

EXECUTIVE DEPARTMENTS

Between 1969 and 1972, the General Assembly created twelve principal departments that combined by function the several hundred agencies, boards, and commissions then comprising the Executive Branch of the State government. These twelve departments are: Agriculture, Budget and Fiscal Planning, Economic and Community Development, General Services, Health and Mental Hygiene, Human Resources (formerly Employment and Social Services), Licensing and Regulation, Natural Resources, Personnel, Public Safety and Correctional Services, State Planning, and Transportation. A number of agencies were not assigned to a department but have remained independent because of their function.

The head of each department is the Secretary, who is appointed by the Governor and is subject to Senate confirmation. Each Secretary serves at the Governor's pleasure and is a member of his cabinet. Each Secretary carries out the Governor's policies regarding the particular department and is responsible for the department's operation. The Secretary is also responsible for the department's budget, the promulgation of rules and regulations, planning activities, and the appointment of the required advisory boards.

With the approval of the Governor, each Secretary appoints a Deputy Secretary who has duties prescribed by law or delegated by the Secretary. The Deputy Secretary serves at the pleasure of the Secretary. Each department has a Deputy Secretary, except for the Department of Public Safety and Correctional Services, which has two Deputy Secretaries.

A department may also have an Assistant Secretary who is appointed by the Secretary. Each Assistant Secretary has duties as may be assigned by law. The Secretary also has such staff assistants, professional consultants, and employees as provided in the budget. These assistants and consultants serve at the pleasure of the Secretary, but other employees are under the merit system. The appointment or removal of personnel by agencies within the department is generally subject to the approval of the Secretary, who may delegate this responsibility to agency heads.

In several of the departments, when appointments are to be made by the Secretary with the approval of the Governor, the appointee serves at the Secretary's pleasure. The Secretary may not, however, remove the appointee without the Governor's approval.

The Secretary may create advisory boards and determine their size, composition, and purposes. Each Secretary has a seal for his office.

The Attorney General is the legal advisor to each department and assigns Assistant Attorneys General to each. In the department, one Assistant Attorney General is designated as Counsel to the department to render legal aid, advice, and counsel as required by the Secretary and the department.

Each act establishing a department listed the agencies, boards and commissions, and other units contained in the new department. The act also stated that the department might be expanded to include other agencies or units as provided by law.

Chapter 415, Acts of 1970, permitted the executive reorganization program to be adapted to changing needs and programs by giving the Governor the authority to assign agencies that are not included in a department to one of the principal departments, either at the time the department was created or thereafter. Non-statutory commissions may be placed in the appropriate cabinet department by executive order.

Chapter 77, Acts of 1969, established the first of the cabinet-level departments with the creation of the Department of Health and Mental Hygiene. This department consolidated into a single organization all agencies concerned with health and the licensing and regulation of health professions and occupations.

Chapter 78, Acts of 1969, created the Department of Budget and Fiscal Planning to supersede the former Department of Budget and Procurement, the Governor's agency for the analysis of the revenue structure of the State and the preparation of his budget.

Chapter 154, Acts of 1969, consolidated all conservation and natural resources agencies into a single Natural Resources Department.

Chapter 155, Acts of 1969, transferred planning functions to a new Department of State Planning to act as the Governor's staff agency in planning matters and to develop a program to employ natural and other resources of the State in order to promote the health, safety, and general welfare of its citizens.

Chapter 98, Acts of 1970, consolidated the responsibility for administering the appointment, promotion, discharge, pay, and retirement of State employees into the Department of Personnel.