

IT IS THE POLICY OF THIS STATE TO MAINTAIN THE DEGREE OF PURITY OF THE AIR NECESSARY TO PROTECT THE HEALTH, THE GENERAL WELFARE, AND PROPERTY OF THE PEOPLE OF THIS STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 690(a).

2-103. POWERS AND DUTIES OF DEPARTMENT.

(A) AUTHORITY TO OBTAIN FUNDS.

IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS TITLE, THE DEPARTMENT MAY OBTAIN ANY FEDERAL OR OTHER FUNDS THAT ARE AVAILABLE TO THIS STATE FOR PURPOSES THAT ARE WITHIN THE SCOPE OF THIS TITLE.

(B) DUTIES OF DEPARTMENT.

IN ADDITION TO THE DUTIES SET FORTH ELSEWHERE IN THIS TITLE, THE DEPARTMENT:

(1) HAS JURISDICTION OVER EMISSIONS INTO THE AIR AND AMBIENT AIR QUALITY IN THIS STATE;

(2) IS RESPONSIBLE FOR MONITORING AMBIENT AIR QUALITY IN THIS STATE; AND

(3) SHALL COORDINATE ALL STATE AGENCY PROGRAMS ON AMBIENT AIR QUALITY CONTROL.

(C) USE OF MONITORING FACILITIES.

THE DEPARTMENT MAY CONTRACT FOR OR OTHERWISE ARRANGE FOR THE USE OF THE FACILITIES AND SERVICES OF APPROPRIATE AGENCIES OF POLITICAL SUBDIVISIONS IN CARRYING OUT THE DEPARTMENT'S MONITORING DUTIES UNDER THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, §§ 690(b), 694, 702, and the first clause of the fifth sentence of 693(a).

2-104. POWERS OF POLITICAL SUBDIVISIONS.

(A) ADOPTING ORDINANCES, RULES, OR REGULATIONS.

(1) EXCEPT AS PROVIDED IN THIS SECTION, THIS TITLE DOES NOT LIMIT THE POWER OF A POLITICAL SUBDIVISION TO ADOPT ORDINANCES, RULES, OR REGULATIONS THAT SET EMISSION STANDARDS OR AMBIENT AIR QUALITY STANDARDS.

(2) A POLITICAL SUBDIVISION MAY NOT ADOPT ANY ORDINANCE, RULE, OR REGULATION THAT SETS AN EMISSION