

(3) REVERSE OR MODIFY THE DECISION IF ANY SUBSTANTIAL RIGHT OF THE PETITIONER MAY HAVE BEEN PREJUDICED BECAUSE A FINDING, CONCLUSION, OR DECISION:

(I) IS UNCONSTITUTIONAL;

(II) EXCEEDS THE STATUTORY AUTHORITY OR JURISDICTION OF THE FINAL DECISION MAKER;

(III) RESULTS FROM AN UNLAWFUL PRACTICE;

(IV) IS AFFECTED BY ANY OTHER ERROR OF LAW;

(V) IS UNSUPPORTED BY COMPETENT, MATERIAL, AND SUBSTANTIAL EVIDENCE IN LIGHT OF THE ENTIRE RECORD AS SUBMITTED; OR

(VI) IS ARBITRARY AND CAPRICIOUS.

4-603.

~~(A) THE RIGHT TO A JUDICIAL REVIEW PROVIDED UNDER THIS SUBTITLE SHALL EXIST CONCURRENTLY WITH THE RIGHTS PROVIDED TO A FIREFIGHTER OR EMS EMPLOYEE UNDER ANY APPLICABLE COLLECTIVE BARGAINING AGREEMENT.~~

~~(B) A FIREFIGHTER OR EMS AN EMPLOYEE MAY ELECT TO EXERCISE THE RIGHTS AVAILABLE UNDER THE COLLECTIVE BARGAINING AGREEMENT AS AN ALTERNATIVE TO THE RIGHT TO A JUDICIAL REVIEW PROVIDED UNDER THIS SUBTITLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the right to judicial review provided under this subtitle does not abrogate any existing rights under a collective bargaining agreement.

~~SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.~~

Approved May 9, 1995.

CHAPTER 166

(Senate Bill 380)

AN ACT concerning

**Baltimore County – Alcoholic Beverages Licensees ~~(Scope of License)~~ – Limitations and Restrictions**

FOR the purpose of permitting the Baltimore County Board of License Commissioners to impose a certain limitation or certain restrictions on an alcoholic beverages licensee ~~in addition to those which accompany the license; mentioning several types of restrictions by way of illustration; extending certain sunset provisions relating to the transfer of licenses into a certain area of Baltimore County; making a certain~~