

(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, § 6-103(b).

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.*, BOP §§ 5-204(e)(1) and 14-204(d), BR § 2-103(b)(1), EN § 1-403(b)(1), FI § 2-104, HG § 2-103(b)(1), HO § 17-204(d), SF §§ 3-203(c)(1), 4-203(b)(1), and 5-203(a), SG §§ 2-1606(b), 5-105(a), 6-105(a)(1), and 9-108(e)(1).

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.*, BOP §§ 5-204(e)(1) and 14-204(d), BR § 2-103(b)(1), EN § 1-403(b)(1), FI § 2-104, HG § 2-103(b)(1), HO § 17-204(d), SF §§ 3-203(c)(1), 4-203(b)(1), and 5-203(a), SG §§ 2-1606(b), 5-105(a), 6-105(a)(1), and 9-108(e)(1).

In subsection (b) of this section, the former reference to the Secretary's authority to "establish areas of responsibility within the Secretary's office" is deleted as unnecessary in light of § 2-203(b) of this subtitle, which authorizes the Secretary to "establish, reorganize, or abolish areas of responsibility in the office of the Secretary".

Also 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.

In subsection (c)(2) of this section, the former reference to "Title 6, Subtitle 4" of the State Personnel and Pensions Article is deleted for accuracy. Title 6, Subtitle 4 does not address appointment and removal of employees.

Defined term: "Secretary" § 2-101

2-206. REMOVAL OF APPOINTEES.

IF THE SECRETARY IS REQUIRED BY LAW TO MAKE AN APPOINTMENT WITH THE APPROVAL OF THE GOVERNOR TO A PARTICULAR OFFICE IN THE DEPARTMENT AND THE APPOINTEE IS REQUIRED TO SERVE AT THE PLEASURE OF THE SECRETARY, THE SECRETARY MAY NOT REMOVE THE APPOINTEE WITHOUT FIRST OBTAINING THE GOVERNOR'S APPROVAL.