

Review of the Department of Natural Resources, constituted as a board of appeals, from five to ~~[[three]]~~ four.

BY repealing and re-enacting, with amendments,

Article - Natural Resources
Section 1-107(2)
Annotated Code of Maryland
(1974 Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 1-107(2) of Article - Natural Resources, of the Annotated Code of Maryland (1974 Volume and 1974 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article - Natural Resources

1-107.

(2) A party aggrieved by an adverse decision, action, or failure to take action within the time prescribed by this section may file an appeal to the Board of Review of the Department of Natural Resources. The Board shall adopt procedures as provided in the Administrative Procedure Act, and shall in all respects be governed by the provisions of that Act. At least ~~[[five]]~~ ~~[[THREE]]~~ FOUR members shall sit at any hearing of the board, constituted as a board of appeal. Minutes of its proceedings shall be kept. The chairman, or acting chairman, shall have the power to administer oaths and compel the attendance of witnesses. Decisions shall be by a majority of the members sitting, shall be in writing, and shall state the board's reasons. The decision of the board shall be the final unit decision for purposes of judicial review under the Administrative Procedure Act, or for purposes of any provision of law permitting appeals to the courts from decisions of units included within the Department of Natural Resources. Appeals from decisions of the board shall be as prescribed in the Administrative Procedure Act except if there are special provisions of law governing appeals from a particular unit, those provisions shall govern appeals from the decision of that unit.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1975.

Approved April 22, 1975.
