

(3) A MEMBER OF THE COUNTY BOARD AS OF JANUARY 1, 1977 SHALL HOLD OFFICE DURING HIS TERM AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

(E) REMOVAL.

(1) THE STATE BOARD MAY REMOVE A MEMBER OF THE COUNTY BOARD FOR:

(I) IMMORALITY;

(II) MISCONDUCT IN OFFICE;

(III) INCOMPETENCY; OR

(IV) WILLFUL NEGLECT OF DUTY.

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

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

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

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

(4) A MEMBER REMOVED UNDER THIS SUBSECTION HAS THE RIGHT TO A DE NOVO REVIEW OF THE REMOVAL BY THE CIRCUIT COURT FOR CARROLL COUNTY.

REVISOR'S NOTE: This section presently appears as Art. 77, §35B(a), (b) (2), (e), and (f).

In subsection (a) of this section, the present references to "January 1, 1977" are deleted as obsolete.

Subsection (e) of this section is rewritten for clarity. Present Art. 77, §35B(e) 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.

In this section and throughout this title, all present references to election procedures including nomination, filing deadlines, filing fees, and provisions for nonpartisan elections are transferred to Art. 33, the Election Code. For a detailed cross-reference table to these