

(1) THE SECRETARY MAY EMPLOY A STAFF ATTACHED TO THE OFFICE OF THE SECRETARY, IN ACCORDANCE WITH THE STATE BUDGET.

(2) EACH STAFF ASSISTANT IN THE OFFICE OF THE SECRETARY IN CHARGE OF A PARTICULAR AREA OF RESPONSIBILITY, AND EACH PROFESSIONAL CONSULTANT, IS APPOINTED BY AND SERVES AT THE PLEASURE OF THE SECRETARY.

(3) UNLESS OTHERWISE PROVIDED BY LAW, THE SECRETARY SHALL APPOINT AND REMOVE ALL OTHER STAFF IN THE OFFICE OF THE SECRETARY IN ACCORDANCE WITH THE STATE MERIT SYSTEM LAW.

(4) THE SECRETARY MAY REVIEW ANY PERSONNEL ACTION TAKEN BY ANY UNIT IN THE DEPARTMENT. THE SECRETARY MAY DELEGATE TO THE HEAD OR GOVERNING BODY OF ANY UNIT IN THE DEPARTMENT THE POWER TO APPROVE ANY APPOINTMENT OR REMOVAL.

(5) WHENEVER THE SECRETARY IS AUTHORIZED BY LAW TO MAKE AN APPOINTMENT WITH THE APPROVAL OF THE GOVERNOR, THE SECRETARY MAY NOT REMOVE THE APPOINTEE WITHOUT FIRST OBTAINING THE APPROVAL OF THE GOVERNOR.

REVISOR'S NOTE: Subsections (a) and (b)(1), (2), (3), and (5) of this section are new language derived without substantive change from former Art. 41, § 8-103(a), (b), and (e).

Subsection (b)(4) of this section is new language that, in part, repeats the provisions of the ninth sentence of present Art. 41, § 1-201 that relate to review of personnel action and, in part, is derived without substantive change from the second clause of former Art. 41, § 8-103(c).

Although present Art. 41, § 1-201 sets forth the general powers of all of the secretaries of the principal departments, the ninth sentence of that present section is repeated here, as a power of the Secretary of Licensing and Regulation, to clarify that the first clause of former Art. 41, § 8-103(c), which required approval specifically for "appointment or removal", was not intended as a limitation on the personnel actions subject to review of this Secretary. Accordingly, the former clause is deleted.

In subsection (a)(2)(iii) of this section, the former reference to duties "delegated by law" is deleted as unnecessary in light of the broad reference to duties "provided by law".

In subsection (b)(1) and (3) of this section, the word "staff" is substituted for the former specific references to "assistants, professional consultants and employees" and "employees" for brevity.

In subsection (b)(1) of this section, the former specific power of the Secretary to "designate assistants to be in charge of" areas of responsibility is deleted as included in the general power of the Secretary to employ a staff.