

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 65, § 6 and the provisions that formerly appeared as the first paragraph of present § 7.

In subsection (a) of this section, the words "land and naval" are added to modify "militia", for clarity. This addition reflects the express powers of the Governor under Md. Constitution, Art. II, § 8 and the apparent intent of the second paragraph of Art. 65, § 7 that references to "militia", in Art. 65 of the Code, include the naval militia.

Similarly, in subsection (b)(1) of this section, the word "land" is added to modify "militia" to distinguish the powers as to the land militia under subsection (b)(1) of this section from the powers as to the naval militia under subsection (b)(2) of this section.

Also in subsection (b)(1) of this section, the former reference to "rules" is deleted as unnecessary in light of the word "regulation". See revisor's note to § 10-101(e) of this article.

Also in subsection (b)(1) of this section, the former reference to "amendments" to the National Defense Act is deleted as unnecessary in light of Art. 1, § 21 of the Code, which provides generally that a reference to a law includes amendments to the law.

In subsection (b)(2)(ii) of this section, the former reference to "regulations now ... or hereafter enacted" is deleted as unnecessary in light of the broad reference to "law".

As to restrictions on personal command by the Governor, see Md. Constitution, Art. II, § 8.

As to the exception for parts of the militia in the service of the United States, see U. S. Constitution, Art. II, § 2, which designates the President as the commander-in-chief.

3-304. EMERGENCIES.

THE GOVERNOR HAS THE EMERGENCY POWERS AND DUTIES SET FORTH IN:

- (1) ARTICLE 16A OF THE CODE;
- (2) ARTICLE 41, §§ 15B THROUGH 15B-2 OF THE CODE;
- (3) ARTICLE 41, § 58 OF THE CODE;