

DRAFTER'S NOTE: Paragraph (4) would exempt local governments and agencies such as school boards and liquor boards from the APA. The language is taken in part from § 10-201(b)(2) of the State Government Article, which expressly includes bicounty agencies under the APA. It is intended to codify existing practice and is not intended to limit or enlarge the applicability of the APA to such entities.

(5) UNEMPLOYMENT INSURANCE CLAIM DETERMINATIONS, TAX DETERMINATIONS, AND APPEALS IN THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT EXCEPT AS SPECIFICALLY PROVIDED IN SUBTITLE 5 OF TITLE 8 OF THE LABOR AND EMPLOYMENT ARTICLE; OR

DRAFTER'S NOTE: Paragraph (5) is supplemented by amendments to Subtitle 5 of Title 8 of the Labor and Employment Article, found elsewhere in this bill.

(6) ANY OTHER ENTITY OTHERWISE EXPRESSLY EXEMPTED BY STATUTE.

[(b) If the Insurance Commissioner states in writing that, as to a particular matter, the Maryland Automobile Insurance Fund need not comply with this subtitle, this subtitle does not apply to the Fund with respect to that matter.]

[(c)](B) This subtitle does apply to:

- (1) the property tax assessment appeals boards; and
- (2) as to requests for correction of certificates of death under § 5-310(d)(2) of the Health - General Article, the office of the Chief Medical Examiner.

(C) A PUBLIC HEARING REQUIRED OR PROVIDED FOR BY STATUTE OR REGULATION BEFORE AN AGENCY TAKES A PARTICULAR ACTION IS NOT AN AGENCY HEARING UNDER § 10-202(D) OF THIS SUBTITLE UNLESS THE STATUTE OR REGULATION:

- (1) EXPRESSLY REQUIRES THAT THE PUBLIC HEARING BE HELD IN ACCORDANCE WITH THIS SUBTITLE; OR
- (2) EXPRESSLY REQUIRES THAT ANY JUDICIAL REVIEW OF THE AGENCY DETERMINATION FOLLOWING THE PUBLIC HEARING BE CONDUCTED IN ACCORDANCE WITH THIS SUBTITLE.

[10-203.] 10-204. POLITICAL SUBDIVISIONS AND INSTRUMENTALITIES.

A political subdivision of the State or an instrumentality of a political subdivision is entitled, to the same extent as other legal entities, to be an interested person, party, or petitioner in a matter under this subtitle, including an appeal.

[10-207.] 10-205. DELEGATION OF HEARING AUTHORITY.

[(a) (1) An agency or an official or employee of an agency may delegate to the Office of Administrative Hearings the authority that the agency, official, or employee has to hear particular contested cases.