

GENERAL REVISOR'S NOTE TO ARTICLE:

Departmental organization and positions:

Throughout this article, references to current departments, units, and positions are substituted for obsolete references to entities that have been abolished or otherwise ceased to exist.

In some instances, a statutory provision or uncodified section of law provided that references to an abolished agency meant the successor. See, e.g., former Article 43B, § 2, which defined "Authority" to mean the Drug Abuse Administration, and thus effected the transfer of duties, functions, and powers from the former Drug Abuse Authority to its successor.

However, some of these former provisions relating to successor agencies were inconsistent. For example, former Article 43, § 1H provided that, after July 1, 1969, references to the State Board of Health, Department of Mental Hygiene, Mental Hygiene Advisory Board, and State Board of Health and Mental Hygiene mean the Secretary. This former provision did not reflect Ch. 746, § 10, Acts of 1976, which reorganized the Department of Mental Hygiene as the Mental Hygiene Administration and provided that references to the former Department mean its successor. The 1976 Act also created a new Mental Hygiene Advisory Board. Therefore, former Article 43, § 1H was partially obsolete.

In this article, reference to the Secretary is substituted for the obsolete references to the State Board of Health, State Board of Mental Hygiene, and their successors, the State Board of Health and Mental Hygiene. Therefore, former Article 43, § 1H is deleted as unnecessary.

Former Article 43, §§ 5 and 39, which provided for the Director of the State Board of Health, who was, concurrently, Director of the Department of Health, also is deleted as obsolete.

Finally, in the instance of the Commissioner of Health and Department of Health, e.g., the position and unit were abolished by a cessation of funding, since 1975. References to the former position of Commissioner are deleted throughout this article and, if necessary to preserve a duty conferred on the former Commissioner, reference to the Secretary is substituted. See, e.g., revisor's notes to §§ 2-105 and 18-102 of this article. Former Article 43, §§ 1D and 32, which created the position and specified duties as to the Department of Health, are deleted as obsolete.

Authority of Secretary: