

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88C, § 2(a) and (k).

The word "public", which modifies "sources", is substituted for the former references to units of federal, State, and local governments, for brevity and to conform to similar provisions elsewhere in this title.

The words "powers and duties" are substituted for the former word "function", for clarity and to conform to similar provisions elsewhere in this title.

The words "and receive", which formerly followed "accept", are deleted since "receive" is included in "accept".

The former word "civil", which was apparently intended to be "civic" and which formerly modified "sources", is deleted as included in "private". As to the use of the word "civil" in place of the apparently intended word "civic", compare Ch. 291, Acts of 1974 with Ch. 543, Acts of 1959 and Ch. 155, Acts of 1969.

Defined term: "Department" § 5-101

5-305. RIGHT OF INTERVENTION.

(A) IN GENERAL.

WITH RESPECT TO ANY ADMINISTRATIVE, JUDICIAL, OR OTHER PROCEEDING IN THE STATE CONCERNING LAND USE, DEVELOPMENT, OR CONSTRUCTION, THE DEPARTMENT HAS THE RIGHT TO:

(1) INTERVENE AS A PARTY; OR

(2) FILE A FORMAL STATEMENT EXPRESSING THE VIEWS OF THE DEPARTMENT AND ANY OTHER UNIT OF THE STATE GOVERNMENT CONCERNING ENVIRONMENTAL OR ECONOMIC IMPACT.

(B) PROCEDURE.

THE DEPARTMENT MAY INTERVENE ONLY IN ACCORDANCE WITH THE RULES OF PROCEDURE AND LAW THAT APPLY TO THE PROCEEDING.

(C) STANDING.

AFTER INTERVENING, THE DEPARTMENT HAS THE STANDING AND ALL THE RIGHTS OF A PARTY IN INTEREST OR AN AGGRIEVED PARTY, INCLUDING ALL RIGHTS OF JUDICIAL REVIEW AND APPEAL.

(D) NOTIFICATION OF DEPARTMENT.