

is the subject of appeal, the Commissioner shall in like manner prepare and certify a transcript of the files in his office pertaining to such matter. Within thirty (30) days after the copy of notice of appeal was filed with the Commissioner he shall file the official record with the court in which the appeal is pending.

When any ruling, order or decision of the Commissioner relates to an increase or decrease of premiums or rate or to a change in any rating system, the filing of the notice of appeal shall, pending the final determination of the issue, act as a stay of any such ruling, order or decision, except where such ruling, order or decision approves or permits a filing of an insurer or rating organization.

The Baltimore City court shall hear and decide said appeal within sixty (60) days after the date of the filing of the notice of appeal, and shall affirm, reverse or modify the Commissioner's order or decision appealed from.

If the Baltimore City court finds that the Commissioner's order or decision is not supported by the preponderance of the evidence on consideration of the record as a whole, or is not in accordance with law, the court shall reverse or modify the Commissioner's order or decision in whole or in part.

An appeal to the Court of Appeals of Maryland may be taken from the decision of the Baltimore City court as in other civil cases.

(3) The provisions of this section shall govern hearings, orders and appeals in matters arising under the provisions of this subtitle. Sections 35, 36, 37, 38, 39 and 40 shall not apply to rating and rating organizations.

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

Approved April 26, 1973.

CHAPTER 168

(House Bill 1115)

AN ACT to repeal and re-enact, with amendments, Section 35(b) of Article 77 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Public Education," subtitle "Chapter 4. County Boards of Education," to insert Charles County as one of the counties excepted from the requirements of the system of appointed school boards; to specify who may serve on any school board; to clarify the language and punctuation therein, and generally relating to county boards of education.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 35(b) of Article 77 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Public Education," subtitle "Chapter 4. County Boards of Education," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

35.

(b) The members of the boards, except in CHARLES, Howard, Montgomery and Washington counties, shall be appointed from the citizens of the county by the Governor for overlapping terms of five years from the first day in July next succeeding their appointment, and they shall hold office until their successors