



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

Memorandum

To: Members of the AELR Committee
Standing Committee Chairs

From: George H. Butler, Jr., AELR Committee Counsel
Kathryn H. Selle, AELR Committee Counsel
Nathan W. McCurdy, AELR Committee Counsel

Date: February 22, 2019

Re: **Synopses of Regulations received from 2/8/2019 through 2/21/2019**

Enclosed please find synopses of regulations received by the Joint Committee on Administrative, Executive, and Legislative Review (AELR) during the weeks noted above.

The Office of Policy Analysis prepares analyses of the regulations to determine if there are any problem areas, to ensure that the regulations comply with statutory authority and legislative intent, and to assess the fiscal impact of the regulations. If any regulation is of particular interest to you, please feel free to contact us at 410-946-5350 and we will supply you with a copy of the regulation along with the legal and fiscal analysis.

/cr

cc: Jake Weissmann
Alexandra M. Hughes

Housing and Community Development, Department of

Proposed Regulation

DLS Control No. 19-002

**Department of Housing and Community Development:
Revitalization Programs:**

National Capital Strategic Economic Development Fund:

COMAR 05.20.04.01 through .10

According to the department, the purpose of this action is to describe policies and procedures for program administration under the National Capital Strategic Economic Development Fund.

Labor, Licensing and Regulation, Department of

Proposed Regulations

DLS Control No. 19-007

Department of Labor, Licensing, and Regulation:

Board of Plumbing:

Enforcement of the Plumbing Law by the Board: COMAR 09.20.02.03, .05, and .11

According to the department, the purpose of this action is to decrease the score required to pass a license examination to obtain a journey or master plumber/gasfitter license from 75 to 70 and to establish a uniform passing examination score required for a license or certificate issued by the Board of Plumbing.

Proposed Regulation

DLS Control No. 19-008

Department of Labor, Licensing, and Regulation:

Board of Cosmetologists:

General Regulations: COMAR 09.22.01.11

According to the department, the purpose of this action is to allow board-approved interpreters to accompany applicants and assist in the theory portion of the board examination.

Environment, Department of the

Proposed Regulation

DLS Control No. 19-009

Department of the Environment:

Air Quality:

Low Emissions Vehicle Program: COMAR 26.11.34.02

According to the department, the purpose of this action is to amend COMAR 26.11.34.02, Incorporation by Reference, to update Maryland's Low Emissions Vehicle Program to reflect the changes made to the California regulations since their last update. The amendments pertaining to the Low Emissions Vehicle Program will be submitted to the U.S. Environmental Protection Agency for approval as part of Maryland's State Implementation Plan.

Criminal Sentencing Policy, Commission on

Proposed Regulations

DLS Control No. 19-004

Independent Agencies:

Commission on Criminal Sentencing Policy:

General Regulations: COMAR 14.22.01.02

General Regulations: COMAR 14.22.01.07

According to the commission, the purpose of this action is to modify the definition of corrections options in Regulation .02, the definition of a guidelines offense in Regulation .02, and the case information collected on the sentencing guidelines worksheet in Regulation .07 under COMAR 14.22.01 General Regulations. These modifications expand the definition of corrections options to include all problem-solving courts, work release, weekend or other discontinuous incarceration, and programs established by the Department of Public Safety and Correctional Services (DPSCS) and/or local correctional agencies, if the program meets the Commission's criteria. The modifications also clarify that cases adjudicated in a juvenile court are excluded from guidelines coverage. Finally, the modifications separate "reconsideration" and "review" from the other disposition types on the sentencing guidelines worksheet, thereby permitting individuals completing the worksheet to indicate both how the case was disposed (plea or trial) as well as whether or not the sentencing was a reconsideration or review.

Proposed Regulation

DLS Control No. 19-005

Independent Agencies:

Workers' Compensation Commission:

Judicial Review Procedures: COMAR 14.09.11.01

According to the commission, the purpose of this action is to ensure the Commission receives notice of proceedings in which it has a vested interest.

Insurance Administration, Maryland

Proposed Regulation

DLS Control No. 19-011

Maryland Insurance Administration:

Insurers:

Annual Statements and Participation in National Association of Insurance

Commissioners Information System: COMAR 31.04.04.01

According to the administration, the purpose of this action is to amend Regulation .01 under COMAR 31.04.04 Annual Statements and Participation in National Association of Insurance Commissioners Information System. The Maryland Insurance Administration has received several inquiries from companies regarding who should sign their statutorily required financial filings. The National Association of Insurance Commissioners Statutory Statement instructions on signatures refers companies to the domestic state's requirement, and the current Maryland statutes and COMAR references point back to the NAIC instructions. The Maryland Insurance Administration is therefore proposing a change to both the annual statements and quarterly statements section of Regulation .01 to clarify that the statements shall be prepared under oath and to clarify that the statements must be signed by at least two executive officers and lists who the executive officers can be. In addition, this change tells foreign companies that their annual and quarterly statements shall be prepared in accordance with the laws of the company's home state

Education, State Board of

Proposed Regulation

DLS Control No. 19-003

State Board of Education:

State School Administration:

Educational Equity: COMAR 13A.01.06.01 through .05

According to the board, the purpose of this action is to establish educational equity as a priority for the Maryland State Department of Education and all local school systems.

Proposed Regulation

DLS Control No. 19-006

State Board of Education:

Certification:

Teachers: COMAR 13A.12.02.23

According to the board, the purpose of this action is to remove the current language requiring that a teacher certified in Blind/Visually Impaired present a qualifying score on an

approved test of braille competency at the time of the first certificate renewal to align the test submission with all other teaching areas by requiring it at the time of application.

Proposed Regulation

DLS Control No. 19-010

State Board of Education:

Supporting Programs:

School Supplies and Equipment: COMAR 13A.06.05.01 through .06

According to the board, the purpose of this action is to address the transformation that has occurred over the last 10 years in teaching and learning that includes digital formats of textbooks, resources, and equipment.