

Also in item (2) of this section, a reference to "property" is added to the reference in former Article 43, § 822(c) to "public health and general welfare", to correct an apparently unintentional omission in the former law and to conform item (2) of this section to other similar references in this title.

The only other changes are in style.

3-103. RESPONSIBILITIES OF DEPARTMENT.

(A) DUTIES OF DEPARTMENT.

EXCEPT AS OTHERWISE PROVIDED BY LAW, AND IN ADDITION TO THE DUTIES SET FORTH ELSEWHERE IN THIS TITLE, THE DEPARTMENT SHALL:

(1) DEVELOP A PLAN FOR ATTAINING AND MAINTAINING THE ENVIRONMENTAL NOISE STANDARDS THAT ARE ADOPTED;

(2) COORDINATE ALL STATE AGENCY PROGRAMS ON NOISE CONTROL; AND

(3) KEEP A RECORD OF EACH SOUND LEVEL LIMIT THAT IS ADOPTED BY ANY POLITICAL SUBDIVISION OR AGENCY OF THIS STATE.

(B) CONSULTATION WITH DEPARTMENT.

EACH STATE AGENCY SHALL CONSULT WITH THE DEPARTMENT BEFORE ADOPTING ANY SOUND LEVEL LIMIT OR NOISE CONTROL RULE OR REGULATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 826, the first sentence of § 824 -- except as that sentence related to adopting noise standards and rules and regulations -- and the third sentence of § 832.

In the introductory language of subsection (a) of this section, the former language "except as otherwise provided for in the Code" is rephrased more broadly because there are provisions of law outside this Code that limit the power of the Department to regulate in the area of noise control. See, e.g., 42 U.S.C. § 4905.

In subsection (a)(1) of this section, the defined term "environmental noise standards" is substituted for the term "ambient noise standards". There does not appear to have been any legislative intent to distinguish the noise