

(D) WITNESS FEES AND EXPENSES.

IN ACCORDANCE WITH THE STATE BUDGET, THE BOARD MAY AUTHORIZE PAYMENT OF FEES AND TRAVEL EXPENSES OF WITNESSES WHO TESTIFY IN A PROCEEDING UNDER THIS SECTION.

(E) RIGHT TO COUNSEL.

THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(F) OATHS; DEPOSITIONS.

THE BOARD MAY ADMINISTER OATHS AND TAKE DEPOSITIONS OF WITNESSES IN ANY PROCEEDING UNDER THIS SECTION.

(G) SUBPOENAS.

(1) OVER THE SIGNATURE OF THE BOARD SECRETARY, THE BOARD MAY ISSUE SUBPOENAS TO WITNESSES IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(2) THE BOARD SHALL ISSUE SUBPOENAS ON BEHALF OF THE INDIVIDUAL IF THE INDIVIDUAL REQUESTS IN WRITING THAT THE BOARD DO SO.

(3) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A SUBPOENA FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH OR TO TESTIFY OR ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A COURT OF COMPETENT JURISDICTION MAY PUNISH THE PERSON AS FOR CONTEMPT OF COURT.

(H) EX PARTE HEARINGS.

IF AFTER DUE NOTICE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE BOARD MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 32, § 14(c) -- as that subsection relates to proceedings to revoke or suspend licenses -- (d), (e), (f), (g), and (h).

In subsection (a) of this section, the introductory language, "except as otherwise provided in the Administrative Procedure Act", is new language added to clarify that the Board may summarily take action against an individual under certain circumstances. See Art. 41, § 250A(c) of the Code.

Subsection (b) of this section is standard language added to this and, where necessary, corresponding sections of other subtitles of this title. It demonstrates clearly the intended application of the Administrative Procedure Act,