

- (2) MISCONDUCT IN OFFICE;
- (3) INCOMPETENCY; OR
- (4) WILLFUL NEGLECT OF DUTY.

(B) NOTICE OF HEARING REQUIRED.

(1) BEFORE REMOVING A MEMBER, THE GOVERNOR SHALL SEND THE MEMBER A COPY OF THE CHARGES AGAINST HIM AND GIVE HIM AN OPPORTUNITY WITHIN 10 DAYS TO REQUEST A HEARING.

(2) IF THE MEMBER REQUESTS A HEARING WITHIN THE 10-DAY PERIOD:

(I) THE GOVERNOR PROMPTLY SHALL HOLD A HEARING, BUT A HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE GOVERNOR SENDS THE MEMBER A NOTICE OF THE HEARING; AND

(II) THE MEMBER SHALL HAVE AN OPPORTUNITY TO BE HEARD PUBLICLY BEFORE THE GOVERNOR IN HIS OWN DEFENSE, IN PERSON OR BY COUNSEL.

(C) RECORD OF REMOVAL TO BE FILED.

IF A MEMBER IS REMOVED, THE GOVERNOR SHALL FILE IN THE OFFICE OF THE SECRETARY OF STATE:

(1) A COMPLETE STATEMENT OF ALL CHARGES MADE AGAINST THE MEMBER;

(2) THE FINDINGS OF THE GOVERNOR AS TO THE CHARGES; AND

(3) A COMPLETE RECORD OF THE PROCEEDINGS.

REVISOR'S NOTE: This section presently appears as Art. 77, §3(d).

Subsection (b) of this section is rewritten for clarity. Present Art. 77, §3(d) does not specify before whom the hearing is to be held; also, the present notice requirements are vague and incomplete. The revised language fills these gaps in the existing law, while maintaining the basic intent and substance of that law.

The only other changes are in style.

2-204. MEETINGS OF STATE BOARD; OFFICERS; COMPENSATION; VOTING.

(A) MEETINGS.

(1) EACH YEAR, THE STATE BOARD SHALL HOLD:

(I) A MEETING IN JULY; AND