

REVISOR'S NOTE: This subsection formerly appeared as Article 43, § 823(g):

The former words "real or personal", which modified "property", are deleted as unnecessary, since "property", in its broad sense, means both "real" property and "personal" property.

The only other changes are in style.

REVISOR'S NOTE TO SECTION: Former Article 43, § 823(b), which defined "Department", is deleted as unnecessary in light of the definition of "Department" in § 1-101 of this article.

### 3-102. LEGISLATIVE POLICY.

#### THE GENERAL ASSEMBLY FINDS:

(1) THAT THE PEOPLE OF THIS STATE HAVE A RIGHT TO AN ENVIRONMENT THAT IS FREE FROM ANY NOISE THAT:

(I) MAY JEOPARDIZE THEIR HEALTH, GENERAL WELFARE, OR PROPERTY; OR

(II) DEGRADES THE QUALITY OF THEIR LIVES;

(2) THAT THERE IS A SUBSTANTIAL BODY OF KNOWLEDGE ABOUT THE ADVERSE EFFECTS OF EXCESSIVE NOISE ON THE PUBLIC HEALTH, THE GENERAL WELFARE, AND PROPERTY, AND THAT THIS KNOWLEDGE SHOULD BE USED TO DEVELOP ENVIRONMENTAL NOISE STANDARDS THAT WILL PROTECT THE PUBLIC HEALTH, THE GENERAL WELFARE, AND PROPERTY WITH AN ADEQUATE MARGIN OF SAFETY; AND

(3) THAT IT IS ESSENTIAL TO HAVE COORDINATION AND STATEWIDE LEADERSHIP OF THE NOISE CONTROL ACTIVITIES OF THE MANY STATE AGENCIES AND THE COUNTY AND LOCAL GOVERNMENTS.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 822.

In item (1)(i) of this section, "or" is substituted for "and" preceding "property" to clarify that, in this title, the General Assembly is concerned about noise that jeopardizes the public health, the general welfare, or property, and not merely about noise that is simultaneously a threat to all three.

In item (2) of this section, former Article 43, § 822(b) and (c) is reorganized to clarify that these former subsections represented a single finding.