

WHEREAS, Many local governments are potentially liable to suits under the federal antitrust laws in areas that involve valid public policies designed to protect public health and safety, the natural environment, the public fiscal situation, and other valid public areas not always consistent with ~~free~~ competition; and

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 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 2B - Alcoholic Beverages

1.

(A) (1) It is hereby declared as the policy of the State that it is necessary to regulate and control the manufacture, sale, distribution, transportation and storage of alcoholic beverages within this State and the transportation and distribution of alcoholic beverages into and out of this State to obtain respect and obedience to law and to foster and promote temperance.

(2) It is hereby declared to be the legislative intent that such policy will be carried out in the best public interest by empowering the Comptroller of the Treasury, the State Appeal Board, the various local boards of license commissioners and liquor control boards, all enforcement officers and the judges and clerks of the various courts of this State with