

### **63.110 Hearing -- Order of removal.**

- (1) The case shall be heard before the Governor on oral testimony or by depositions, as the Governor may direct. Testimony before the Governor shall be taken upon oath administered by the Governor or by a stenographer designated by him, and shall be taken down in shorthand notes and transcribed by the stenographer. All exhibits, depositions and the transcript of testimony taken before the Governor shall be filed in the office of the Secretary of State as a part of the record in the proceedings. The officer sought to be removed shall have the right to appear in person before the Governor and testify and be represented by counsel. The hearing need not be conducted under the forms of court procedure.
- (2) The Governor shall consider all the testimony offered by each side and make findings of fact, and if the Governor finds from the testimony that the officer is guilty of neglect of duty, he shall enter an order removing the officer from office. The order of removal, together with the findings of fact, shall be signed by the Governor and recorded in the Executive Journal.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 3766a-7, 3766a-13.