

second sentence of former Article 43, § 158(b).

In subsection (b)(2) of this section, the former reference to reimbursement for expenses "incurred while actually engaged in the performance of their duties" is deleted as unnecessary in light of the reference to the Standard State Travel Regulations. Standard State Travel Regulations are adopted by the Department of Personnel with the approval of the Board of Public Works.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that there is no quorum provision. In the absence of an express provision, rule, or regulation, case law indicates that a majority of the members is a quorum. See Gemeny v. Prince George's County, 264 Md. 85 (1972); Zeiler v. Central Ry., 84 Md. 304 (1896); and Heiskell v. Mayor of Baltimore, 65 Md. 125 (1886).

Defined term: "Board" § 5-401

5-405. LIMITATIONS ON SECRETARY.

(A) PLANS, PROPOSALS, AND PROJECTS.

THE POWER OF THE SECRETARY OVER PLANS, PROPOSALS, AND PROJECTS OF UNITS IN THE DEPARTMENT DOES NOT INCLUDE THE POWER TO DISAPPROVE OR MODIFY ANY DECISION OR DETERMINATION THAT THE BOARD MAKES UNDER AUTHORITY SPECIFICALLY DELEGATED BY LAW TO THE BOARD.

(B) STAFF, FUNCTIONS, AND FUNDS.

THE POWER OF THE SECRETARY TO TRANSFER BY RULE, REGULATION, OR WRITTEN DIRECTIVE, ANY STAFF, FUNCTIONS, OR FUNDS OF UNITS IN THE DEPARTMENT DOES NOT APPLY TO ANY STAFF, FUNCTION, OR FUNDS OF THE BOARD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 41, § 206(i) and the third sentence of (f).

This section is rephrased to exclude the Board from the general powers of the Secretary under § 2-104(f) and (h) of this article. Similar sections that limit the power of the Secretary over units in the Department appear elsewhere in this article. See the General Revisor's Note to this article.

Defined terms: "Board" § 5-401
 "Department" § 1-101 "Secretary" § 1-101
 "Includes"/"including" § 1-101