

members appointed from the general public by the Governor with the advice and consent of the Senate of Maryland and shall hold office for terms of three years. The members shall hold office for a term of one, two, and three years, respectively, to be designated by the Governor. After the first appointment, the Governor shall annually appoint a member of the Board in the place of the member whose term shall expire. Members of the Board shall be eligible for reappointment. In case of any vacancy in the Board, the Governor shall fill the vacancy by the appointment of a member to serve until the expiration of the term for which the person had been appointed. Each member of the Board shall receive per diem compensation as provided in the budget for each day actually engaged in the discharge of his official duties as well as reimbursement, in accordance with standard travel regulations, for all necessary and proper expenses. (ii) Any person whose application for a permit or renewal of a permit has been rejected or whose permit has been revoked or limited may request the Board to review the decision of the Superintendent by filing a written request for review with the Board within ten days after receipt of written notice of the Superintendent's FINAL action. The Board shall, WITHIN 90 DAYS AFTER RECEIPT OF THE REQUEST, either [sustain, reverse, or modify the decision of the Superintendent upon a] review [of] the record DEVELOPED BY THE SUPERINTENDENT, or conduct a hearing [within thirty days after receipt of the request]. IN CONDUCTING ITS REVIEW OF THE DECISION OF THE SUPERINTENDENT, THE BOARD MAY RECEIVE AND CONSIDER ANY ADDITIONAL EVIDENCE SUBMITTED BY ANY PARTY. BASED UPON ITS CONSIDERATION OF THE RECORD, AND ANY ADDITIONAL EVIDENCE, THE BOARD SHALL EITHER SUSTAIN, REVERSE OR MODIFY THE DECISION OF THE SUPERINTENDENT. If the action taken by the Board results in the rejection of an application for a permit or renewal of a permit or the revocation or limitation of a permit, the Board shall submit in writing to that person the reasons for the action taken by the Board. (iii) Any hearing and any subsequent proceedings of judicial review shall be conducted in accordance with the provisions of the Administrative Procedure Act; provided, however, that no court of this State shall order the issuance or renewal of a permit or alter any limitations on a permit pending final determination of the proceeding. (iv) Any person whose application for a permit or renewal of a permit has not been acted upon by the Superintendent within 90 days after the application was submitted, may request the Board for a hearing by filing a written request for such a hearing with the Board.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved May 20, 1982.

---