

(1) THE SECRETARY SHALL MAKE FINDINGS AND ISSUE A WRITTEN DECISION ON AN APPEAL WITHIN 45 DAYS AFTER THE LATER OF:

(I) THE CONCLUSION OF THE HEARING; AND

(II) THE DAY WHEN ALL BRIEFS OR MEMORANDA HAVE BEEN SUBMITTED.

(2) THE SECRETARY SHALL PROVIDE A COPY OF THE FINDINGS AND DECISION TO EACH PARTY.

(3) THE DECISION OF THE SECRETARY IS FINAL.

(E) ENFORCEMENT.

THE APPOINTING AUTHORITY IMMEDIATELY SHALL ENFORCE A FINAL DECISION ISSUED UNDER THIS SECTION.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the first clause of the fourth sentence of former Art. 64A, § 31.

Subsections (b) through (e) of this section are new language substituted for former Art. 64A, § 33(d)(2) and the second clause of the fourth sentence of § 31, each of which provided that the procedures for removals for cause apply to demotions. The substitution is made to conform to long-standing Departmental understanding and administrative practice and is based on the removal procedures set forth in former Art. 64A, § 33(b)(2)(iii), the second clause of § 33(b)(2)(ii), and § 33(c). See also §§ 9-204 through 9-208 of this article, which revise the provisions of former Art. 64A, § 33 that apply to removals for cause.

As to the authority of the Secretary to delegate the authority to conduct appeal hearings under this section, see § 2-302(3) of this article.

As to procedures governing a decision made by individuals who have not heard the evidence, including the opportunity to file exceptions, see SG § 10-212.

Defined terms: "Appointing authority" § 1-101

"Class" § 1-101

"Classified service" § 1-101

"Secretary" § 1-101

SUBTITLE 7. EMPLOYEES OF STATE-ACQUIRED ENTITIES.

4-701. RETENTION OF EMPLOYEES.

IF THIS STATE ACQUIRES A PUBLIC OR PRIVATE ENTITY TO OPERATE IT FOR A PUBLIC PURPOSE, THIS STATE MAY RETAIN, AS A STATE EMPLOYEE, ANY INDIVIDUAL WHO IS AN OFFICER OR EMPLOYEE OF THAT ENTITY AT THE TIME OF THE ACQUISITION.