (c)(2) of this section is standard language substituted for the former obsolete reference in Art. 41, § 4-201(b)(1) to the initial terms of the three police officials appointed to the Commission. This substitution is not intended to alter the term of any member of the Commission. The terms of the members serving on October 1, 2003, end as follows: (1) one on June 30, 2004; (2) one on June 30, 2005; and (3) one on June 30, 2006.

Subsection (c)(3) of this section is standard language added to avoid gaps in membership by indicating that a member serves until a successor takes office. This addition is supported by the holdings in *Benson v. Mellor*, 152 Md. 481 (1927), and *Grooms v. LaVale Zoning Board*, 27 Md. App. 266 (1975).

Subsection (c)(4) of this section is also added as standard language. It