

In subsection (b)(3) of this section, the former reference to a position being vacated "on or after July 1, 1989", is deleted as obsolete. See also § 1-404 of this article.

Defined terms: "Classified service" § 1-101

"Position" § 1-101

"Secretary" § 1-101

"Unclassified service" § 1-101

6-103. REGULATIONS AND REPORTS.

(A) REGULATIONS SUBJECT TO GOVERNOR'S APPROVAL.

SUBJECT TO THE APPROVAL OF THE GOVERNOR, THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

(B) REPORT ON EXECUTIVE PAY PLAN.

SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, THE SECRETARY SHALL SUBMIT TO THE DEPARTMENT OF FISCAL SERVICES, ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, A LIST OF THE POSITION, PAY GRADE AND STEP, AND PAY RATE OF EACH EMPLOYEE WHO WAS INCLUDED IN THE EXECUTIVE PAY PLAN AS OF THE PRECEDING JUNE 30.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 27(a)(2)(iv)4 and, as it related to the requirement that the Secretary adopt regulations, § 30(a)(1).

In subsection (a) of this section, the former reference to regulations as having "the force of law in the same manner as other conditions herein prescribed" is deleted as unnecessary. The Maryland Court of Appeals has held that regulations adopted through statutory authority have the force and effect of law. See Maryland Port Administration v. John W. Brawner Contracting Co., 303 Md. 44, 60 (1985).

Defined terms: "Position" § 1-101

"Secretary" § 1-101

6-104. PAY RATES GENERALLY.

(A) IN GENERAL.

(1) PAY RATES IN THE STANDARD PAY PLAN MAY BE SET BY:

- (I) A SERIES OF PAY GRADES AND STEPS WITHIN EACH GRADE;
- (II) FIXED RATES; OR
- (III) MINIMUM AND MAXIMUM AMOUNTS.

(2) PAY RATES IN THE EXECUTIVE PAY PLAN MAY BE SET BY:

- (I) A SERIES OF EXECUTIVE PAY GRADES AND STEPS WITHIN EACH GRADE; OR