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By: **Chairman, Appropriations Committee and Chairman, Judiciary  
Committee (Departmental - Juvenile Justice)**

Introduced and read first time: January 24, 2001

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Department of Juvenile Justice - Appointment of Deputy Secretary**

3 FOR the purpose of authorizing the Secretary of Juvenile Justice to appoint a certain  
4 number of Deputy Secretaries to assist with the duties provided by law or  
5 designated by the Secretary; and generally relating to the appointment of  
6 personnel at the Department of Juvenile Justice.

7 BY repealing and reenacting, with amendments,  
8 Article 83C - Juvenile Justice  
9 Section 2-103  
10 Annotated Code of Maryland  
11 (1998 Replacement Volume and 2000 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 83C - Juvenile Justice**

15 2-103.

16 (a) With the approval of the Governor, the Secretary may appoint [1] TWO OR  
17 MORE Deputy [Secretary] SECRETARIES as necessary.

18 (b) (1) The Deputy [Secretary serves] SECRETARIES SERVE at the pleasure  
19 of the Secretary.

20 (2) The Deputy [Secretary is] SECRETARIES ARE entitled to the salary  
21 provided in the State budget.

22 (3) The Deputy [Secretary has] SECRETARIES HAVE the duties provided  
23 by law or delegated by the Secretary.

24 (C) THE SECRETARY SHALL DESIGNATE A DEPUTY SECRETARY TO BE THE  
25 ACTING SECRETARY WHEN THE SECRETARY IS ABSENT FROM THE STATE OR  
26 OTHERWISE UNAVAILABLE.

1 [(c)] (D) (1) The Secretary may employ a staff and retain consultants in  
2 accordance with the State budget.

3 (2) Except as provided in paragraph (4) of this subsection or otherwise by  
4 law, the Secretary shall appoint and remove all staff in accordance with the provisions  
5 of the State Personnel and Pensions Article.

6 (3) The appointment or removal of staff of any unit in the Department is  
7 subject to the approval of the Secretary. As to any unit in the Department, the  
8 Secretary may delegate this authority to the head of that unit.

9 (4) All personnel in the Department specified in this paragraph shall be  
10 in the executive service or management service of the State Personnel Management  
11 System and shall be appointed by and serve at the pleasure of the Secretary:

12 (i) Any assistant secretary;

13 (ii) Any director of an institution; and

14 (iii) The Superintendent of the youth centers.

15 (5) All personnel in the Department who are subject to the provisions of  
16 paragraph (4) of this subsection shall be prohibited from other employment while  
17 employed by the Department, unless express permission is granted by the Secretary.  
18 Express permission from the Secretary may not be unreasonably withheld. If the  
19 Secretary grants permission to engage in other employment, the employee shall  
20 disclose to the Secretary the source and amount of all income earned from that other  
21 employment.

22 (6) All teachers, principals, directors of education, and supervisors of  
23 vocational education who are employed by institutions managed by the Department  
24 are in the management service or are special appointments in the State Personnel  
25 Management System.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
27 effect July 1, 2001.