

In subsection (a)(1)(i) of this section, the phrase "as an ex officio member" is added to clarify that the Commissioner serves on the Board by virtue of the position of Commissioner. Although former Art. 56, § 325(b) indicated that the Governor appointed all of the members of the Board, including the Commissioner, it is more accurate to state that the Commissioner is an ex officio member. This addition conforms to comparable provisions in other revised articles.

In subsection (a)(2)(i) of this section, the defined term "collection agenc[ies]" is substituted for the former reference to "debt collection agencies" for consistency.

In subsection (b)(1)(ii)2 of this section, the former reference to a "county consumer protection agency" is deleted as included in the reference to a "local" unit.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that Ch. 319, Acts of 1977, which created the Board, did not provide for the terms of the members to be staggered or for removal or replacement of members who have lost qualifications.

The Committee also notes, for consideration by the General Assembly, that former Art. 41, § 8-102(c) required a consumer member to be a member of the general public. However, former Art. 56, § 325(b)(3)(i) and (ii), revised as subsection (b)(1)(ii) of this section, required a consumer member of the Board to be an officer or member of the Board of a consumer group or an employee of a local consumer protection unit.

The Committee also notes that former Art. 41, § 8-102(d) prohibited participation by a consumer member in an examination. Since the Board does not have authority to administer examinations, the provisions of former Art. 41, § 8-102(d) are omitted here. See the revisor's note to § 2-109 of this article.

The Committee also notes that former Art. 41, § 8-102(e) expressly prohibited that a consumer member be required to meet the qualifications for professional members of the Board. Since the members of the Board do not have any professional qualifications, the provisions of Art. 41, § 8-102(e) are omitted here.

Defined terms: "Board" § 7-101
 "Collection agency" § 7-101
 "Commissioner" § 7-101
 "Consumer member" § 1-101
 "Person" § 1-101

7-203. CHAIRMAN.

THE COMMISSIONER IS CHAIRMAN OF THE BOARD.