

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 440(c).

In subsection (a) of this section, the reference to "a final decision ... in a contested case ..." is substituted for the former reference to "any action or determination" of the Board, since the inclusion of former Art. 56, § 440(c) in the former section on disciplinary actions suggested that the general reference to "any action or determination" meant disciplinary actions. But compare § 3-209 of this article, which provides for appeals from "any final action" of the State Board of Architects.

Also in subsection (a) of this section, the former specific provisions for venue where the appellant "resides" are deleted in deference to the broader provisions under SG § 10-215(b), which provide for venue where any party resides or has a principal place of business.

In subsection (b) of this section, the former specific right of appeal by "the party aggrieved" is deleted as unnecessary.

Defined terms: "Board" § 4-101
"Person" § 1-101

4-209. AUTHORITY OF SECRETARY.

THE BOARD EXERCISES ITS POWERS, DUTIES, AND FUNCTIONS SUBJECT TO THE AUTHORITY OF THE SECRETARY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 428(d).

The former reference that narrowly limited the Secretary's authority to the powers and duties of the Board "vested ... by the provisions of this subtitle" is deleted as misleading. Presumably, the powers and duties of the Board wherever codified are to be subject to the authority of the Secretary.

As to the authority of the Secretary, see, in particular, Art. 41, §§ 8-101 through 8-106 of the Code.

Defined terms: "Board" § 4-101
"Secretary" § 1-101

SUBTITLE 3. LICENSES.