

shall give not less than 10 days written notice of the time and place of the hearing. At the hearing the insurer has the burden of proving its proposed action to be justified, and, in doing so, may rely only upon the reasons set forth in its notice to the insured.

(g) The Commissioner shall issue an order within 30 days after termination of the hearing. If the Commissioner finds the proposed action to be justified, he shall dismiss the protest and allow the proposed action to be taken on the later of (i) its proposed effective date, or (ii) 30 days after the date of the determination. If the Commissioner finds the proposed action to be unjustified, he shall disallow the action, and may, in addition, order the insurer to pay reasonable counsel fees incurred by the insured for representation at the hearing as he may deem appropriate. The Commissioner may delegate the duties and powers conferred in this section to 1 or more employees or hearing examiners.

(h) Any party may appeal the decision of the Commissioner in accordance with § 40 of this article.

SECTION 2. ~~AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye-a-and-nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted shall take effect July 1, 1991.~~

Approved May 14, 1991.

CHAPTER 345

(House Bill 125)

AN ACT concerning

The Benedictine School for Exceptional Children, Inc. Loan of 1990

FOR the purpose of amending Chapter 568 of the Acts of the General Assembly of 1990 to include as a use for the grant to The Benedictine School for Exceptional Children, Inc. the expansion and equipping of the administration wing of the school, which includes classrooms and dormitories.

BY repealing and reenacting, with amendments,

Chapter 568 of the Acts of the General Assembly of 1990

Section 1

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: