



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:** Kathryn H. Selle, AELR Committee Counsel  
John J. Joyce, AELR Committee Counsel  
Kathleen P. Kennedy, AELR Committee Counsel

**Date:** March 30, 2020

**Re:** **Synopses of Regulations received from 3/6/2020 through 3/29/2020**

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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.

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cc: Jake Weissmann  
Alexandra M. Hughes

### **Critical Area Commission for the Chesapeake and Atlantic Coastal Bays**

#### **Proposed Regulations**

#### **DLS Control No. 20-020**

#### **Critical Area Commission for the Chesapeake and Atlantic Coastal Bays:**

#### **Criteria For Local Critical Area Program Development:**

**General Provisions:** COMAR 27.01.01.01

**Development in the Critical Area:** COMAR 27.01.02.05

**Surface Mining in the Critical Area:** COMAR 27.01.07.01, .02, and .03

Development in the Critical Area Resulting From State and Local Agency Programs:

**General Provisions:** COMAR 27.02.01.01

#### **State Agency Actions Resulting in Development on State-Owned Lands:**

COMAR 27.02.05.08

According to the commission, the purpose of this action is to modernize the drafting style, update, and where necessary, delete certain outdated provisions. The proposal does not include any additional regulatory requirements of the affected regulated community. The amendment to Regulation .05 of COMAR 27.01.02 is to clarify existing requirements.

### **Assessments and Taxation, Department of**

#### **Proposed Regulations**

#### **DLS Control No. 20-021**

#### **Department of Assessments and Taxation:**

#### **Agricultural Land Transfer Tax:**

**Administration:** COMAR 18.05.01.01, .02, .04, .05, and .06

According to the department, the purpose of this action is to bring the department's regulations in line with statutory revisions effective July 1, 2019 that changed the percentages by which agricultural land transfer tax is reduced.

### **Housing and Community Development, Department of**

#### **Proposed Regulation**

#### **DLS Control No. 20-025**

#### **Department of Housing and Community Development:**

#### **Neighborhood Business Development:**

**Business Lending Program:** COMAR 05.13.07.01 through .13

According to the department, the purpose of this action is to implement statutory changes adopted by the General Assembly in the 2016 session to enhance the State's financing programs to support small businesses.

## **Environment, Department of the**

### **Proposed Regulations**

#### **DLS Control No. 20-024**

#### **Department of the Environment:**

#### **Occupational, Industrial, and Residential Hazards:**

**Blood Lead Reporting:** COMAR 26.02.01.01 through .05

#### **Procedures for Abating Lead Containing Substances from Buildings:**

COMAR 26.02.07.02 and .12

#### **Lead: Accreditation and Training for Lead Paint Abatement Services:**

COMAR 26.16.01.02

#### **Reduction of Lead Risk in Housing:** COMAR 26.16.02.02, .02-1, and .05

#### **Procedures for Performing Lead Abatement Services:**

COMAR 26.16.05.01–.03, .10, and .12

#### **Environmental Investigations:** COMAR 26.16.08.01–.08

According to the department, the purpose of this action is to:

- establish procedures for conducting an environmental investigation when a child under the age of 6 or a pregnant woman is diagnosed with elevated blood lead (EBL);
- update the Maryland Department of the Environment’s (MDE) regulations governing blood lead reporting by laboratories and health care providers; and
- establish more stringent standards for lead content in dust for the purpose of post-abatement clearance testing and satisfying the risk reduction and modified risk reduction standards.

## **Insurance Administration, Maryland**

### **Emergency Regulations**

#### **DLS Control No. 20-022**

#### **Maryland Insurance Administration:**

#### **General Regulations:**

**Emergency Powers:** COMAR 31.01.02.03 and .06

According to the administration, a new Coronavirus (“COVID-19”) has been detected in humans, and cases have been confirmed in Maryland. In accordance with § 2-115 of the Insurance Article, the Insurance Administration is adopting changes to COMAR 31.01.02 Emergency Powers to provide safeguards to consumers with respect to their dealings with entities licensed or registered to transact insurance business in the State now that the Governor has declared a State of Emergency. The adoption of these regulatory amendments are necessary to make certain that

consumers do not have barriers to obtaining testing, diagnosis, and treatment of COVID-19. Specifically, the regulatory changes would prohibit insurance carriers from passing on co-payment, coinsurance, and deductible charges to consumers for the diagnosis, testing, laboratory fees, or vaccination for COVID-19.