

Also in subsection (b)(3) of this section, the reference to a "circuit court" for a "county" is substituted for the former reference to "any court of this State within the jurisdiction", for accuracy. The District Court, with certain exceptions, does not have jurisdiction in proceedings for equitable relief. See CJ § 4-402(a).

Also in subsection (b)(3) of this section, the former reference to a court instituting contempt proceedings to punish a failure to obey an order of the court is deleted as unnecessary in light of a court's inherent power to enforce its orders. See CJ § 1-202 and Md. Rule P3.

In subsection (b)(4)(i) and (ii) of this section, the words "documentary or otherwise", which formerly modified the word "evidence", are deleted as unnecessary since they did not add anything to the meaning of the word "evidence".

In subsection (b)(4)(ii) and (iii) of this section, the word "person" is substituted for the former word "individual" for conformity with subsection (b)(4)(i) of this section.

As to the substitution, in subsection (b)(4) of this section, of the words "may not" for the former words "[n]o person shall", see Art. 1, § 26 of the Code.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that former Art. 95A, § 12(h) allowed issuance of subpoenas only for the production of "books, papers, correspondence, memoranda, and other records". Comparable provisions elsewhere in the Code use the broad word "evidence", instead of a list of specific types of evidence. Indeed, the provisions of former Art. 95A, § 12(i) on proceedings to enforce a subpoena referred to ordering a person "to produce evidence". The General Assembly may wish to expand subsection (b)(1) of this section.

Defined terms: "Board of Appeals" § 8-101
 "County" § 1-101 "Person" § 1-101

8-506. CONDUCT OF HEARINGS.

(A) IN GENERAL.

(1) A HEARING EXAMINER, SPECIAL EXAMINER, AND THE BOARD OF APPEALS SHALL CONDUCT A HEARING OR APPEAL IN A MANNER THAT ASCERTAINS THE SUBSTANTIAL RIGHTS OF THE PARTIES.

(2) A HEARING EXAMINER, SPECIAL EXAMINER, AND THE BOARD OF APPEALS ARE NOT BOUND BY STATUTORY OR COMMON LAW RULES OF EVIDENCE OR TECHNICAL RULES OF PROCEDURE.

(B) CONFLICTS OF INTEREST.