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Officers

Lisa A. Zakolski, J.D.

IV. SUSPENSION OR REMOVAL

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§ 27. Removal by Governor

West's Key Number Digest

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Under the Maryland Constitution, the Governor may remove, for incompetency or misconduct, all civil officers who received appointment from the Executive for a term of years. [\[FN52\]](#) Under the Constitution, the Governor is the only one authorized to act in the matter of the removal of a civil officer. [\[FN53\]](#) Furthermore, the Governor has no inherent power to remove public officials from office, but only such power as conferred by the Constitution or by statute. [\[FN54\]](#)

Observation:

A provision of the Governor's substance-abuse policy calling for the automatic discharge of employees who violate the policy and who are assigned to designated sensitive classes does not apply to employees whose positions have not been declared as sensitive on the date of the offenses. [\[FN55\]](#)

[\[FN52\]](#) Md Const Art II § 15.

[\[FN53\]](#) 23 Op. Atty Gen 254 (1938).

[\[FN54\]](#) 20 Op. Atty Gen 372 (1935).

[\[FN55\]](#) *Dashiell v. Maryland State Dept. of Health and Mental Hygiene*, 327 Md. 130, 607 A.2d 1249 (1992).

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