

MAINTENANCE, EXPANSION, RELOCATION, REPLACEMENT, RENOVATION, AND REPAIR OF ITS WATER SUPPLY, WASTE WATER PURIFICATION AND SOLID WASTE DISPOSAL PROJECTS.

REVISOR'S NOTE: This subsection is new language derived from Article 33B, section 25(a) of the Code, as amended by Chapter 523, Acts of 1972.

(B) METHOD OF PROMULGATION.—RULES AND REGULATIONS SHALL BE PROMULGATED UNDER THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT, EXCEPT WHEN NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH AND SAFETY AND EXCEPT FOR EMERGENCY PROVISIONS REQUIRED TO PROTECT SERVICE PROJECTS.

REVISOR'S NOTE: This subsection is new language derived from Article 33B, section 25(b) of the Code.

(C) EFFECT OF APPROVED REGULATION.—ANY REGULATION ADOPTED BY THE SERVICE UNDER THIS SECTION, AND APPROVED BY THE SECRETARY OF NATURAL RESOURCES, HAS THE EFFECT OF LAW.

REVISOR'S NOTE: This subsection is new language derived from Article 33B, section 25 (c) of the Code.

3-130. ARBITRATION BY PUBLIC SERVICE COMMISSION BINDING; APPEAL OF DECISION OF COMMISSION; JUDICIAL REVIEW.

IF THE SERVICE AND A MUNICIPALITY OR PERSON FAIL TO REACH AGREEMENT ON RATES, FEES, OR OTHER CHARGES TO BE EXACTED BY THE SERVICE, THE PUBLIC SERVICE COMMISSION, UPON THE PETITION OF EITHER PARTY TO THE DISAGREEMENT SHALL ASSUME JURISDICTION FOR THE PURPOSE OF ARBITRATING THE DISAGREEMENT. ITS DETERMINATION SHALL BE FINAL AND BINDING ON ALL PARTIES CONCERNED, SUBJECT TO THE RIGHT OF ANY PARTY TO APPEAL THE DETERMINATION TO THE CIRCUIT COURT OF ANY COUNTY WITHIN WHICH THE MUNICIPALITY OR PERSON IS LOCATED, RESIDES, OR CARRIES ON BUSINESS, OR TO ANY EQUITY COURT IN BALTIMORE CITY. IN ANY APPEAL THE DECISION OF THE COMMISSION IS PRIMA FACIE CORRECT AND SHALL BE AFFIRMED UNLESS CLEARLY SHOWN TO BE (1) IN VIOLATION OF CONSTITUTIONAL PROVISIONS, OR (2) MADE UPON UNLAWFUL PROCEDURE, OR (3) ABRITRARY OR CAPRICIOUS, OR (4) AFFECTED BY OTHER ERROR OF LAW. IT IS THE INTENTION OF THIS SUBTITLE THAT JUDICIAL REVIEW IN ALL