

which the last agreement was terminated or to be changed, the recommendations of the Emergency Board shall be retroactive to such date on each issue on which such retroactivity is possible; or, in the event the parties shall neglect or refuse for a period of 15 days, or such greater period not in excess of 60 days as may be mutually agreed to by the parties, after seizure of the public utility pursuant to the provisions of this sub-title, to effect settlement of their dispute, either by voluntary agreement or submission to binding arbitration, then the Governor shall, by his order, direct the formation of an Emergency Board of Arbitration as herein provided, and the submission of such dispute thereto for determination, which determination shall be binding upon the parties in accordance with its terms [.] , *provided, however, that the order of the Emergency Board shall not extend the binding effect of such determination for a period in excess of one year following termination of seizure under this sub-title.*

12K. Appointment of Emergency Board of Arbitration. Whenever the appointment of an Emergency Board of Arbitration is required under this sub-title, the parties shall respectively designate the management member and the labor member of the Emergency Board. *In the event either or both parties shall fail to make such appointment within a period of five days after notice by the Governor to make such appointment, such failure shall constitute a waiver of the party's right to designate a member.* The members thus named shall meet to choose the member representing the general public. In the event the partisan members shall have failed within ten (10) days to choose the member representing the general public, a list of five (5) names shall be obtained from the American Arbitration Association. The partisan members shall thereupon have an opportunity to strike names alternately until one name remains. The remaining person shall be the member representing the general public and *or in the event either or both parties shall have waived his right to designate his own member of the Emergency Board, the remaining or sole member, as the case may be, shall be the Reverend John E. Wise, S. J., representing the general public.* The member of the Board representing the general public shall act as chairman of the Emergency Board.; PROVIDED, HOWEVER, THAT IN THE EVENT, WITHIN A PERIOD OF FIVE DAYS AFTER NOTICE TO DO SO BY THE GOVERNOR, EITHER OR BOTH OF THE PARTIES SHALL FAIL OR REFUSE TO MAKE ANY APPOINTMENT, OR AN APPOINTEE OR APPOINTEES SHALL FAIL OR REFUSE TO STRIKE FROM A LIST AS HEREINBEFORE PROVIDED, THEN AND IN ANY OF SUCH EVENTS, THE GOVERNOR SHALL PROMPTLY APPOINT A MEMBER OR MEMBERS FOR THE PARTY OR PARTIES SO FAILING OR REFUSING TO APPOINT OR SHALL APPOINT A MEMBER OR MEMBERS TO SERVE THEREAFTER IN THE PLACE AND STEAD OF ANY MEMBER OR MEMBERS WHO SHALL FAIL OR REFUSE TO STRIKE FROM A LIST AS HEREINBEFORE PROVIDED.

SEC. 2. *And be it further enacted,* That this Act shall apply to arbitration following any seizure which has heretofore or which may hereafter occur under the provisions of Chapter 41 of the Laws of Maryland of 1956.