



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:** May 15, 2020

**Re:** **Synopses of Regulations received from 5/1/2020 through 5/14/2020**

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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

**Agriculture, Department of**

**Emergency/Proposed Regulations**

**DLS Control No. 20-045**

**Department of Agriculture:**

**Soil and Water Conservation:**

**Manure Transportation Project: COMAR 15.20.05.01 through .10**

According to the department, the proposed action, which expands and increases the efficiency of the Manure Transport Project, is intended to facilitate the transportation of additional manure from farms in all areas of the State that experience phosphorus overenrichment to other areas inside and outside the State that can safely utilize this material. The proposed action is necessary to help keep the implementation of the Phosphorus Management Tool (“PMT”) on schedule. The PMT is a University of Maryland Extension-designed methodology used by Maryland farmers to determine phosphorus applications on their farms. The phase-in period for the PMT began in 2016 and, unless delayed by the Secretary of Agriculture, the PMT is scheduled to be fully implemented on Maryland farms by 2022. The Secretary of Agriculture may delay implementation of the PMT if, following an evaluation of such factors as “participation in and additional capacity of the Manure Transport Program,” the results indicate an insufficient capacity to support the additional volume of manure expected to be created when operations are required to determine phosphorus applications under the PMT.

**Institute for Emergency Medical Services Systems, Maryland**

**Emergency/Proposed Regulations**

**DLS Control No. 20-047**

**Maryland Institute for Emergency Medical Services Systems:**

**Emergency Medical Services Providers:**

**Licensure and Certification: COMAR 30.02.02.13**

According to the institute, the EMS Board established requirements for provisional licenses and certificates under the Governor’s Executive Order No. 20-03-19-03 in order to augment the EMS work force. These regulations need to take effect before the state of emergency and catastrophic health emergency proclaimed by the Governor ends in order that the provisional emergency medical service providers authorized by executive order during that emergency can complete the requirements and transition to full licenses and certifications after the emergency ends.

**Administrative Hearings, Office of**

**Proposed Regulation**

**DLS Control No. 20-046**

**Office of Administrative Hearings:**

**Fees:**

**Fee Assessment and Payment; Waivers: COMAR 28.03.01.06**

According to the office, the purpose of this action is to add a simple, cost-effective method of demonstrating indigence to obtain a waiver of the Office of Administrative Hearings' fees to request a hearing or a subpoena. The amendment clarifies that, consistent with current practice, the OAH will accept documentation that an individual is receiving public assistance under the identified programs as sufficient evidence of indigence to qualify for a waiver.

**Education, State Board of**

**Emergency/Proposed Regulations**

**DLS Control No. 20-044**

**State Board of Education:**

**Certification:**

**General Provisions: COMAR 13A.12.01.14**

According to the board, the regulation establishes an emergency certificate that will allow local school systems to hire teacher candidates who have not yet taken certification assessments. Given that testing centers are closed, without this emergency certificate local school systems would not be able to hire these candidates and the teacher shortage would inevitably increase.