

THE REQUEST OF THE SECRETARY, THE CIRCUIT COURT IN ANY COUNTY OR ONE OF THE LAW COURTS OF BALTIMORE CITY HAS JURISDICTION TO ISSUE A WRIT OF MANDAMUS COMMANDING ANY PERSON TO COMPLY WITH THIS SUBTITLE OR ANY ORDER OF THE SECRETARY.

(C) JURISDICTION TO ISSUE ORDERS REQUIRING APPEARANCE OR OBEDIENCE TO DEPARTMENT SUBPOENA.

IN CASE OF CONTUMACY OR REFUSAL TO OBEY A DEPARTMENT SUBPOENA, THE CIRCUIT COURT FOR ANY COUNTY WITHIN WHOSE JURISDICTION AN INQUIRY IS BEING CONDUCTED, MAY ISSUE AN ORDER REQUIRING APPEARANCE BEFORE THE SECRETARY, PRODUCTION OF DOCUMENTARY EVIDENCE, OR TESTIMONY TOUCHING THE MATTER IN QUESTION. ANY PERSON WHO FAILS TO OBEY THE ORDER OF THE COURT IS GUILTY OF CONTEMPT.

(D) PROCEEDINGS IN THE NAME OF THE STATE; SUBPOENAS.

EVERY PROCEEDING TO ENFORCE OR RESTRAIN ANY VIOLATIONS OF THIS SUBTITLE SHALL BE BY AND IN THE NAME OF THE STATE.

REVISOR'S NOTE: Subsection (a) presently appears as the first sentence of Art. 43, §197-21 of the Code. The first sentence is proposed for deletion and new language is substituted; for a discussion of this change see the revisor's note to §4-129. The third sentence in subsection (a) is proposed for deletion because it duplicates Rules 103 and 114 of the Maryland Rules of Procedure and the District Court Rules.

The present provision excluding §§197-9(d) and 197-13 also is proposed for deletion. The present statute excludes these two sections because they prohibit judicial review of any case arising under either section after the expiration of 30 days from the issue of the Secretary's order. At present, these two sections are the only ones in this subtitle requiring an application for judicial review within a specific period. This reference, however, is superfluous because no court has jurisdiction in a case where the statutorily designated period for filing an appeal has expired. The present reference