

en banc or in panels of not less than three commissioners. However, the Commission may, at its discretion, provide that one hearing examiner be included on a panel, in lieu of a third commissioner, in order to constitute a panel of three. A MAJORITY OF THE COMMISSION, OR ANY PANEL, SHALL CONSTITUTE A QUORUM.

(b) The Commission may delegate to a hearing examiner, OR ANY COMMISSIONER, the authority to conduct any proceeding within its jurisdiction. In each delegated proceeding, the hearing examiner shall conduct the hearing and any other proceeding that he may deem necessary and prepare and file with the Commission a proposed order, including findings of fact, which shall become final unless appealed as provided in paragraph (c). The proposed order shall be served on all parties to the proceeding simultaneously with its being filed with the Commission.

(c) Orders of a panel constituted under subparagraph (a) shall be final. A proposed order of a hearing examiner shall become final unless, within 30 days of the filing of that order with the Commission, an appeal is noted with the Commission by any party to the proceeding. Following the noting of an appeal, the Commission promptly shall consider the matter on the record before the hearing examiner, conduct any further proceedings (including the filing of briefs and the holding of oral argument) it deems necessary and, thereafter, issue a final order in the matter.

16.

(b) The Commission shall hire hearing examiners to the extent required. Hearing examiners shall constitute a separate organizational unit reporting directly to the Commission [and shall perform no other staff functions than those relating to hearings].

~~SECTION 3. AND BE IT FURTHER ENACTED, That new Sections 5A and 20 be and they are hereby added to Article 78 — Public Service Commission Law, of the Annotated Code of Maryland (1975 Replacement Volume and 1976 Supplement) to read as follows:~~

~~Article 78 — Public Service Commission Law~~

5A.

~~THE GOVERNOR MAY APPOINT TWO PART TIME COMMISSIONERS WHO SHALL SERVE FOR TERMS OF SIX YEARS. THE QUALIFICATIONS SET FORTH IN §5 HEREOF SHALL APPLY TO THE PART TIME COMMISSIONERS, AND COMPENSATION SHALL BE AS PROVIDED IN THE ANNUAL BUDGET. UPON ASSIGNMENT BY THE CHAIRMAN OF THE COMMISSION, A PART TIME COMMISSIONER IS AUTHORIZED TO SIT IN THE ABSENCE OF A REGULAR COMMISSIONER AND SHALL, IN SUCH INSTANCES, HAVE THE AUTHORITY OF A REGULAR COMMISSIONER. A REGULAR~~