

In subsection (b)(1) of this section, the word "staff" is substituted for the former, specific references to "assistants, professional consultants and employees", for brevity.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that, while appointment of the deputy secretary requires approval of the Governor, similar approval is not required for removal. The laws governing 7 principal departments required approval of the Governor for removal of the deputy secretary: i.e., AG § 2-102(c), NR § 1-101(d), TR § 2-102(e), and Art. 41, §§ 204B(e), 205B(e), 221B(e), and 257E(f) of the Code. The laws governing the other 5 principal departments -- including the Department of State Planning -- contain no comparable provision.

Also concerning subsection (a) of this section, the General Assembly may wish to consider adding language that expressly authorizes the deputy secretary to act as Secretary in the absence of the Secretary.

Defined terms: "Department" § 5-101
"Secretary" § 5-101

5-204. GENERAL POWERS AND DUTIES OF SECRETARY.

(A) BUDGETS.

THE SECRETARY IS RESPONSIBLE FOR THE BUDGET OF THE OFFICE OF THE SECRETARY AND FOR THE BUDGET OF EACH UNIT IN THE DEPARTMENT.

REVISOR'S NOTE: This subsection is new language derived in part without substantive change from the first clause of former Art. 41, § 226(e) and which repeats in part the provisions of the seventh sentence of present Art. 41, § 3A(a).

The words "in the Department" are substituted for the former words "within his jurisdiction", for clarity.

Defined terms: "Department" § 5-101
"Secretary" § 5-101

(B) REGULATIONS.

THE SECRETARY MAY ADOPT REGULATIONS FOR THE DEPARTMENT AND ITS UNITS.

REVISOR'S NOTE: This subsection is new language derived in part without substantive change from the second clause of former Art. 41, § 226(e) and which repeats in part the provisions of present Art. 41, § 3B.