

abolished by Ch. 73, Acts of 1972, and Ch. 363, Acts of 1974. Also, the phrase "vested by law in" is added to conform to similar language in present Art. 41, §208(h), now subsection (g) of this section.

Also in paragraph (2) (ii), reference is added to the Transportation Professional Services Selection Board, recently created by Ch. 732, Acts of 1974. The independence of this Board is critical to the exercise of its functions; and the Commission suspects that its omission from this list is but an oversight. See, also, subsection (g) of this section and its revisor's note.

The only other changes are in style.

As to use of the term "unit", see revisor's note to §2-102 of this subtitle.

**(G) EXERCISE OF POWERS AND DUTIES OF UNITS IN DEPARTMENT.**

**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY MAY EXERCISE OR PERFORM ANY POWER OR DUTY THAT ANY UNIT IN THE DEPARTMENT MAY EXERCISE OR PERFORM.**

**(2) THIS SUBSECTION DOES NOT APPLY TO:**

**(I) THE POWERS OR DUTIES THAT ARE SET FORTH IN ARTICLE III, §40B OF THE STATE CONSTITUTION; OR**

**(II) THE POWERS OR DUTIES THAT DO NOT REQUIRE BY LAW THE APPROVAL OR ACTION OF THE SECRETARY AND ARE VESTED BY LAW IN:**

- 1. THE BOARD OF AIRPORT ZONING APPEALS;**
- 2. THE TRANSPORTATION PROFESSIONAL SERVICES SELECTION BOARD;**
- 3. THE MARYLAND TRANSPORTATION AUTHORITY; OR**
- 4. THE BOARD OF REVIEW OF THE DEPARTMENT.**

**REVISOR'S NOTE:** This subsection presently appears as Art. 41, §208(h).

Throughout this section, present references to "responsibilities" and "functions" are deleted as redundant in light of the references to "powers" and "duties".

In paragraph (1) of this subsection, the present phrase "in his discretion" is deleted as unnecessary in light of the use of the term