

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 1992.

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

(4) 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.

(D) REMOVAL.

THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE OR MISCONDUCT.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the second clause of the first sentence and the reference to appointment "by the Governor with the advice of the Secretary of Licensing and Regulation" in the third sentence of former Art. 56, § 109.

Subsection (b) of this section is standard language added to state the duty of an individual appointed to any office of profit or trust to take the oath specified in Md. Constitution, Art. I, § 9.

Subsection (c)(1) of this section is new language derived without substantive change from the former reference to "a term of six years" in the third sentence of former Art. 56, § 109.

Subsection (c)(2) of this section is standard language substituted for the second sentence of former Art. 56, § 109, which provided for the terms of the initial members and was obsolete. This substitution is not intended to alter the term of any member of the Commission. See § _____ of Ch. _____, Acts of 1992. Accordingly, in subsection (c)(1) of this section, the specific reference to "July 1" is added to conform to the practice of the Commission. The terms of the members serving on October 1, 1992, end as follows: (1) 3 in 1993; (2) 1 in 1995; and (3) 1 in 1997.

Subsection (c)(3) of this section is standard language added to avoid gaps in membership by indicating that a member serves until a successor takes office. This addition is supported by the cases of Benson v. Mellor, 152 Md. 481 (1927), and Grooms v. LaVale Zoning Board, 27 Md. App. 266 (1975).

Subsection (c)(4) of this section also is added as standard language. It follows from the requirement that there be staggered terms. An inherent aspect of staggered terms is that they must begin and end at set intervals. For circumstances under which subsection (c)(4) of this section applies, see the General Revisor's Note to this article.