

reference in present Art. 77, §32(3) to the appointment of "clerical" assistants and agents is deleted, as is its reference to authorization by "the State Superintendent of Schools" to appointments under this item (3). As more clearly seen from the last sentence of present Art. 77, §30 - now §2-105 of this subtitle - clerical and other nonprofessional personnel are appointed by the State Superintendent and not, as otherwise implied here, by the State Board. On the other hand, as indicated in the second and third sentences of present §30 - now subsection (b) of this section - the State Board sets the qualifications and is the appointing authority for all professional personnel, while the State Superintendent is the nominating authority; therefore, the present reference to the appointment of professional assistants and agents "as ... authorized by the State Board ... or the State Superintendent" is at best misleading.

In subsection (b)(1) of this section, the revision clarifies that the State Superintendent may nominate more than one individual for each position. This conforms to actual practice.

In subsection (c) of this section, new language is added to indicate that it is the State Board that dismisses professional assistants. This is done to conform the language with the actual practice.

Subsection (d) of this section is organized to clarify that all professional assistants appointed under this section, including those appointed under subsection (a)(3) of this section, have the duties "assigned ... by the State Superintendent". In present Art. 77, §32, this phrase misleadingly is used only as to those appointed under what is now subsection (a)(1) and (2) of this section.

The only other changes are in style.

2-105. NONPROFESSIONAL PERSONNEL.

UNLESS OTHERWISE PROVIDED BY LAW, THE STATE SUPERINTENDENT SHALL APPOINT AND REMOVE ALL CLERICAL ASSISTANTS AND OTHER NONPROFESSIONAL PERSONNEL OF THE DEPARTMENT IN ACCORDANCE WITH THE STATE MERIT SYSTEM LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from the last sentence of Art. 77, §30.

The language of this section is revised to conform to the standard language adopted in other revised articles, e.g., §2-102(d) of the