

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 2 of Article 78B of the Annotated Code of Maryland (1957 Edition), title "Racing Commission", sub-title "In General", be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

2. Said Maryland Racing Commission shall consist of [three] *five* members, all of whom shall be appointed by the Governor, and not more than [two] *four* of whom shall be of the same political party, and one of whom shall be designated by the Governor to be the chairman of the said Commission. Each commissioner at the time of his appointment and qualification shall be a resident of the State of Maryland and shall have resided in said State for a period of at least five years next preceding his appointment and qualification, and he shall also be a qualified voter therein and not less than twenty-five years of age. *One of said commissioners shall hold office for one year from the beginning of his term of office and until his successor shall qualify. One of said commissioners shall hold office for two years from the beginning of his term of office and until his successor shall qualify. One of said commissioners shall hold office for three years from the beginning of his term of office and until his successor shall qualify. One of said commissioners shall hold office for four years from the beginning of his term of office and until his successor shall qualify; and one of said commissioners shall hold office for [six] five years from the beginning of his term of office and until his successor shall qualify. The term of office of each commissioner shall begin within thirty days from June 1, [1920] 1959. The Governor, at the time of making and announcing the appointment of said [three] five commissioners, as well as in the commission issued by him to each of them, shall designate which of said commissioners shall serve for the [term of two years, and which shall serve for the term of four years, and which shall serve for the term of six years, as aforesaid] terms as hereinbefore provided, and also which shall be the chairman of said Commission.*

Upon the expiration of each of said terms, the term of office of each commissioner thereafter appointed shall be [six] *five* years from the time of his appointment and qualification and until his successor shall qualify. *A commissioner shall be appointed each and every year to fill the term of office then expiring. In case any commissioner shall be allowed to hold over after the expiration of his term, his successor shall be appointed for the balance of the unexpired term. Vacancies in said Commission shall be filled by the Governor for the unexpired term. Each commissioner shall be eligible for reappointment in the discretion of the Governor.*

In the event that the term of office above ascertained and prescribed for each of said commissioners shall in respect to any of said commissioners be held and decided by the courts, and particularly by the Court of Appeals of Maryland, to be in excess of the period or term of office allowed or permitted by the Constitution of Maryland, then, in such event, the term of office of each of said commissioners shall, and this article hereby declares and determines that the term of office of each of them shall be for the period of two years from and after the date of appointment, unless removed from office, and until their successors respectively qualify according to law.