

3A(b), § 15C(c) and the first through fifth sentences of (a), and the second and fourth sentences of § 15CB.

In subsection (a) of this section, the former reference to the Governor "as chief executive officer of the State government" is deleted as surplusage.

The introductory language of subsection (b)(1) of this section, "[i]n addition to any reorganization under Article II, § 24 of the Maryland Constitution," is added to state expressly that the authority to order a reorganization under subsection (b) of this section is additional authority, subject only to the limitation that the order be not inconsistent with law.

In subsection (b)(1) of this section, the power to "order" a reorganization is substituted for the former duty to "propose, approve, and order", which, in light of the discretion inherent in a determination as to "necessary and desirable", was more accurately a power and which also did not reflect the power to disapprove reorganizations as undesirable or unnecessary. In light of this revision and subsection (b)(3) of this section, the first sentence of former Art. 41, § 15CB, which required a secretary to submit to the Governor an order that the secretary "intends to issue", and express power, in the second sentence of § 15CB, to "approve or reject" the proposal, are deleted as unnecessary and, to the extent that those former provisions suggested a secretary could order a reorganization without approval, misleading.

In subsection (b)(2)(ii) of this section, the former reference to placement of "new units ... at the time of creation" is deleted as inconsistent with the reference in former Art. 41, § 3 to placement "at the time of or at any time after the establishment of the appropriate principal department", which also is deleted as unnecessary.

Also in subsection (b)(2)(ii) of this section, the former limitation "unless assigned by law" and the former, specific reference to "[n]onstatutory units ... and programs" are deleted as unnecessary in light of § 8-202(a)(1) of this title.

In subsection (b)(3) of this section, the reference to an "executive order" is added to reflect former Art. 41, § 15CA(b), which defined "executive order" to include reorganization orders. See § 3-401 of this article.

In subsection (c)(1) of this section, the reference to a "law that relates to the organization of the Executive Branch of the State government" is