

## 3-302. HEAD OF EXECUTIVE BRANCH.

THE GOVERNOR IS THE HEAD OF THE EXECUTIVE BRANCH OF THE STATE GOVERNMENT AND, EXCEPT AS OTHERWISE PROVIDED BY LAW, SHALL SUPERVISE AND DIRECT THE OFFICERS AND UNITS IN THAT BRANCH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. #1, § 15.

The references to the Executive "Branch" of the State government are substituted for the former references to the "Executive Department", since, under Md. Constitution, Art. II, § 1, the Governor clearly is the head of the Executive Branch of the State government and has responsibilities as to officers and units within that Branch. However, the phrase "except as otherwise provided by law" is added to reflect that some officers and units are accorded autonomy, by law.

The former reference to additional "rights ... and functions now or hereafter conferred by law" is deleted as unnecessary in light of § 3-301 of this subtitle.

As to the substitution of "units" for the former word "agencies", see the General Revisor's Note to this article.

## 3-303. MILITIA.

## (A) COMMANDER-IN-CHIEF.

THE GOVERNOR IS THE COMMANDER-IN-CHIEF OF THE LAND AND NAVAL MILITIA OF THE STATE, EXCEPT FOR ANY PART OF THE MILITIA THAT IS IN THE ACTIVE MILITARY SERVICE OF THE UNITED STATES.

## (B) GENERAL POWERS.

(1) AS TO THE LAND MILITIA, THE GOVERNOR MAY ADOPT ANY REGULATION OR ISSUE ANY ORDER ON ENLISTMENT, DISCHARGE, ORGANIZATION, DISCIPLINE, TRAINING, AND EQUIPMENT THAT IS NEEDED TO CONFORM TO ARTICLE 65 OF THE CODE, TO THE NATIONAL DEFENSE ACT, OR TO ANY REGULATION THAT IS ADOPTED UNDER THE NATIONAL DEFENSE ACT.

(2) AS TO A NAVAL MILITIA, THE GOVERNOR MAY:

(I) BY EXECUTIVE ORDER, ORGANIZE, ARM, AND EQUIP THE NAVAL MILITIA; AND

(II) PROVIDE FOR ITS ADMINISTRATION AND DISCIPLINE IN A MANNER THAT, TO THE EXTENT PRACTICABLE, SHALL CONFORM TO FEDERAL LAW.