

THE COMMISSION SHALL APPOINT A CHAIRMAN FROM AMONG THE MEMBERS OF THE HEARING BOARD.

(D) REFERRAL OF CASES.

THE COMMISSION MAY REFER TO A HEARING BOARD A CHARGE, CLAIM, COMPLAINT, OR LICENSE APPLICATION MADE BY THE COMMISSION OR BY ANY PERSON UNDER THIS SUBTITLE.

(E) PROCEDURES.

EACH PROCEDURE APPLICABLE TO A HEARING BEFORE THE COMMISSION IS APPLICABLE TO A HEARING BEFORE THE HEARING BOARD.

(F) DECISION OF HEARING BOARD.

(1) A DECISION OF THE HEARING BOARD SHALL BE:

(I) BY A MAJORITY VOTE OF THE ENTIRE MEMBERSHIP OF THE HEARING BOARD;

(II) IN WRITING; AND

(III) SUBMITTED TO THE COMMISSION.

(2) UNLESS, WITHIN 15 DAYS AFTER THE HEARING BOARD SUBMITS ITS DECISION TO THE COMMISSION, THE COMMISSION OR A MEMBER OF THE COMMISSION FINDS THAT A FULL HEARING BY THE COMMISSION IS REQUIRED:

(I) THE DECISION OF THE HEARING BOARD IS FINAL;

(II) THE DECISION IS A FINAL DECISION OF THE COMMISSION; AND

(III) A PARTY WHO IS AGGRIEVED BY THE DECISION MAY TAKE AN APPEAL AS PROVIDED IN § 8-314 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 260(g).

In subsection (d) of this section, the reference to a "license application" is added for consistency. Since an applicant who is denied a license is entitled to a hearing in accordance with § 8-312 of this subtitle, there did not seem to be any justification for not allowing the Commission to refer a license application to a hearing board, consistent with other hearings conducted under this subtitle. The Business Regulation Article Review Committee notes this addition for consideration by the General Assembly.

In subsection (e) of this section, the former phrase "[e]xcept as expressly provided under this section" is deleted as surplusage.