

1. IS IN THE EXECUTIVE SERVICE OR MANAGEMENT SERVICE OF, OR IS A SPECIAL APPOINTMENT UNDER, THE STATE PERSONNEL MANAGEMENT SYSTEM; AND

2. SERVES AT THE PLEASURE OF THE SECRETARY.

(2) UNLESS OTHERWISE PROVIDED BY LAW, THE SECRETARY SHALL APPOINT AND REMOVE ALL OTHER EMPLOYEES IN THE OFFICE OF THE SECRETARY IN ACCORDANCE WITH THE PROVISIONS OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-103(b)(2) and (3), the first sentence of (1) and, as it allows the Secretary to make a designation, the second sentence.

In subsection (a) of this section, the word "may" is substituted for the former reference to the word "shall" for consistency with similar provisions in other revised articles of the Code. See, e.g., BR § 2-103(b)(1), SF § 4-203(b)(1), BOP §§ 14-204(d) and 5-204(e)(1), EN § 1-403(b)(1), SF §§ 3-203(c)(1) and 5-203(a), SG §§ 2-1606(b), 5-105(a), 6-105(a)(1), and 9-108(e)(1), HG § 2-103(b)(1), HO § 17-204(d), and FI § 2-104.

Also in subsection (a) of this section, the reference to a "staff" is substituted for the former specific reference to "assistants, professional consultants and employees" for brevity and consistency with similar provisions in other revised articles of the Code. See, e.g., BR § 2-103(b)(1), SF § 4-203(b)(1), BOP §§ 14-204(d) and 5-204(e)(1), EN § 1-403(b)(1), SF §§ 3-203(c)(1) and 5-203(a), SG §§ 2-1606(b), 5-105(a), 6-105(a)(1), and 9-108(e)(1), HG § 2-103(b)(1), HO § 17-204(d), and FI § 2-104.

In subsection (b) of this section, the term "staff assistant" is substituted for the former reference to "assistants" for consistency with subsection (c) of this section.

In subsection (c)(1)(i) of this section, the reference to "appoint[ment]" is added to state expressly that which was only implied in the former law and for consistency with subsection (c)(2) of this section.

Defined term: "Secretary" § 1-101

2-107. SAME — SERVICE OF DOCUMENTS.

THE SECRETARY MAY DESIGNATE EMPLOYEES OF THE DEPARTMENT TO SERVE A CRIMINAL SUMMONS, WARRANT, OR CHARGING DOCUMENT AS PROVIDED IN § 6-309 OF THE COURTS ARTICLE.

REVISOR'S NOTE: This section formerly was Art. 41, § 4-104(j).

The only changes are in style.

Defined terms: "Department" § 1-101

"Secretary" § 1-101