

WHEREAS, The Governor's Task Force on Local Government Antitrust Liability has conducted an examination of principal areas of local government activities potentially exposed to antitrust liability, and has discussed the rationale of various categories of local government activities potentially inconsistent with competition; and

WHEREAS, The General Assembly of Maryland after reviewing the final report of the Task Force and its findings with respect to particular areas of local government activities and after public hearings on the Task Force recommendations, find that it is in the public interest with respect to certain such areas that the power and of local governments to ~~supplant~~ displace or limit competition or both be confirmed in the light of the rationale for such regulations described in the report of the Task Force and its public hearings; and

WHEREAS, It is the purpose of the General Assembly not to grant local governments powers in any substantive areas not otherwise granted them under existing law, and not to restrict local governments from executing powers granted them by existing law, but to confirm existing powers of local governments to ~~supplant~~ displace or limit competition with respect to the subjects dealt with herein; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 23A - Corporations - Municipal

2.

The legislative body of every incorporated municipality in this State, except Baltimore City, by whatever name known, shall have general power to pass such ordinances not contrary to the public general or public local laws and the Constitution of Maryland as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality; but nothing in this article shall be construed to authorize the legislative body of any incorporated municipality to pass any ordinance which is inconsistent or in conflict with any ordinance, rule or regulation passed, ordained or adopted by the Maryland-National Capital Park and Planning Commission and the Washington Suburban Sanitary Commission, and nothing in this article shall be taken or construed to affect, change, modify, limit or restrict in any manner any of the corporate powers of the Mayor and City Council of Baltimore which it now has or which hereafter may be granted to it.