

otherwise provided by law at or after the ... transfer", for brevity.

In subsection (b)(2) of this section, the former reference to "heads of the departments", which seemed to refer to the secretary of a principal department, is deleted since a secretary would not be affected by "placement" of a unit.

In subsection (b)(3) of this section, the former limitation "not recognized by law as principal departments" is deleted as unnecessary, since subsection (a) of this section does not provide for placement of 1 principal department in another.

The second sentence of former Art. 41, § 3, which referred generally to the "rights ... and functions provided by law", is deleted as surplusage.

Defined term: "State" § 1-101

#### 8-203. SECRETARY.

##### (A) APPOINTMENT.

THE HEAD OF EACH PRINCIPAL DEPARTMENT IS A SECRETARY, WHO SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.

##### (B) QUALIFICATIONS.

THE GOVERNOR SHALL SELECT, ON THE BASES OF PROFESSIONAL AND ADMINISTRATIVE KNOWLEDGE AND EXPERIENCE, A SECRETARY WHO HAS THE QUALIFICATIONS REQUIRED BY LAW.

##### (C) REPRESENTATION OF INTERGOVERNMENTAL UNIT.

UNLESS OTHERWISE PROVIDED BY LAW, THE SECRETARY OF A PRINCIPAL DEPARTMENT OR, WITH THE APPROVAL OF THE GOVERNOR, A DESIGNEE OF THE SECRETARY SHALL REPRESENT THE STATE AND COORDINATE ITS PARTICIPATION IN AN INTERSTATE, REGIONAL, OR OTHER INTERGOVERNMENTAL UNIT THAT IS IN THE DEPARTMENT.

REVISOR'S NOTE: Subsections (a) and (b) of this section are new language that repeats the provisions of the second sentence and the first clause of the first sentence of present Art. 41, § 3A(a), as applied to the substantive provisions of this section.

Subsection (c) of this section is new language derived without substantive change from the second sentence of former Art. 41, § 3D.

Subsection (c) of this section is revised to clarify that the approval of the Governor is required only as to representation by "a designee of the secretary".