
By: Delegates Arnick and Preis

Introduced and read first time: January 31, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **AELR Committee - Delay of Regulations**

3 FOR the purpose of authorizing the Joint Committee on Administrative, Executive, and
4 Legislative Review, upon a certain determination, to delay the implementation of
5 certain regulations and the interpretation of certain laws for a certain duration;
6 allowing the Committee to hold a public meeting with certain officials; and
7 generally relating to the authority of the AELR Committee.

8 BY repealing and reenacting, without amendments,
9 Article - State Government
10 Section 10-101(c), (g), and (i)
11 Annotated Code of Maryland
12 (1995 Replacement Volume)

13 BY adding to
14 Article - State Government
15 Section 10-111.2
16 Annotated Code of Maryland
17 (1995 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - State Government**

21 10-101.

22 (c) "Committee" means the Joint Committee on Administrative, Executive, and
23 Legislative Review.

24 (g) (1) "Regulation" means a statement or an amendment or repeal of a
25 statement that:

26 (i) has general application;

27 (ii) has future effect;

28 (iii) is adopted by a unit to:

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- 1 1. detail or carry out a law that the unit administers;
- 2 2. govern organization of the unit;
- 3 3. govern the procedure of the unit; or
- 4 4. govern practice before the unit; and

5 (iv) is in any form, including:

- 6 1. a guideline;
- 7 2. a rule;
- 8 3. a standard;
- 9 4. a statement of interpretation; or
- 10 5. a statement of policy.

11 (2) "Regulation" does not include:

12 (i) a statement that:

- 13 1. concerns only internal management of the unit; and
- 14 2. does not affect directly the rights of the public or the
- 15 procedures available to the public;

16 (ii) a response of the unit to a petition for adoption of a regulation,

17 under § 10-123 of this subtitle; or

18 (iii) a declaratory ruling of the unit as to a regulation, order, or statute,

19 under Subtitle 3 of this title.

20 (3) "Regulation", as used in §§ 10-110 and 10-111.1, means all or any

21 portion of a regulation.

22 (i) "Unit" means an officer or unit authorized by law to adopt regulations.

23 10.111.2.

24 IF THE COMMITTEE DETERMINES THAT A UNIT HAS EXCEEDED ITS

25 STATUTORY AUTHORITY IN THE PROMULGATION OF A REGULATION OR THAT A

26 UNIT IS MISINTERPRETING LEGISLATIVE INTENT, THE COMMITTEE, BY A

27 THREE-FOURTHS VOTE, MAY DELAY THE IMPLEMENTATION OF THE REGULATION

28 OR THE INTERPRETATION OF THE LAW FOR 30 DAYS AND HOLD A PUBLIC MEETING

29 WITH THE HEAD OF THE UNIT.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

31 October 1, 1996.