

8-502. MEMBERSHIP.

(A) COMPOSITION; APPOINTMENT OF MEMBERS.

(1) THE BOARD OF APPEALS CONSISTS OF A CHAIRMAN AND 2 ASSOCIATE MEMBERS.

(2) SUBJECT TO THE APPROVAL OF THE GOVERNOR, THE SECRETARY SHALL APPOINT THE CHAIRMAN AND THE 2 ASSOCIATE MEMBERS OF THE BOARD OF APPEALS.

(B) OATH.

BEFORE TAKING OFFICE, EACH APPOINTEE TO THE BOARD OF APPEALS SHALL TAKE THE OATH REQUIRED BY ARTICLE I, § 9 OF THE MARYLAND CONSTITUTION.

(C) TENURE; VACANCIES.

(1) THE TERM OF A MEMBER IS 6 YEARS AND BEGINS ON JUNE 1.

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD OF APPEALS ON OCTOBER 1, 1990.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A VACANCY THAT OCCURS DURING A TERM SHALL BE FILLED BY THE SECRETARY WITH THE APPROVAL OF THE GOVERNOR.

(5) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(6) IF THE POSITION OF CHAIRMAN OF THE BOARD OF APPEALS IS VACANT, THE SECRETARY, SUBJECT TO THE APPROVAL OF THE GOVERNOR, MAY APPOINT 1 OF THE ASSOCIATE MEMBERS TO BE CHAIRMAN FOR THE REST OF THE TERM OF THE ASSOCIATE MEMBER.

REVISOR'S NOTE: Subsections (a), (b), and (c)(1) and (3) through (6) of this section are new language derived without substantive change from the third through fifth sentences and, except for the first clause, the first sentence of former Art. 95A, § 11(b).

Subsection (c)(2) of this section is standard language added to provide for the staggered terms of members. This addition is not intended to alter the term of any member of the Board of Appeals. See § ___ of Ch. ___, Acts of 1991. Accordingly, in subsection (c)(1) of this section, the specific reference to June 1 is added. The term of one member of the Board of Appeals ends each odd-numbered year.