

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 89, § 31(a), as that sentence related to creation of the Board.

It is set forth as a separate section for emphasis.

The phrase "in the Department of Licensing and Regulation" is added for clarity since Art. 41, § 8-102(a) of the Code expressly makes the Board a unit of the Department.

The former parenthetical "hereinafter referred to as 'the Board' " is deleted as surplusage in light of § 5-301 of this subtitle.

The Labor and Employment Article Review Committee notes that, since the Board plays an integral role in adoption of regulations to carry out this title, the General Assembly may wish to state expressly that it is in the Division of Labor and Industry.

5-303. MEMBERSHIP.

(A) COMPOSITION; APPOINTMENT OF MEMBERS.

(1) THE BOARD CONSISTS OF THE FOLLOWING 12 MEMBERS:

(I) AS AN EX OFFICIO MEMBER, THE COMMISSIONER; AND

(II) 11 VOTING MEMBERS APPOINTED BY THE COMMISSIONER WITH THE APPROVAL OF THE SECRETARY OF LICENSING AND REGULATION.

(2) OF THE 11 APPOINTED MEMBERS OF THE BOARD:

(I) 1 SHALL REPRESENT AGRICULTURE AND BE RECOMMENDED BY THE SECRETARY OF AGRICULTURE;

(II) 1 SHALL REPRESENT BUSINESSES THAT THE PUBLIC SERVICE COMMISSION REGULATES AND SHALL BE RECOMMENDED BY THE CHAIRMAN OF THE COMMISSION;

(III) 2 SHALL REPRESENT HEALTH PROFESSIONS AND BE RECOMMENDED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE;

(IV) 2 SHALL REPRESENT INDUSTRY;

(V) 2 SHALL REPRESENT LABOR; AND

(VI) 3 SHALL REPRESENT THE PUBLIC.

(B) QUALIFICATIONS OF CERTAIN APPOINTED MEMBERS.

EACH APPOINTED MEMBER SHALL BE CHOSEN ON THE BASIS OF COMPETENCE AND EXPERIENCE IN THE FIELD OF OCCUPATIONAL SAFETY AND HEALTH.