

*and reasonable compensation for the appropriation and temporary use of his property, for which he may bring a petition for damages against the State. In determining the amount of compensation to be awarded in such proceedings, there shall be taken into account the existence of the labor dispute which interrupted or threatened imminently to interrupt the private operation of such plant or facility, and the effect of such interruption or threatened interruption upon the value to the petitioner of the use of such plant or facility.*

(2) AFTER THE GOVERNOR HAS TAKEN OR SHALL TAKE POSSESSION OF ANY PLANT, EQUIPMENT, FACILITY OR OTHER PROPERTY OF ANY PUBLIC UTILITY FOR THE OPERATION BY THIS STATE IN THE PUBLIC INTEREST, PURSUANT TO THE PROVISIONS OF THIS SECTION, AND DURING THE CONTINUANCE OF SUCH POSSESSION, THE RELATIONSHIP BETWEEN THE GOVERNMENT OF THIS STATE AND THE PERSONS EMPLOYED AT SUCH PUBLIC UTILITY, EXCEPT THOSE WHO ELECT TO QUIT SUCH EMPLOYMENT, SHALL BE THAT OF EMPLOYER AND EMPLOYEE BUT SHALL NOT, HOWEVER, BE SUBJECT TO THE REQUIREMENTS AND PROVISIONS OF ARTICLES 64A, TITLE "MERIT SYSTEM", AND 73B, TITLE "PENSIONS" OF THE ANNOTATED CODE OF MARYLAND.

(3) THE SEIZURE AND OPERATION OF A PLANT, EQUIPMENT, FACILITY OR OTHER PROPERTY BY THE STATE SHALL NOT RENDER INAPPLICABLE ANY LOCAL STATE OR FEDERAL LAW CONCERNING HEALTH, SAFETY, SECURITY AND EMPLOYMENT STANDARDS, AND THE DEPARTMENT OR AGENCY OPERATING SUCH PLANT OR FACILITY SHALL BE SUBJECT TO SAID LAWS, INCLUDING LAWS WITH RESPECT TO LIABILITY FOR TORTIOUS CONDUCT, AS IF IT WERE PRIVATELY OPERATED.

~~(2)~~ (4) *The declaration of emergency or the seizure and operation of a plant or facility by the State shall not render inapplicable any state or federal law concerning the health, safety, security and employment standards, and the department or agency operating such plant or facility shall comply with said laws as if it were privately operated. During such emergency if an Emergency Board of Arbitration shall have been appointed and shall, after a hearing, have recommended changes in rates of pay, wages, hours or other terms or conditions of employment, such changes shall be made effective in any plant which is being operated by the State; provided, if none has previously been appointed, an Emergency Board of Arbitration, chosen as set forth below in ~~Subsection~~ SECTION 12K shall be appointed.*

*The Emergency Board of Arbitration so appointed shall, after a hearing, make recommendations concerning the rates of pay, wages, hours and terms and conditions of employment for the period of public operation which recommendations shall be made effective, by the seizing authority, in the plant or facility seized, during said period. Whenever they are made subsequent to the date on which the last agreement was terminated or to be changed, the Board's recommendation shall be retroactive to such date on each issue on which such retroactivity is possible.*