

# HOUSE BILL 168

C2, K3, E4

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By: **Delegates Schulz, Afzali, Arentz, Aumann, Bates, Eckardt, Frank, George, Glass, Haddaway–Riccio, Hogan, Jacobs, Kramer, Krebs, Love, W. Miller, Minnick, Myers, Norman, O'Donnell, Olszewski, Otto, Schuh, Stifler, Szeliga, Vaughn, and Weir**

Introduced and read first time: January 15, 2014

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Labor, Licensing, and Regulation – Boards, Commissions, and**  
3 **Councils – Member Removal**

4 FOR the purpose of requiring the Governor to remove a member of a certain board,  
5 commission, or council under the Department of Labor, Licensing, and  
6 Regulation if the member does not attend at least a certain number of meetings  
7 during the prior year while the member was serving on the board, commission,  
8 or council, subject to a certain exception; requiring certain notice to be provided  
9 to the Governor; requiring the Governor to appoint a successor under certain  
10 circumstances; making stylistic and technical changes; and generally relating to  
11 the removal of appointed members of boards, commissions, and councils under  
12 the Department of Labor, Licensing, and Regulation.

13 BY renumbering

14 Article – Public Safety  
15 Section 12–904(e) through (i), respectively  
16 to be Section 12–904(f) through (j), respectively  
17 Annotated Code of Maryland  
18 (2011 Replacement Volume and 2013 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Business Occupations and Professions  
21 Section 2–202(a) and (b) and 21–202(a) and (b)  
22 Annotated Code of Maryland  
23 (2010 Replacement Volume and 2013 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Business Occupations and Professions

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 2–202(g), 3–202(h), 4–202(g), 5–202(g), 6–202(h), 6.5–202(g), 7–202(h),  
2 8–202(j), 9–202(g), 11–202(g), 12–202(f), 14–202(h), 15–202(f), 16–202(f),  
3 17–202(g), and 21–202(e)

4 Annotated Code of Maryland  
5 (2010 Replacement Volume and 2013 Supplement)

6 BY repealing and reenacting, with amendments,  
7 Article – Business Regulation  
8 Section 3–304(d), 4–202(d), 7–202(f), 9A–202(g), and 11–202(f)  
9 Annotated Code of Maryland  
10 (2010 Replacement Volume and 2013 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article – Business Regulation  
13 Section 8–202(g)  
14 Annotated Code of Maryland  
15 (2010 Replacement Volume and 2013 Supplement)

16 BY adding to  
17 Article – Labor and Employment  
18 Section 11–403(c), 11–505(g), and 11–901(e)  
19 Annotated Code of Maryland  
20 (2008 Replacement Volume and 2013 Supplement)

21 BY adding to  
22 Article – Public Safety  
23 Section 12–820(c) and 12–904(e)  
24 Annotated Code of Maryland  
25 (2011 Replacement Volume and 2013 Supplement)

26 BY repealing and reenacting, without amendments,  
27 Article – State Government  
28 Section 8–501  
29 Annotated Code of Maryland  
30 (2009 Replacement Volume and 2013 Supplement)

31 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
32 MARYLAND, That Section(s) 12–904(e) through (i), respectively, of Article – Public  
33 Safety of the Annotated Code of Maryland be renumbered to be Section(s) 12–904(f)  
34 through (j), respectively.

35 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
36 read as follows:

37 **Article – Business Occupations and Professions**

38 2–202.

- 1           (a)   (1)   The Board consists of 7 members.
- 2                   (2)   Of the 7 members of the Board:
- 3                           (i)   5 shall be licensed certified public accountants, of whom:
- 4                                   1.   4 shall practice certified public accountancy actively;
- 5   and
- 6                                   2.   1 shall be a full-time professor of accounting at an
- 7   accredited college; and
- 8                           (ii)   2 shall be consumer members.
- 9                   (3)   The Governor shall appoint the members with the advice of the
- 10   Secretary.
- 11           (b)   Each member of the Board shall be:
- 12                   (1)   a citizen of the United States; and
- 13                   (2)   a resident of the State.
- 14           (g)   (1)   The Governor may remove a member for incompetence or
- 15   misconduct.
- 16                   (2)   The Governor shall remove a member who ceases to meet the
- 17   requirements under which the member was appointed, as provided under subsections
- 18   (a) and (b) of this section.
- 19                   **(3)   EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
- 20   **SUBSECTION AND SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THE**
- 21   **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**
- 22   **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**
- 23   **WHILE THE MEMBER WAS SERVING ON THE BOARD.**
- 24                   **(4)   THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**
- 25   **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**
- 26   **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**
- 27   **PUBLIC.**
- 28                   **(5)   IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**
- 29   **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**
- 30   **GOVERNOR SHALL APPOINT A SUCCESSOR.**

1 3-202.

2 (h) (1) The Governor may remove a member for incompetence or  
3 misconduct.

4 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
5 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE  
6 GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT  
7 LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR  
8 WHILE THE MEMBER WAS SERVING ON THE BOARD.

9 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
10 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
11 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
12 PUBLIC.

13 (4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
14 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
15 GOVERNOR SHALL APPOINT A SUCCESSOR.

16 4-202.

17 (g) (1) The Governor may remove a member for incompetence or  
18 misconduct.

19 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
20 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE  
21 GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT  
22 LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR  
23 WHILE THE MEMBER WAS SERVING ON THE BOARD.

24 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
25 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
26 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
27 PUBLIC.

28 (4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
29 ARTICLE, THE PRESIDENT SHALL PROVIDE NOTICE TO THE GOVERNOR AND  
30 THE GOVERNOR SHALL APPOINT A SUCCESSOR.

31 5-202.

32 (g) (1) The Governor may remove a member for incompetence or  
33 misconduct.

1           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
2 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
3 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
4 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
5 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

6           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
7 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
8 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
9 **PUBLIC.**

10           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
11 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
12 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

13 6-202.

14           (h) **(1)** The Governor may remove a member for incompetence or  
15 misconduct.

16           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
17 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
18 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
19 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
20 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

21           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
22 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
23 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
24 **PUBLIC.**

25           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
26 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
27 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

28 6.5-202.

29           (g) **(1)** The Governor may remove a member for incompetence,  
30 misconduct, neglect of duties, or other sufficient cause.

31           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
32 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
33 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**

1 LEAST TWO–THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR  
2 WHILE THE MEMBER WAS SERVING ON THE BOARD.

3 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
4 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
5 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
6 PUBLIC.

7 (4) IN ACCORDANCE WITH § 8–501 OF THE STATE GOVERNMENT  
8 ARTICLE, THE CHAIR SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
9 GOVERNOR SHALL APPOINT A SUCCESSOR.

10 7–202.

11 (h) (1) The Governor may remove a member for:

12 [(1)] (I) incompetence;

13 [(2)] (II) misconduct; or

14 [(3)] (III) habitual or willful neglect of duty.

15 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
16 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE  
17 GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT  
18 LEAST TWO–THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR  
19 WHILE THE MEMBER WAS SERVING ON THE BOARD.

20 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
21 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
22 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
23 PUBLIC.

24 (4) IN ACCORDANCE WITH § 8–501 OF THE STATE GOVERNMENT  
25 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
26 GOVERNOR SHALL APPOINT A SUCCESSOR.

27 8–202.

28 (j) (1) The Governor may remove a member for incompetence or  
29 misconduct.

30 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
31 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE

1 GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT  
2 LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR  
3 WHILE THE MEMBER WAS SERVING ON THE BOARD.

4 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
5 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
6 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
7 PUBLIC.

8 (4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
9 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
10 GOVERNOR SHALL APPOINT A SUCCESSOR.

11 9-202.

12 (g) (1) The Governor may remove a member for incompetence or  
13 misconduct.

14 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
15 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE  
16 GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT  
17 LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR  
18 WHILE THE MEMBER WAS SERVING ON THE BOARD.

19 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
20 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
21 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
22 PUBLIC.

23 (4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
24 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
25 GOVERNOR SHALL APPOINT A SUCCESSOR.

26 11-202.

27 (g) (1) The Governor may remove a member for incompetence or  
28 misconduct.

29 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
30 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE  
31 GOVERNOR SHALL REMOVE A MEMBER WHO HAS BEEN APPOINTED TO THE  
32 BOARD BY THE GOVERNOR IF THE MEMBER DID NOT ATTEND AT LEAST  
33 TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR WHILE  
34 THE MEMBER WAS SERVING ON THE BOARD.

1           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
2 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
3 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
4 **PUBLIC.**

5           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
6 **ARTICLE, THE CHAIRPERSON SHALL PROVIDE NOTICE TO THE GOVERNOR AND**  
7 **THE GOVERNOR SHALL APPOINT A SUCCESSOR.**

8 12-202.

9           **(f) (1) The Governor may remove a member for incompetence or**  
10 **misconduct.**

11           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
12 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
13 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
14 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
15 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

16           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
17 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
18 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
19 **PUBLIC.**

20           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
21 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
22 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

23 14-202.

24           **(h) (1) The Governor may remove a member for incompetence,**  
25 **misconduct, neglect of duties, or other sufficient cause.**

26           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
27 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
28 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
29 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
30 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

31           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
32 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**



1 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
2 PUBLIC.

3 (4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
4 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
5 GOVERNOR SHALL APPOINT A SUCCESSOR.

6 15-202.

7 (f) (1) The Governor may remove a member for incompetence,  
8 misconduct, neglect of duties, or other good cause.

9 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
10 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE  
11 GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT  
12 LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR  
13 WHILE THE MEMBER WAS SERVING ON THE BOARD.

14 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
15 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
16 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
17 PUBLIC.

18 (4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
19 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
20 GOVERNOR SHALL APPOINT A SUCCESSOR.

21 16-202.

22 (f) (1) The Governor may remove a member for incompetence or  
23 misconduct.

24 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
25 SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE  
26 GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT  
27 LEAST TWO-THIRDS OF THE COMMISSION MEETINGS HELD DURING THE PRIOR  
28 YEAR WHILE THE MEMBER WAS SERVING ON THE COMMISSION.

29 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
30 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
31 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
32 PUBLIC.

1           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
2 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
3 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

4 17-202.

5           (g) **(1)** The Governor may remove a member for incompetence or  
6 misconduct.

7           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
8 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
9 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
10 **LEAST TWO-THIRDS OF THE COMMISSION MEETINGS HELD DURING THE PRIOR**  
11 **YEAR WHILE THE MEMBER WAS SERVING ON THE COMMISSION.**

12           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
13 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
14 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
15 **PUBLIC.**

16           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
17 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
18 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

19 21-202.

20           (a) **(1)** The Board consists of eight members of which:

21                           (i) seven shall have at least 5 years of tax preparation  
22 experience; and

23                           (ii) one shall be a member of a nonprofit tax program or  
24 nonprofit consumer advocate program.

25           **(2)** The Governor shall appoint the members with the advice of the  
26 Secretary, the Comptroller, and the Attorney General.

27           **(3)** Members of the following groups shall be considered for  
28 membership on the Board:

29                           (i) a member of a nonprofit tax program or nonprofit consumer  
30 advocate program;

31                           (ii) a commercial individual tax preparer who has been in  
32 practice in the State for more than 10 years and has at least 200 employees;

- 1 (iii) a member of the Maryland Association of Certified Public  
2 Accountants;
- 3 (iv) a member of the Maryland Society of Accountants, Inc.;
- 4 (v) a member of the Maryland State Bar Association; and
- 5 (vi) a member of the National Association of Enrolled Agents.

6 (b) Each member of the Board shall be:

7 (1) a citizen of the United States; and

8 (2) a resident of the State.

9 (e) (1) The Governor may remove a member for incompetence,  
10 misconduct, neglect of duties, or other sufficient cause.

11 (2) The Governor shall remove a member who ceases to meet the  
12 requirements under which the member was appointed, as provided under subsections  
13 (a) and (b) of this section.

14 **(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**  
15 **SUBSECTION AND SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THE**  
16 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
17 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
18 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

19 **(4) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
20 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
21 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
22 **PUBLIC.**

23 **(5) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
24 **ARTICLE, THE CHAIR SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
25 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

26 **Article – Business Regulation**

27 3-304.

28 (d) (1) The Governor may remove a member for incompetence or  
29 misconduct.

1           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
2 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
3 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
4 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
5 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

6           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
7 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
8 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
9 **PUBLIC.**

10           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
11 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
12 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

13 4-202.

14           (d) **(1)** The Governor may remove a member for incompetence or  
15 misconduct.

16           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
17 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
18 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
19 **LEAST TWO-THIRDS OF THE COMMISSION MEETINGS HELD DURING THE PRIOR**  
20 **YEAR WHILE THE MEMBER WAS SERVING ON THE COMMISSION.**

21           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
22 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
23 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
24 **PUBLIC.**

25           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
26 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
27 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

28 7-202.

29           (f) **(1)** The Governor may remove an appointed member for incompetence  
30 or misconduct.

31           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
32 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
33 **GOVERNOR SHALL REMOVE A MEMBER WHO HAS BEEN APPOINTED TO THE**  
34 **BOARD BY THE GOVERNOR IF THE MEMBER DID NOT ATTEND AT LEAST**

1 TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR WHILE  
2 THE MEMBER WAS SERVING ON THE BOARD.

3 (3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
4 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
5 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
6 PUBLIC.

7 (4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
8 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
9 GOVERNOR SHALL APPOINT A SUCCESSOR.

10 8-202.

11 (g) (1) The Governor may remove a member for incompetence or  
12 misconduct.

13 (2) Except as provided in paragraph (3) of this subsection and subject  
14 to paragraph (4) of this subsection, the Governor shall remove a member if the  
15 member did not attend at least two-thirds of the Commission meetings held during  
16 the prior year while the member was serving on the Commission.

17 (3) The Governor may allow a member to continue serving if the  
18 member has been unable to attend meetings for reasons satisfactory to the Governor  
19 and the reasons are made public.

20 (4) In accordance with § 8-501 of the State Government Article, the  
21 chairman shall provide notice to the Governor and the Governor shall appoint a  
22 successor.

23 9A-202.

24 (g) (1) The term of a member is 3 years.

25 (2) The terms of members are staggered as required by the terms  
26 provided for members of the Board on January 1, 1993.

27 (3) At the end of a term, a member continues to serve until a successor  
28 is appointed and qualifies.

29 (4) A member who is appointed after a term has begun serves only for  
30 the rest of the term and until a successor is appointed and qualifies.

31 (5) Board members are eligible for reappointment, but may not serve  
32 more than 2 consecutive terms.

1           **[(6)] (H) (1)** The Governor may remove a member for  
2 incompetence or misconduct.

3           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
4 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
5 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
6 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
7 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

8           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
9 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
10 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
11 **PUBLIC.**

12           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
13 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
14 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

15 11-202.

16           (f) (1) Subject to the hearing requirements of [this] subsection **(G) OF**  
17 **THIS SECTION**, the Governor, with the advice of the Secretary, may remove a member  
18 of the Commission for inefficiency, misconduct in office, or neglect of duty.

19           **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
20 **SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**  
21 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
22 **LEAST TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
23 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

24           **(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
25 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
26 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
27 **PUBLIC.**

28           **(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT**  
29 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
30 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

31           **[(2)] (G) (1)** Before the Governor removes a member, the Governor  
32 shall give the member an opportunity for a public hearing.

33           **[(3)] (2)** At least 10 days before the hearing, the Governor shall give  
34 the member:

- 1 (i) a copy of the charges; and  
2 (ii) notice of the time and place of the hearing.

3 **[(4)] (3)** The member may be represented at the hearing by counsel.

4 **[(5)] (4)** If the Governor removes a member, the Governor shall  
5 submit to the Secretary of State:

- 6 (i) a statement of all charges made against the member;  
7 (ii) the findings of the Governor; and  
8 (iii) a record of the proceedings.

9 **Article – Labor and Employment**

10 11–403.

11 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
12 **SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**  
13 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
14 **LEAST TWO–THIRDS OF THE COUNCIL MEETINGS HELD DURING THE PRIOR**  
15 **YEAR WHILE THE MEMBER WAS SERVING ON THE COUNCIL.**

16 **(2) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
17 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**  
18 **REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE**  
19 **PUBLIC.**

20 **(3) IN ACCORDANCE WITH § 8–501 OF THE STATE GOVERNMENT**  
21 **ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE**  
22 **GOVERNOR SHALL APPOINT A SUCCESSOR.**

23 11–505.

24 **(G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
25 **SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**  
26 **GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT**  
27 **LEAST TWO–THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR**  
28 **WHILE THE MEMBER WAS SERVING ON THE BOARD.**

29 **(2) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE**  
30 **SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR**

1 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
2 PUBLIC.

3 (3) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
4 ARTICLE, THE CHAIR SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
5 GOVERNOR SHALL APPOINT A SUCCESSOR.

6 11-901.

7 (E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
8 SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE  
9 GOVERNOR SHALL REMOVE A MEMBER WHO HAS BEEN APPOINTED TO THE  
10 COUNCIL BY THE GOVERNOR IF THE MEMBER DID NOT ATTEND AT LEAST  
11 TWO-THIRDS OF THE COUNCIL MEETINGS HELD DURING THE PRIOR YEAR  
12 WHILE THE MEMBER WAS SERVING ON THE COUNCIL.

13 (2) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
14 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
15 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
16 PUBLIC.

17 (3) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
18 ARTICLE, THE COCHAIRS SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
19 GOVERNOR SHALL APPOINT A SUCCESSOR.

20 Article – Public Safety

21 12-820.

22 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
23 SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE  
24 GOVERNOR SHALL REMOVE A MEMBER WHO HAS BEEN APPOINTED TO THE  
25 BOARD BY THE GOVERNOR IF THE MEMBER DID NOT ATTEND AT LEAST  
26 TWO-THIRDS OF THE BOARD MEETINGS HELD DURING THE PRIOR YEAR WHILE  
27 THE MEMBER WAS SERVING ON THE BOARD.

28 (2) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE  
29 SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR  
30 REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE  
31 PUBLIC.

32 (3) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT  
33 ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE  
34 GOVERNOR SHALL APPOINT A SUCCESSOR.



