

(B) THE COMMISSION SHALL EVALUATE EACH APPLICANT, AND SHALL SELECT AND NOMINATE TO THE GOVERNOR THE NAMES OF PERSONS IT FINDS TO BE LEGALLY AND PROFESSIONALLY QUALIFIED. A PERSON'S NAME MAY NOT BE SUBMITTED UNLESS HE HAS BEEN FOUND TO BE LEGALLY AND PROFESSIONALLY QUALIFIED BY A VOTE OF A MAJORITY OF THE ENTIRE AUTHORIZED MEMBERSHIP OF THE COMMISSION, TAKEN BY SECRET BALLOT.

(C) THE COMMISSION SHALL REPORT TO THE GOVERNOR, IN WRITING, THE NAMES OF THE PERSONS IT NOMINATES. THE NAMES SHALL BE LISTED IN ALPHABETICAL ORDER. THE REPORT SHALL BE SUBMITTED WITHIN 70 DAYS AFTER NOTIFICATION THAT A VACANCY EXISTS OR IS ABOUT TO OCCUR. THE COMMISSION SHALL RELEASE ITS REPORT TO THE PUBLIC CONCURRENTLY WITH SUBMISSION OF THE REPORT TO THE GOVERNOR.

(D) THE COMMISSION SHALL NOMINATE AT LEAST THREE BUT NOT MORE THAN FIVE PERSONS TO THE GOVERNOR. HOWEVER, IF IT CONCLUDES THAT THERE ARE LESS THAN THREE PERSONS WILLING TO ACCEPT APPOINTMENT WHO ARE LEGALLY AND PROFESSIONALLY QUALIFIED, THE COMMISSION MAY, WITH THE APPROVAL OF THE GOVERNOR, SUBMIT TWO NAMES. IF A PERSON NOMINATED FOR APPOINTMENT NOTIFIES THE GOVERNOR THAT HE IS UNWILLING TO ACCEPT APPOINTMENT, OR IF HE IS DISQUALIFIED OR IS OTHERWISE UNAVAILABLE FOR APPOINTMENT, THE COMMISSION, UPON REQUEST OF THE GOVERNOR, MAY SUBMIT AN ADDITIONAL NOMINEE IF NECESSARY TO INCREASE THE LIST TO THREE NAMES.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 34 of Article 10 - Attorneys at Law and Attorneys in Fact, of the Annotated Code of Maryland (1968 Replacement Volume and 1974 Supplement) be and it is hereby repealed:

Article 10 - Attorneys at Law and Attorneys in Fact

34.

[The State's Attorney for each county and the City of Baltimore shall, in such county or city, prosecute and defend, on the part of the State, all cases in which the State may be interested.]

SECTION 5. AND BE IT FURTHER ENACTED, That new Section 34 be and it is hereby added to Article 10 - Attorneys at Law and Attorneys in Fact, of the Annotated Code of Maryland (1968 Replacement Volume and 1974 Supplement) to read as follows:

Article 10 - Attorneys at Law and Attorneys in Fact