

2-103. COMMISSIONER.

(A) POSITION.

THE HEAD OF THE DIVISION IS THE COMMISSIONER.

(B) APPOINTMENT.

THE SECRETARY SHALL APPOINT THE COMMISSIONER WITH THE APPROVAL OF THE GOVERNOR.

(C) TENURE.

THE COMMISSIONER HOLDS OFFICE AT THE PLEASURE OF THE SECRETARY.

(D) FULL-TIME DUTIES.

THE COMMISSIONER SHALL DEVOTE FULL TIME TO THE DUTIES OF OFFICE.

(E) COMPENSATION.

THE COMMISSIONER IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.

REVISOR'S NOTE: This section is new language derived without substantive change from the seventh through ninth sentences of former Art. 89, § 1:

As to subsection (c) of this section, see Art. 41, § 8-103(e) of the Code, which states that "[w]herever it is provided by law that an appointment to a particular office within the Department of Licensing and Regulation is made by the Secretary with the approval of the Governor, and the appointee is to serve at the pleasure of the Secretary, the Secretary shall not remove the appointee without first obtaining the approval of the Governor."

Former Art. 41, § 8-201, which created the "Office" of the Commissioner of Labor and Industry, is deleted as duplicative of the seventh sentence of former Art. 89, § 1 — now subsection (a) of this section. This deletion is based on the assumption that the former reference to "Office" meant the position of Commissioner, rather than an organizational unit within the Division. In any event, the Commissioner may organize the Division as appropriate.

The tenth sentence of former Art. 89, § 1, which allowed the Commissioner "actual and necessary expenses incurred in the discharge of his duties", is deleted as inaccurate since the Standard State Travel Regulations govern reimbursement of the expenses of the Commissioner and other State officials and employees. See SF § 10-203 and COMAR 23.02.01.01 through .12.

Defined terms: "Commissioner" § 2-101

"Division" § 2-101

"Secretary" § 2-101