

thing, rather than a process. The former appears to have been the intent of the General Assembly, in light of paragraph (2) of this subsection.

In paragraph (2) of this subsection, the phrase "except as expressly provided otherwise" is added as a general reference to the third sentence of former Article 43, § 206(f), which limited the power of the Secretary over planning functions of "departments, agencies or units (except the Department of Health or the Department of Mental Hygiene)". The limitation contained in that former sentence now appears in the provisions that deal with the individual units to which it applied.

This approach is used because of the reorganizations within the Department of Health and Mental Hygiene since its creation by Ch. 77, Acts of 1969. For example, the State budget has not provided for a Department of Health since fiscal year 1973, and its functions and responsibilities are now part of the general functions and responsibilities of the Secretary. On the other hand, new units, such as the Alcoholism Control Administration, Drug Abuse Administration, and Mental Retardation Administration, have been created and expressly exercise their functions subject to the authority of the Secretary.

Therefore, the Commission to Revise the Annotated Code has analyzed the authority of each unit to make planning decisions and the relationship of the unit to the Secretary. The units with autonomy in this area are: the State Anatomy Board; the State Postmortem Examiners Commission; the Health Planning and Development Agency; the Juvenile Services Administration; the Statewide Health Coordinating Council; the State Commission on Physical Fitness; and the State licensing boards and commissions in the Health Occupations Article.

For other limitations on the power of the Secretary, see subsection (h) of this section and § 2-106(c) of this subtitle and their revisor's notes. Cf. Article 41, § 3A(a) of the Code.

Defined terms: "Department" § 1-101
"Secretary" § 1-101

(G) REPORTS BY UNITS IN DEPARTMENT.