

IF A PERSON VIOLATES AN EXECUTIVE ORDER ISSUED UNDER THIS SECTION, THE ATTORNEY GENERAL MAY SUE IN A COURT OF APPROPRIATE JURISDICTION TO ENFORCE COMPLIANCE WITH THE ORDER.

REVISOR'S NOTE: This section is new language derived without substantive change from the second through fourth sentences of former Article 43, § 696.

In subsection (a)(1) of this section and elsewhere throughout this title, "Secretary" is substituted for "Commissioner of Health". There is no Commissioner of Health and the practice is that the duties of that office are performed by the Secretary.

In subsection (a)(2) of this section, the words "when so advised" are new language added, in accordance with apparent legislative intent, for clarity.

Also in subsection (a)(2) of this section, the former phrase "under his general powers as Governor of the State" is deleted as unnecessary. The former phrase apparently was a reference to the State Constitution, which applies in any event.

For other provisions that relate to the power of the Governor to issue executive orders that declare a state of emergency, see Article 41, § 15B of the Code.

2-106. RIGHTS OF PERSONS OTHER THAN THIS STATE.

(A) PRESUMPTION AND FINDING OF FACT.

A DETERMINATION BY THE DEPARTMENT THAT AIR POLLUTION EXISTS OR THAT A RULE OR REGULATION HAS BEEN DISREGARDED OR VIOLATED DOES NOT CREATE ANY PRESUMPTION OF LAW OR FINDING OF FACT FOR THE BENEFIT OF ANY PERSON OTHER THAN THIS STATE.

(B) PROCEEDINGS.

ANY PROCEEDINGS UNDER THIS TITLE SHALL BE BROUGHT BY THE DEPARTMENT FOR THE BENEFIT OF THE PEOPLE OF THIS STATE.

(C) ACTIONABLE RIGHTS.

NO PERSON OTHER THAN THIS STATE ACQUIRES ACTIONABLE RIGHTS BY VIRTUE OF THIS TITLE.