

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Article 41, § 206(a).

It is set forth as a separate section for emphasis.

See also Article 41, § 2A of the Code, which lists all of the principal departments of the executive branch of State government.

2-102. SECRETARY OF HEALTH AND MENTAL HYGIENE.

(A) POSITION AND APPOINTMENT.

THE HEAD OF THE DEPARTMENT IS THE SECRETARY OF HEALTH AND MENTAL HYGIENE, WHO SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

(B) RESPONSIBILITY TO GOVERNOR; ADMINISTRATION OF DEPARTMENT.

(1) THE SECRETARY SERVES AT THE PLEASURE OF THE GOVERNOR AND IS RESPONSIBLE DIRECTLY TO THE GOVERNOR. THE SECRETARY SHALL ADVISE THE GOVERNOR ON ALL MATTERS ASSIGNED TO THE DEPARTMENT AND IS RESPONSIBLE FOR CARRYING OUT THE GOVERNOR'S POLICIES ON THESE MATTERS.

(2) THE SECRETARY IS RESPONSIBLE FOR THE OPERATION OF THE DEPARTMENT AND SHALL ESTABLISH GUIDELINES AND PROCEDURES TO PROMOTE THE ORDERLY AND EFFICIENT ADMINISTRATION OF THE DEPARTMENT. THE SECRETARY MAY ESTABLISH, REORGANIZE, OR ABOLISH AREAS OF RESPONSIBILITY IN THE DEPARTMENT AS NECESSARY TO FULFILL THE DUTIES ASSIGNED TO THE SECRETARY.

(C) SALARY.

THE SECRETARY IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Article 41, § 206(a), from the first, second, and third sentences and -- as it related to the salary of the Secretary -- the fourth sentence of (b), and from the first and second sentences of (c)(1).

Throughout subsection (b)(2) of this section, the defined term "Department" is substituted for the ambiguous references to the "office" of the Secretary, which could be interpreted to mean only the office of the Secretary or the Department in general. It is clear that the