

SENATE JOINT RESOLUTION

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**By: Senator McCabe**

Introduced and read first time: January 27, 1997

Assigned to: Economic and Environmental Affairs

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SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Executive-Legislative Unit to Study the Need to Regulate New Occupations and**  
3 **Professions (Sunrise Assessment)**

4 FOR the purpose of urging the Governor to establish a joint Executive-Legislative unit to  
5 study and make recommendations concerning the need for an orderly system of  
6 evaluation to determine the realistic need for formal regulation by the State of new  
7 occupations and professions; recommending the development of certain neutral  
8 evaluation criteria for a certain purpose; recommending that a certain  
9 Executive-Legislative unit make a certain report; and generally relating to State  
10 regulation of occupations and professions.

11 WHEREAS, There is a need to foster greater economic development in Maryland  
12 and to enhance the economic competitiveness of the State; and

13 WHEREAS, Excessive regulation of occupations and professions by the State may  
14 stifle economic development and competitiveness by (1) increasing the cost of entry into  
15 a profession through expenses relating to education, training, and time, (2) decreasing the  
16 availability of practitioners generally or in certain geographic areas, and (3) indirectly  
17 encouraging price fixing and unwarranted restrictions on professional or occupational  
18 advertising; and

19 WHEREAS, Over the years, the General Assembly has authorized a plethora of  
20 licensing schemes and other forms of regulation for governing myriad occupations and  
21 professions; and

22 WHEREAS, The economic benefits and costs of regulating occupations and  
23 professions in the State may have a significant impact on Maryland's economic  
24 development and competitiveness; and

25 WHEREAS, There is a need to examine the licensing process by which the State  
26 has traditionally regulated occupations and professions and to develop a neutral review  
27 process with objective criteria to evaluate the realistic need for formal regulation of new  
28 groups that wish to be regulated by the State; now, therefore, be it

29 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND,** That the  
30 Governor is urged to establish a joint Executive-Legislative unit to study and make  
31 recommendations concerning the need for:

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1 (1) An orderly system of Executive and Legislative evaluation to determine  
2 the realistic need for formal regulation of new occupations and professions that wish to be  
3 regulated by the State; and

4 (2) The development of neutral evaluation criteria to assess the realistic  
5 need for formal regulation of new occupations and professions by the State, such as  
6 criteria concerning the extent to which:

7 (i) The health, safety, or welfare of the public may be harmed from  
8 unregulated occupational or professional practices;

9 (ii) Specialized skills are required to serve the public;

10 (iii) The public may be effectively protected by alternatives to formal  
11 regulation;

12 (iv) Regulation of an occupation or profession will be cost-effective;

13 (v) Increase or decrease the availability of goods and services to the  
14 public; and

15 (vi) Ensure occupational or professional competency; and be it further

16 RESOLVED, That any Executive-Legislative unit established by the Governor  
17 should consider legislation in other states that identifies criteria for state regulation of  
18 new occupations and professions (sunrise laws); and be it further

19 RESOLVED, That any Executive-Legislative unit established by the Governor  
20 should be required to report its findings and recommendations to the Governor and,  
21 subject to § 2-1312 of the State Government Article, to the General Assembly; and be it  
22 further

23 RESOLVED, That a copy of this Resolution be forwarded by the Department of  
24 Legislative Reference to the Honorable Parris N. Glendening, Governor of Maryland; the  
25 Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and the  
26 Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates.