

7-205. INVESTIGATIVE AND ENFORCEMENT POWERS.

(A) INVESTIGATIVE STAFF.

SUBJECT TO THE STATE BUDGET, THE BOARD MAY EMPLOY AN INVESTIGATIVE STAFF TO INVESTIGATE A CHARGE THAT IS MADE AGAINST A LICENSED FORESTER AND ALLEGES FACTS THAT CONSTITUTE:

(1) A GROUND FOR DISCIPLINARY ACTION UNDER THIS TITLE; OR

(2) A VIOLATION OF THIS TITLE.

(B) OATHS.

THE BOARD MAY ADMINISTER OATHS.

(C) SUBPOENAS.

(1) THE BOARD MAY ISSUE A SUBPOENA FOR THE ATTENDANCE OF A WITNESS TO TESTIFY OR THE PRODUCTION OF EVIDENCE IN CONNECTION WITH:

(I) A DISCIPLINARY ACTION UNDER § 7-309 OF THIS TITLE; OR

(II) A PROCEEDING BROUGHT FOR AN ALLEGED VIOLATION OF THIS TITLE.

(2) A SUBPOENA SHALL BE SIGNED BY THE CHAIRMAN OF THE BOARD AND SEALED WITH THE SEAL OF THE BOARD.

(3) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS SUBSECTION, ON PETITION OF THE BOARD, A CIRCUIT COURT MAY COMPEL COMPLIANCE WITH THE SUBPOENA.

REVISOR'S NOTE: This section is new language derived without substantive change from the third through fifth sentences of former Art. 56, § 306 and the second sentence of § 317.

The introductory phrase of subsection (a) of this section, "[s]ubject to the State budget", is added to reflect that the State budget controls funding for an investigative staff.

In subsection (a)(1) and (2) of this section, the general references to a "ground for disciplinary action" and to a "violation of this title" are substituted for the former references to "fraud, deceit, gross negligence, incompetency, or other misconduct", to encompass all situations in which the Board may need to investigate.