

(1) DEVELOP POLICIES AND DISCUSS PROBLEMS RELATED TO THE ADMINISTRATION OF THIS TITLE; AND

(2) ENSURE IMPARTIALITY AND FREEDOM FROM POLITICAL INFLUENCE IN THE SOLUTION OF THOSE PROBLEMS.

REVISOR'S NOTE: This section is new language derived without substantive change from the fourth through seventh and, as they related to the State Advisory Council, the first and second sentences of former Art. 95A, § 12(e).

Subsection (d)(2) and the clause "until a successor is appointed and qualifies" in subsection (d)(3) of this section are standard language added to avoid gaps in membership of the State Advisory Council by indicating that a member serves until a successor takes office. These additions are supported by the cases of Benson v. Mellor, 152 Md. 481 (1927), and Grooms v. LaVale Zoning Board, 27 Md. App. 266 (1975). See the General Revisor's Note to this article, for a discussion of the circumstances when these additions would apply.

In subsection (d) of this section, the seventh sentence of former Art. 95A, § 12(e), which provided that nothing in § 12(e) should be construed to prohibit the reappointment to the State Advisory Council of an individual who has already served on the Council, is deleted as surplusage, since, absent a provision to the contrary, there is no implication that an individual who has served on the State Advisory Council may not be reappointed to the Council.

In subsections (e)(2) and (f) of this section, the reference to the "Standard State Travel Regulations" is added to clarify that expenses are reimbursed in accordance with those regulations. See COMAR 23.02.01.01 through .12.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the terms of members of the Advisory Council are not staggered. Currently, the term of 1 member expires in 1991, the terms of 5 members expire in 1993, and there are 2 vacancies. The General Assembly may wish to impose a stagger to ensure continuity as the terms of members expire.

Defined terms: "Employer" § 8-101
"Secretary" § 8-101

8-309. LOCAL ADVISORY COUNCILS.

(A) APPOINTMENT.

THE SECRETARY SHALL APPOINT LOCAL ADVISORY COUNCILS.

(B) COMPOSITION.

EACH LOCAL ADVISORY COUNCIL SHALL CONSIST OF:

(1) AN EQUAL NUMBER OF MEMBERS WHO REPRESENT EMPLOYEES AND WHO REPRESENT EMPLOYERS; AND