
By: Senator McCabe

Introduced and read first time: January 27, 1997

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 13, 1997

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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

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1 process with objective criteria to evaluate the realistic need for formal regulation of new
2 groups that wish to be regulated by the State; now, therefore, be it

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

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

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

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

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

15 (iii) The public may be effectively protected by alternatives to formal
16 regulation;

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

18 (v) Increase or decrease the availability of goods and services to the
19 public; and

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

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

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

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

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