

constitutional in light of the Fourth Amendment, Article 26 of the State Declaration of Rights, and Barlow's and other relevant cases.

For further discussion of the issues on warrantless searches, see FDA, EPA, and OSHA Inspections -- Practical Considerations in Light of Marshall v. Barlow's, Inc., 39 Md. L. Rev. 715 (1980).

Also note that, absent any statutory authorization for the issuance of an administrative warrant for an inspection, there exists no authority for a Maryland Court to issue an administrative warrant. In the Matter of Milligan, October, 1978, Anne Arundel County, Judge H. Chester Goudy.

SECTION 3. AND BE IT FURTHER ENACTED, That, until January 1, 1983, reference in this Act to "a circuit court" for a county means the appropriate court of the Supreme Bench of Baltimore City and the circuit court for any other county.

SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

3-111.

(a) Upon the failure of a person to comply with an order to abate pollution provided for in Title [8 of this article] 7, SUBTITLE 2 OR TITLE 9, SUBTITLE 3 OF THE HEALTH - ENVIRONMENTAL ARTICLE, the Secretary of Health and Mental Hygiene, if no remedy provided in Title [8 of this article] 7, SUBTITLE 2 OR TITLE 9, SUBTITLE 3 OF THE HEALTH - ENVIRONMENTAL ARTICLE is sought against that person, may direct the Service to provide projects necessary to abate the pollution.

SUPPLEMENTAL REVISOR'S NOTE: Ch. ____, Acts of 1982, which enacted the Health - Environmental Article, also amended subsection (a) of this section to correct the former references to Title 8 of this article to references to the appropriate subtitles of the Health - Environmental Article.

8-602.

[(a)] The Department of Natural Resources may adopt any rule or regulation to further its general powers of supervision over natural resources of the State, and for proper conservation for public use, allocation, and development of underground waters of the State. [Part II of this subtitle denies any State municipality, county, or other political subdivision the right to adopt and enforce