(G) REMOVAL.

THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE OR MISCONDUCT.

> REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, §§ 621(b), (c) -- except item (5) of that subsection -- (d), and (e), 622, and 628.
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> In subsection (a)(3) and (4) of this section, as to the substitution of "advice of the Secretary" for "recommendation of the Secretary...", see the General Revisor's Note to this article.
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> As to subsection (b)(1) of this section, although present Art. 43, § 622 introduces the requirement for 5 years of professional experience with the words "except that the members comprising the Board as first appointed shall be", it has been interpreted in actual practice as applying to all appointees. By stating expressly that the requirement applies to each appointee, the revised language clarifies an ambiguity in the present law and, in any event, reflects practice.
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> As to subsection (e) of this section, the present reference to the oath being filed with the Secretary of State is deleted as unnecessary.
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> Subsection (f)(2) of this section is new, standard language added for clarity. The terms of the psychologist members serving on July 1, 1981 expire as follows: (1) one member in 1981; (2) two members in 1982; and (3) two members in 1983.
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> Subsection (f)(3) of this section is standard language added to this and, where necessary, corresponding sections of other titles of this article to provide for gaps in membership by indicating that a member serves until a successor takes office. This provision is supported by the cases of Benson v. Mellor, 152 Md. 481 (1927) and Grooms v. LaVale Zoning Board, 27 Md. App. 266 (1975).
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> For circumstances under which subsection (f)(4) of this section applies, see the General Revisor's Note to this article.
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> In subsection (g) of this section, the phrase "upon the recommendations of the Secretary..." is deleted as misleading. Although the present law seems to imply that the Governor may remove a Board member only on the recommendation of the