

1 of 1 DOCUMENT

Annotated Code of Maryland
Copyright 2006 by Matthew Bender and Company, Inc.
a member of the LexisNexis Group
All rights reserved.

*** CURRENT THROUGH THE 2006 REGULAR AND SPECIAL SESSIONS ***
*** WITH UPDATES OF MATERIAL IN EFFECT JANUARY 1, 2007 ***
*** ANNOTATIONS ARE CURRENT THROUGH NOVEMBER 20, 2006 ***

CONSTITUTION OF MARYLAND
ARTICLE II. EXECUTIVE DEPARTMENT

GO TO MARYLAND STATUTES ARCHIVE DIRECTORY

Md. Const. art. II, § 9 (2006)

Section 9. Governor to take care that laws are faithfully executed

He shall take care that the Laws are faithfully executed.

GOVERNOR'S POWER TO REMOVE OFFICERS PRIOR TO EXPIRATION OF TERMS OF OFFICE. --Court of Appeals of Maryland holds that the power to remove officers appointed by a Governor, during the term of the officers' appointment, for misconduct or incompetency, is solely the Governor's, and the attempt by the Legislature to terminate those officers, previously appointed by the Governor and approved by the Senate, prior to the expiration of their terms of office, is an usurpation of executive power in violation of *Md. Const. art. II, §§ 1, 9 and 15* and in violation of *Article 8 of the Declaration of Rights of Maryland*. *Schisler v. State*, 394 Md. 519, 907 A.2d 175 (2006).

APPLIED IN Dep't of Pub. Safety & Corr. Servs. v. Beard, 142 Md. App. 283, 790 A.2d 57 (2002), cert. denied, 369 Md. 180, 798 A.2d 552 (2002).

STATED IN McCulloch v. Glendening, 347 Md. 272, 701 A.2d 99 (1997).

CITED IN Harman v. Harwood, 58 Md. 1 (1882); *Cull v. Whelittle*, 114 Md. 58, 78 A. 820 (1910); *Schneider v. Yellott*, 124 Md. 92, 91 A. 779 (1914).