

Department. No substantive change is intended by this substitution.

As to the derivation of subsections (a) and (b) of this section from former HE § 9-506(8) and the first and second clauses of (9), see the revisor's note to § 9-506 of this subtitle.

In subsection (b) of this section, the former references to "comments" from the Department of State Planning and "comment" from the Department of Agriculture are revised to require those departments to advise the Department of Health and Mental Hygiene as to the matters specified. This substitution parallels the language of former HE § 9-506(8)(i) -- now subsection (b)(1) of this section -- and clarifies the apparent legislative intent that each of the departments to which the Department of Health and Mental Hygiene is required by this section to refer a proposal for advice has the duty to respond with that advice.

As to subsection (b)(2) of this section, former HE § 9-506(8)(ii) stated that the Department of State Planning is to make "comments including those concerning consistency with the local master plan". Therefore, the revision of that language in subsection (b)(2) of this section is intended to clarify that the advice of that department must address consistency with the local master plan, but also may address other appropriate matters.

In subsection (c)(2) of this section, the former language "or because of extenuating circumstances" is deleted as unnecessary since "extenuating circumstances" also would be "good cause".

Subsection (e) of this section is derived from a combined reading of the last sentence of former HE § 9-511(a) and from the first clause of the first sentence of (b). Even though a proposed county plan is not final until the Department approves it, subsection (e)(1) of this section allows a county to use its proposed county plan at the county's own risk under certain conditions. Subsection (e)(2) of this section clarifies that, in the interim period between adoption by the county governing body and approval by the Department, the proposed county plan is presumptively valid. No substantive change is intended by these revisions.

9-508. SAME -- NOTICE OF DEPARTMENTAL DISAPPROVAL;
RECONSIDERATION OF DISAPPROVAL.

(A) NOTICE OF DEPARTMENTAL DISAPPROVAL.