

(3) A MEMBER OF THE BOARD OR ITS STAFF MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACTION TAKEN UNDER THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 466(j) and (k) and (g)(1) through (3) and the first and second sentences of (4).

In subsection (a)(2) of this section, the phrase "subject to the State budget" is substituted for the former phrases "at the expense of the Board", for clarity. Currently, all money the Board collects is part of the General Fund of the State or the Licensing Testing Fund of the Department, and all expenditures by the Board are subject to the State budget. Therefore, an investigator would be hired with money from the General Fund as authorized by the State budget.

In subsection (b)(1) of this section, the former word "affirmations" is deleted as unnecessary in light of the word "oaths". See Art. 1, § 9 of the Code.

In the introductory language of subsection (c)(1) of this section, the word "evidence" is substituted for the former enumeration "books, accounts, records, papers and correspondence", for brevity and conformity to subsection (b) of this section.

Also in the introductory language of subsection (c)(1) of this section, the former reference to a "summons" is deleted because the intended meaning is covered by the word "subpoena". See Md. Rule 1-202(x).

Also in the introductory language of subsection (c)(1) of this section, the former limitation of evidence "relating to any matter which the Board is authorized ... to determine" is deleted as unnecessary in light of the specific references to investigations, disciplinary actions, and other proceedings under this title.

In subsection (d)(1) of this section, the former phrases "in the established manner provided in cases of civil procedure" are deleted as surplusage.

In subsection (d)(3) of this section, the phrases "for any action taken under this subsection" are substituted for the former phrase "under this proceeding", to preclude the seemingly unintended result of liability through separate proceeding.