

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 88B, § 2(8).

In paragraph (1) of this subsection, the former reference to a "regulation" is deleted as unnecessary and confusing in light of paragraph (2) of this subsection.

In paragraph (2) of this subsection, the reference to a "regulation" is substituted for the former reference to a "rule" for clarity. The Public Safety Article Review Committee notes this substitution for consideration by the General Assembly. The former reference to a "rule" was misleading because Title 10, Subtitle 1 of the State Government Article generally covers regulations, not rules. Under SG § 10-101(g)(2), "regulation" does not include a statement that concerns only the internal management of a unit and does not directly affect the rights of the public or the procedures available to the public. "Rule" as defined in this subsection deals with the internal management of the Department of State Police and thus is not a "regulation" for purposes of the State Government Article.

The Public Safety Article Review Committee also notes, for consideration by the General Assembly, that the former reference to a rule, order, or other directive adopted by the Secretary "pursuant to this article" referred to the power of the Secretary under former Article 88B. Under the revision, the reference "under this article" encompasses the powers of the Secretary under the Public Safety Article. Because the powers of the Secretary were contained in former Article 88B, which is revised in this article, the reference "under this article" does not result in a substantive change.

Defined term: "Secretary" § 2-101

(L) SECRETARY.

"SECRETARY" MEANS THE SECRETARY OF STATE POLICE.

REVISOR'S NOTE: This subsection formerly was Art. 88B, § 2(10).

The only change is in style.

## SUBTITLE 2. ORGANIZATION AND ADMINISTRATION OF DEPARTMENT.

### 2-201. DEPARTMENT ESTABLISHED.

THERE IS A DEPARTMENT OF STATE POLICE, ESTABLISHED AS A PRINCIPAL DEPARTMENT OF STATE GOVERNMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88B, § 1(a), as it related to establishing the Department.

It is set forth as a separate section for emphasis.

Former Art. 88B, § 1(a), as it related to the Department having powers and