

this section conform to the Administrative Procedure Act, which provides a right of judicial review of any "final decision" of an agency in a "contested case". A situation is a contested case if a party has a right to a hearing (see the Administrative Procedure Act definition of a "contested case" in Art. 41, § 244 of the Code).

21-313. SAME -- REISSUANCE OF LICENSE.

ON THE AFFIRMATIVE VOTE OF AT LEAST 5 MEMBERS OF THE BOARD, THE BOARD MAY REINSTATE A LICENSE OR REISSUE A LICENSE TO ANY PERSON WHOSE LICENSE HAS BEEN SUSPENDED OR REVOKED.

REVISOR'S NOTE: This section is new language derived without substantive change from NR § 8-611(c).

SUBTITLE 4. MISCELLANEOUS.

21-401. POWERS OF UNITS OF THIS STATE.

THIS TITLE DOES NOT AFFECT ANY AUTHORITY OF A POLITICAL SUBDIVISION OF THIS STATE OR ANY OTHER UNIT OF THIS STATE TO ADOPT OR ENFORCE LAWS, ORDINANCES, RULES, OR REGULATIONS THAT GOVERN WELLS OR THE USE OF WATER.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of present NR § 8-609(a).

As to a limitation on the authority of a political subdivision or other unit of this State regarding conservation for public use, allocation, and development of underground waters in this State, see NR § 8-602(a).

21-402. PROHIBITION TO REQUIREMENTS BY POLITICAL SUBDIVISIONS.

A POLITICAL SUBDIVISION OF THIS STATE MAY NOT REQUIRE AS A CONDITION TO PRACTICING WELL DRILLING:

(1) ANY AUTHORIZATION OTHER THAN AS PROVIDED IN THIS TITLE; OR

(2) ANY ADDITIONAL PERFORMANCE BOND OR CONTRACTOR'S LIABILITY INSURANCE.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of NR § 8-609(a) and the fourth sentence of NR § 8-610(d).

The present term "county" is deleted as included in the phrase "political subdivision of this State".