

(III) 1. THE MEMBERS ELECTED AT THE 2004 ELECTION FROM COMMISSIONER DISTRICTS 2 AND 4 SHALL SERVE AN INITIAL TERM OF 4 YEARS.

2. AN ELECTION SHALL BE CONDUCTED IN 2008 AND EVERY 4 YEARS THEREAFTER.

(3) The Governor shall appoint a qualified individual to fill any vacancy on the Board for the remainder of the term and until a successor is elected and qualifies.

(e) (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 Somerset County.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved April 22, 2003.

CHAPTER 115

(House Bill 32)

AN ACT concerning

Criminal Law - Candy-Like Products Containing ~~Nicotine~~ Tobacco - Minors

FOR the purpose of adding candy-like products that contain ~~nicotine~~ tobacco to the definition of tobacco products prohibited to be sold to or possessed by a minor; and generally relating to candy-like products that contain ~~nicotine~~ tobacco.