

during an energy crisis or emergency ~~until a certain date~~; and generally relating to the Governor's emergency powers:

BY repealing and reenacting, with amendments,

Article 41 – Governor – Executive and Administrative Departments

Section 2-101(c-1)

Annotated Code of Maryland

(1997 Replacement Volume and 1997 Supplement)

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

**Article 41 – Governor – Executive and Administrative Departments**

**2-101.**

(c-1) (1) As used in this subtitle, ~~but only until July 1, [1998] 2003~~, "crisis", "disaster", "catastrophe", and "or similar public emergency" also refers to a situation where the health, safety, or welfare of the citizens of this State are threatened by reason of an actual or impending acute shortage in usable energy resources. Upon reasonable apprehension that such a crisis, disaster, catastrophe, or similar public emergency exists, the Governor may proclaim a state of emergency. In that event the Governor's orders, rules, and regulations, promulgated as provided in this subtitle, may also include, by way of further enumerated example rather than limitation, and notwithstanding any other provision or limitation of State or local law:

(i) Provisions for the establishment and implementation of programs, controls, standards, priorities, and quotas for the allocation, conservation, and consumption of energy resources;

(ii) The suspension and modification of existing standards and requirements affecting or affected by the use of energy resources, including those relating to air quality control, the type and composition of various energy resources, the production and distribution of energy resources, and the hours and days during which public buildings and commercial and industrial establishments may or are required to remain open; and/or

(iii) The establishment and implementation of regional programs and agreements for the purposes of coordinating the energy resource programs and actions of the State with those of the federal government and of other states and localities.

(2) An order, rule or regulation promulgated by the Governor pursuant to this subsection may provide for the imposition of a civil penalty, not to exceed \$1,000 for each violation, in lieu of or in addition to the penalties provided for in subsection (g) of this section, and for the method and conditions of its collection.

(3) This subsection may not be construed to authorize the establishment of oil refineries, deep water ports, offshore drilling facilities or other similar major capital facilities.