

(II) FOR THE CHAIRMAN, SHALL BE AT LEAST \$1,500 MORE THAN THE SALARY OF THE OTHER MEMBERS.

(3) EXCEPT AS PROVIDED IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, A MEMBER OF THE COMMISSION MAY NOT RECEIVE A FEE OR PERQUISITE FOR THE DISCHARGE OF ANY DUTY OF OFFICE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, §§ 1(d) and 3.

Subsection (a)(2)(ii) of this section is revised so that the word "political" modifies "employment". The prescription, in former Art. 101, § 1(d), against holding "any ... political trust, or employment of any kind under the Constitution or Laws of this State or of the United States, or any of them" is virtually identical to the restriction on judges under Md. Declaration of Rights, Art. 33. In 65 Op. Att'y Gen. 285, 288 (1980), the Attorney General discussed the misplaced comma between "political trust, or employment" and the conclusion that "political" modifies both "trust" and "employment". Since the Attorney General concluded that the term "political trust" is synonymous with "office" under Md. Declaration of Rights, Art. 35, the former term is deleted as unnecessary.

Also in light of Md. Declaration of Rights, Art. 35, the former reference to "any other civil office" is deleted as surplusage and, to the extent that Art. 35 may apply to a military office, as misleading. Although 28 Op. Att'y Gen. 161 (1943) discusses Md. Constitution, Art. III, § 10, which specifically refers to "any civil or military office", there is no indication that Art. 35 is more limited in scope.

Also in subsection (a)(2)(ii) of this section, the former reference to the "Constitution" is deleted as unnecessary in light of the broad word "law".

In subsection (a)(2)(iii) of this section, the former word "occupation" is deleted as unnecessary in light of the words "position" and "business".

Defined term: "Commission" § 9-101

9-305. STAFF.

(A) IN GENERAL.

THE CHAIRMAN OF THE COMMISSION MAY EMPLOY A STAFF FOR THE COMMISSION IN ACCORDANCE WITH THE STATE BUDGET.

(B) SECRETARY.

THE SECRETARY OF THE COMMISSION SHALL:

(1) PERFORM EACH DUTY THAT THE CHAIRMAN OF THE COMMISSION ASSIGNS; AND