

"improvement to" public ports for consistency with subsection (b)(3) of this section.

In subsection (b)(3) of this section, the former reference to the "reduction" of pollution is deleted in light of the reference to the "abatement" of pollution and for consistency with the introductory language of subsection (a)(4) of this section.

Defined terms: "Facility" § 12-101

"Improvement" § 12-101

"Public port" § 12-101

"State" § 9-101

12-104. STATE POLICY.

IT IS THE POLICY OF THE STATE TO ALLOW THE EXERCISE OF THE POWERS GRANTED BY THIS SUBTITLE EVEN THOUGH THE ACTIVITIES AUTHORIZED MAY DISPLACE OR LIMIT FREE ECONOMIC COMPETITION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 14-102(d).

Defined term: "State" § 9-101

12-105. INDUSTRIAL DEVELOPMENT AUTHORITIES — IN GENERAL.

(A) AUTHORITY TO ESTABLISH.

TO ACCOMPLISH ONE OR MORE OF THE LEGISLATIVE PURPOSES LISTED IN § 12-103(B) OF THIS SUBTITLE, THE LEGISLATIVE BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY ADOPT A RESOLUTION TO CREATE AN INDUSTRIAL DEVELOPMENT AUTHORITY IN ACCORDANCE WITH THIS SUBTITLE.

(B) NATURE OF RESOLUTION; APPROVAL.

A RESOLUTION ADOPTED UNDER SUBSECTION (A), (F), OR (G) OF THIS SECTION:

- (1) IS ADMINISTRATIVE IN NATURE;
- (2) IS NOT SUBJECT TO REFERENDUM; AND
- (3) IN A COUNTY OR MUNICIPAL CORPORATION THAT HAS A PUBLICLY ELECTED CHIEF EXECUTIVE, IS SUBJECT TO APPROVAL BY THE CHIEF EXECUTIVE.

(C) ADDITIONAL ACTION.

SUBSECTION (A) OF THIS SECTION IS SELF-EXECUTING AND FULLY AUTHORIZES A COUNTY OR MUNICIPAL CORPORATION TO ESTABLISH AN AUTHORITY, NOTWITHSTANDING ANY OTHER STATUTORY OR CHARTER PROVISION.

(D) CONTENTS OF RESOLUTION.

A RESOLUTION ADOPTED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE PROPOSED ARTICLES OF INCORPORATION OF THE AUTHORITY THAT STATE: