

(1) WITNESS FEES AND MILEAGE, IF CLAIMED, SHALL BE ALLOWED THE SAME AS FOR TESTIMONY IN A CIRCUIT COURT.

(2) WITNESS FEES, MILEAGE, AND THE ACTUAL EXPENSES NECESSARILY INCURRED IN SECURING THE ATTENDANCE OF WITNESSES AND THEIR TESTIMONY SHALL BE ITEMIZED AND PAID BY THE LAW ENFORCEMENT AGENCY.

(J) OFFICIAL RECORD.

AN OFFICIAL RECORD, INCLUDING TESTIMONY AND EXHIBITS, SHALL BE KEPT OF THE HEARING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 727(d)(1) and (2), 728(b)(13), and 730(a) and (c) through (j).

Subsection (a)(1) of this section is revised to state explicitly what was implicit in the former law, *i.e.* that the law enforcement officer is entitled to a hearing on the issues by a hearing board under this section.

In subsection (a)(2) of this section, the former reference to being "charged" with a felony is deleted as implicit in the reference to being "convicted" of a felony.

Throughout subsection (c)(4) of this section, references to an "alternative" method of forming a hearing board are substituted for the former references to an "alternate" method to use the proper word in the context of this provision.

In subsection (c)(4)(ii) of this section, the former phrase "instead of the method described in paragraph (1) of this subsection" is deleted as surplusage.

Throughout subsection (d) of this section, references to "subpoenas" are substituted for the former references to "summonses" for consistency with Maryland Rule 2-510 and similar provisions of the Code.

In subsection (h)(1) of this section, the former reference to an "officer designated by the chief" is deleted as surplusage in light of the defined term "chief", which includes a designee of the chief.

Defined terms: "Chief" § 3-101

"County" § 1-101

"Hearing" § 3-101

"Hearing board" § 3-101

"Law enforcement officer" § 3-101

3-108. DISPOSITION OF ADMINISTRATIVE ACTION.

(A) IN GENERAL.