

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the fourth sentence and the second clause of the third sentence of former Art. 89, § 11, except as they related to enforcement of subpoenas and to reports.

Subsection (b) of this section is new language substituted for the former reference to enforcement of the attendance of witnesses "through the ordinary processes of law in the cities and counties in which such arbitration boards may meet, subject to all the penalties for nonattendance to which witnesses in ordinary civil cases are subject" and to production of documents "in like manner". The substituted language conforms to similar grants of authority elsewhere in the Code. However, the Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the former reference to where "such arbitration boards may meet" limited the venue provision to boards. Therefore, subsection (b)(2) of this section does not cover the Mediation Service.

The introductory language of subsection (a) of this section, "[t]o the same extent as a court of the State in a civil case", is revised as a limit on the power of the Mediation Service, as well as a board, in light of the former grant of "like" power to the Commissioner. The introductory language also is revised to apply to the power to conduct investigations since, in the third sentence of former Art. 89, § 11, the limitation "all to the same extent that such powers are possessed and exercised by the civil courts of the State" encompassed investigations. However, the limitation seems inappropriate.

In subsection (a)(4) of this section, the power to "issue a subpoena" is substituted for the former references to the powers to "summon witnesses" and to require the production of documents "in like manner", for brevity and clarity. See Md. Rule 1-201.

As to the substitution of "Mediation Service" for the former reference to "said Commissioner", see the revisor's note to § 4-103 of this subtitle.

Defined terms: "Board" § 4-101

"County" § 1-101 "Mediation Service" § 4-101

"Person" § 1-101

4-107. INFORMATION.

(A) STORAGE.

DOCUMENTS AND TESTIMONY OBTAINED UNDER THIS SUBTITLE SHALL BE KEPT IN THE OFFICES OF THE MEDIATION SERVICE.

(B) CONFIDENTIALITY.

INFORMATION THAT THE COMMISSIONER, THE MEDIATION SERVICE, OR A MEMBER OF A BOARD OBTAINS UNDER THIS SUBTITLE IS CONFIDENTIAL, IF THE INFORMATION: