

(d) *Since the existing port and terminal facilities of the Baltimore and other port areas, for the most part, have been provided by private enterprise, it is the primary objective of the General Assembly to improve the facilities and strengthen the workings of the private operators. However, the General Assembly further declares that the private operators in the port areas have a public responsibility to provide modern port and harbor facilities suited to the needs of the public which they serve. Therefore, it is declared that the Maryland Port Authority (hereinafter created) should have power to obtain information concerning the rates and practices of private operators; and that while it should assist and encourage the extension and improvement of privately operated port facilities, it should also have the power, if private facilities are inadequate or inadequately operated at any time, to construct and, if necessary, to operate, supplementary public facilities deemed by it to be required in the public interest.*

(e) *The development of ports able to attract increasing amounts of water-borne commerce will require the construction of additional modern facilities and installations. A public port authority, with the use of public funds, will be able to construct and, if necessary, to operate such facilities and installations if the immediate financial returns therefrom are not sufficient to attract private capital.*

2. (Territorial Jurisdiction.) *The Authority shall have jurisdiction and shall be empowered to exercise and apply any or all of its powers and duties, as defined and set forth in this Article, in, adjoining, or in the vicinity of any of the navigable waters of the State of Maryland, except that within the limits of Anne Arundel County the Authority shall have such jurisdiction only as to that portion of the southerly shore of the Patapsco River, including the meanders and tributaries thereof, which lies westwardly and upstream from the mouth of the tributary stream known generally as Cox Creek; and except that the Authority shall not have any jurisdiction whatsoever within the boundaries of Talbot County; AND EXCEPT THAT THE AUTHORITY SHALL NOT HAVE ANY JURISDICTION WHATSOEVER WITHIN THE BOUNDARIES OF QUEEN ANNE'S COUNTY.*

3. (Creation of Authority.) (a) *There is hereby created a body politic and corporate to be known as the "Maryland Port Authority". The Authority is hereby constituted an instrumentality of the State of Maryland, and the exercise by the Authority of the powers conferred by this Article shall be deemed and held to be the performance of an essential governmental function of the State of Maryland.*

(b) *The Authority shall consist of five members, to be appointed by the Governor of Maryland. Three of the five members shall at all times be residents of Anne Arundel County, Baltimore City and Baltimore County, respectively. The Board of County Commissioners of Anne Arundel County, the Mayor of Baltimore City and the Board of County Commissioners of Baltimore County each shall nominate five persons resident therein to the Governor for membership on the Authority, each of whom fulfills the qualifications of this section. The Governor within thirty days shall select one person from each of the respective groups. Of the two remaining members of the Authority, one shall be a resident of the Western Shore of Maryland, outside of*