

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	03/19/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 4/4/2014

2. COMAR Codification

Title	Subtitle	Chapter	Regulation
21	01	02	Terminology

3. Name of Promulgating Authority

Department of General Services

4. Name of Regulations Coordinator	Telephone Number
Jyoti A kumta	410-767-4514

Mailing Address

300 W Preston Street

City	State	Zip Code
Baltimore	MD	21201

Email

jyoti.kumta@dgs.state.md.us

5. Name of Person to Call About this Document	Telephone No.
Nancy Hevey	410-767-4429

Email Address

Nancy.Hevey@maryland.gov

6. Check applicable items:

New Regulations

X- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: March 19, 2014.

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes **X-** No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Turhan Robinson, Assistant Attorney General, (telephone #410-767-4990) on March 19, 2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Alvin C. Collins

Title

Secretary

Date

march 19, 2014

Telephone No.

410-767-4958

STATE PROCUREMENT REGULATIONS

Subtitle 01 GENERAL PROVISIONS

21.01.02 Terminology

Authority: State Finance and Procurement Article, 11-101 and 12-101, Annotated Code of Maryland

Notice of Proposed Action

□

The Department of General Services proposes to amend Regulation .01 under COMAR 21.01.02

Statement of Purpose

The purpose of this action is to Add local jurisdiction to the list of defined terms

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Nancy Hevey, Director Of Procurement, Department of General Services, 301 West Preston Street, Baltimore, MD 21201, or call 410-7674429, or email to Nancy.Hevey@maryland.gov, or fax to 410-333-5986. Comments will be accepted through March 31, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2014

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

general

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

Favorable impact

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

favorable impact

G. Small Business Worksheet:

Attached Document:

TITLE 21
STATE PROCUREMENT REGULATIONS
SUBTITLE 01 GENERAL PROVISIONS

Chapter 02 Terminology

Authority: State Finance and Procurement Article, §§11-101 and 12-101,
Annotated Code of Maryland

Notice of Proposed Action

The Department of General Services proposes to amend Regulation.01 under
COMAR 21.01.02 Terminology.

The purpose of this action is to add local jurisdiction to the list of defined terms.

Comparison to Federal Standards

X There is no corresponding federal standard to this proposed
regulation.

G There is a corresponding or federal standard to this proposed
regulation, but the proposed regulation is not more
restrictive or stringent.

G or
In compliance with Executive Order 01.01.1996.03, this proposed regulation is more restrictive or stringent than corresponding federal standards as follows:

- than the
- (1) Regulation citation and manner in which it is more restrictive applicable federal standard:
 - (2) Benefit to the public health, safety or welfare, or the environment:
 - (3) Analysis of additional burden or cost on the regulated person:
 - (4) Justification for the need for more restrictive standards:

Impact Statements
Part A
(check one option)

Estimate of Economic Impact

G The proposed action has no economic impact.

G or
The proposed action has an economic impact. Complete the following form in its entirety.

I. Summary of Economic Impact.

II. Types of Economic Impact.

Revenue (R+/R-)
Expenditure (E+/E-)

Magnitude

- A. On issuing agency:
- B. On other State agencies:
- C. On local governments:

Benefit (+)
Cost (-)

Magnitude

- D. On regulated industries or trade groups:

E. On other industries or trade groups:

F. Direct and indirect effects on public:

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

Part B
(check one option)

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

or

The proposed action has a meaningful economic impact on small businesses. An analysis of this impact follows.

A. Fiscal Year in which regulations will become effective:

B. Does the budget for fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

No

C. If yes, state whether general, special (exact name), or federal funds will be used:

D. If no, identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small business under Part B, indicate the reason and attach small business worksheet.

Opportunity for Public Comment

Written comments may be sent to Nancy Hevey, Director of Procurement, Department of General Services, 301 West Preston Street, M 6, Baltimore, MD 21201, fax (410) 333-5986 or call (410) 767-4429. These comments must be received by the close of business on March 31, 2014.

CHAPTER 02 Terminology

.01 Definitions

A. Text unchanged

B. (1)-(52) (text unchanged)

(52-1) "Local Jurisdiction" means a county or a government entity

which:

- (a) Is a unit of government responsible for an area situated solely within a single county;*
- (b) Has a governing body elected independently of the county government;*
- (c) Is financed with revenues secured in whole or in part from special taxes or assessments levied on real property situated within the area;*
- (d) Performs municipal services for the residents of the area; and*
- (e) Was not created for limited or special purposes.*