

UNABLE TO PERFORM THE DUTIES OF THE OFFICE.

(C) STAFF.

WITH THE APPROVAL OF THE SECRETARY, THE DIVISION DIRECTOR MAY APPOINT THE STAFF PROVIDED IN THE STATE BUDGET. EXCEPT FOR THE DEPUTY DIRECTOR, THE DIVISION DIRECTOR SHALL APPOINT AND REMOVE ALL PERSONNEL IN ACCORDANCE WITH THE STATE MERIT SYSTEM LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 23, § 161-I(a), (b), and the first sentence of (d).

In subsection (a) (2) of this section, "Division" is substituted for "Department" as the intended meaning. See revisor's note to § 8-301 of this subtitle.

Subsection (b) of this section, is conformed to the similar provisions for the deputy bank commissioner, i.e., the deputy acts when the Bank Commissioner's office is "vacant" or when the Bank Commissioner is "unable to perform the duties of the office".

In subsection (c) of this section, the present reference to "examiners" is deleted as included in the term "staff". The term "removal" is added for clarity and is within the scope of the State Merit System Law. Note that, in practice, the approval of the Secretary is required for each appointment to and removal from the staff.

The provisions of Art. 23, § 161G(b) and the last sentence of § 161-I(d), which require the Division Director and deputy director to be bonded, are deleted as unnecessary, since all State employees are covered by a blanket bond.

"Division Director" and "Secretary" are defined in § 8-101 of this title.

8-305. OATH.

BEFORE TAKING OFFICE, THE DIVISION DIRECTOR AND DEPUTY DIRECTOR SHALL TAKE THE OATH REQUIRED BY ARTICLE I, § 9 OF THE STATE CONSTITUTION.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 23, § 161E(d), as that subsection applies to the Director and deputy director.

The present reference to the officers who administer the oath is deleted as unnecessary in light of the duplicate provisions of Art. 70, §
