

(C) WHENEVER IT SHALL APPEAR TO THE COMMISSIONER THAT A PARTICULAR ACT OR PRACTICE OR PROPOSED ACT OR PRACTICE OF A CORPORATION LICENSED UNDER THIS SUBTITLE AND MAINTAINING OR OPERATING A NONPROFIT HEALTH SERVICE PLAN IS IN VIOLATION OF THIS SECTION, THE BURDEN OF PERSUASION SHALL BE UPON THE CORPORATION TO SHOW THAT THE ACT OR PRACTICE OR PROPOSED ACT OR PRACTICE IS JUSTIFIED, FAIR, REASONABLE AND NOT UNFAIRLY DISCRIMINATORY.

(D) IF, AFTER HEARING, THE COMMISSIONER FINDS THAT ANY CORPORATION REQUIRED TO BE LICENSED UNDER THIS SUBTITLE AND MAINTAINING OR OPERATING A NONPROFIT HEALTH SERVICE PLAN, HAS VIOLATED ANY OF THE PROVISIONS OF THIS SECTION, HE MAY ALTERNATIVELY OR CUMULATIVELY:

(I) ORDER THAT THE UNDERWRITING POLICY OR STANDARD BE CHANGED OR ELIMINATED.

(II) ORDER THAT THE CORPORATION SO LICENSED ACCEPT THE PARTICULAR RISK OR BUSINESS.

(III) ORDER THAT THE CLAIM BE PAID OR ADJUSTED IN AN AMOUNT TO BE STATED IN HIS ORDER.

(IV) SUSPEND, REVOKE, REFUSE TO ISSUE OR REFUSE TO RENEW THE LICENSE OF THE CORPORATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 24, 1973.

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CHAPTER 722

(Senate Bill 896)

AN ACT to repeal and re-enact, with amendments, Section 326(n) of Article 81 of the Annotated Code of Maryland (1969 Replacement Volume), title "Revenue and Taxes," subtitle "Retail Sales Tax Act," subheading "In General," to provide for an exemption from the sales tax for the sales of photographic materials used in the composition and printing of newspapers.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 326(n) of Article 81 of the Annotated Code of Maryland (1969 Replacement Volume), title "Revenue and Taxes," subtitle "Retail Sales Tax Act," subheading "In General," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

326.

The tax hereby levied shall not apply to the following sales:

(n) Sales of transportation services, and the printing and sales of newspapers of any and all types, AND THE SALES OF ANY PHOTOGRAPHIC MATERIALS USED IN THE COMPOSITION AND PRINTING OF