

The Committee also notes that, while subsection (a)(2)(v) of this section requires 3 of the appointed members to represent the "public", Article 41, § 8-102(c) through (e) requires each board, commission, and council in the Department of Licensing and Regulation, "whether regulatory or advisory", to include at least one "consumer" member. The Committee felt that the term "consumer" is not appropriate in the context of occupational safety and health. A "consumer" member is to be a member of the general public who is not required to meet the qualifications of other members, is not a licensee or otherwise subject to regulation by the unit, and has no financial interest in or compensation from a person subject to regulation by the unit. Although § 8-102(c) through (e) seemingly applies to an advisory unit such as the Occupational Safety and Health Advisory Board, no one is "licensed" or otherwise subject to "regulation" by the Board. Furthermore, the Committee felt that the General Assembly would not have intended for the Board, whose members rely on their technical expertise to evaluate proposals for occupational safety and health standards, to include an individual who is not qualified to make such an evaluation. Therefore, the requirements of § 8-102(c) through (e) are not incorporated in this section. The Committee suggests that the General Assembly consider whether this revision accurately reflects legislative intent. See also § 5-310(b) of this subtitle.

Defined terms: "Board" § 5-301

"Commissioner" § 5-101

5-304. CHAIRMAN.

FROM AMONG THE PUBLIC MEMBERS OF THE BOARD, THE COMMISSIONER SHALL APPOINT A CHAIRMAN.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 89, § 31(a).

The word "appoint" is substituted for the former word "designated", to conform to similar provisions elsewhere in the Code.

Defined terms: "Board" § 5-301

"Commissioner" § 5-101

5-305. VOTING; MEETINGS; COMPENSATION.

(A) VOTING.

THE COMMISSIONER MAY NOT VOTE.

(B) MEETINGS.

THE BOARD SHALL DETERMINE THE TIMES AND PLACES OF ITS MEETINGS.

(C) COMPENSATION AND REIMBURSEMENT FOR EXPENSES.

EACH APPOINTED MEMBER OF THE BOARD IS ENTITLED TO: