

9-206. HEARINGS.

(A) HEARING REQUIRED.

IF AN EMPLOYEE APPEALS THE CHARGES FOR REMOVAL, THE SECRETARY SHALL HOLD A HEARING TO DETERMINE WHETHER THERE IS CAUSE FOR REMOVAL.

(B) WHEN HELD.

THE HEARING SHALL BE HELD WITHIN 90 DAYS AFTER THE CHARGES FOR REMOVAL ARE SUBMITTED TO THE SECRETARY.

REVISOR'S NOTE: This section is new language derived without substantive change from the second clause of former Art. 64A, § 33(b)(2)(ii).

In subsection (a) of this section, the former references to the "board" or "person" designated by the Secretary to conduct appeal hearings are deleted as unnecessary and obsolete. Under § 2-302(5) of this article, the Secretary may delegate this authority to the Office of Administrative Hearings, but not to any other person.

Also in subsection (a) of this section, the former requirement that the Secretary "investigate" the matter is deleted as subsumed in the requirement for holding a hearing and making a determination.

Defined term: "Secretary" § 1-101

9-207. FINDINGS AND DECISION.

(A) DECISION WITHIN 45 DAYS.

THE SECRETARY SHALL MAKE FINDINGS AND ISSUE A WRITTEN DECISION ON A CHARGE FOR REMOVAL WITHIN 45 DAYS AFTER THE LATER OF:

- (1) THE CONCLUSION OF THE HEARING; OR
- (2) THE DAY WHEN ALL BRIEFS OR MEMORANDA HAVE BEEN SUBMITTED.

(B) COPIES TO PARTIES.

THE SECRETARY SHALL PROVIDE A COPY OF THE FINDINGS AND DECISION TO EACH PARTY.

(C) DECISION FINAL.

THE DECISION OF THE SECRETARY IS FINAL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 33(b)(2)(iii) and, except for the reference to enforcement, § 33(c).