

SENATE JOINT RESOLUTION 11

Unofficial Copy
P3

1999 Regular Session
9lr2435

By: **Senator Neall**

Introduced and read first time: March 1, 1999

Assigned to: Rules

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Task Force on Regulatory Reform**

3 FOR the purpose of establishing a Task Force on Regulatory Reform to examine a
4 certain process for the review of regulations, to conduct a certain pilot
5 examination of portions of the Code of Maryland Regulations (COMAR), to make
6 certain recommendations and, on or before a certain date, to submit a certain
7 report; providing for the membership, chairman, quorum, meetings, and staff of
8 the Task Force; providing for a certain reimbursement for the members of the
9 Task Force; requiring certain units in the Executive Branch of the State
10 government to cooperate with the Task Force for a certain purpose; terminating
11 the Task Force after a certain date; and generally relating to a certain Task
12 Force on Regulatory Reform.

13 WHEREAS, The Regulatory Review and Evaluation Act (§§ 10-130 through
14 10-139 of the State Government Article) requires State agencies to review and
15 evaluate their regulations on an 8-year cycle to determine whether the regulations
16 continue to be necessary for the public interest, continue to be supported by statutory
17 authority and judicial opinions, or are obsolete or otherwise appropriate for
18 amendment or repeal; and

19 WHEREAS, The review conducted by State agencies under the Regulatory
20 Review and Evaluation Act is without the benefit of input from stakeholder groups;
21 and

22 WHEREAS, The Governor's Executive Order on Regulatory Standards and
23 Accountability (Executive Order No. 01.01.1996.03, February 1, 1996), requires that
24 any unit of State government proposing to adopt a regulation which is more
25 restrictive or stringent than an applicable federal standard must perform for that
26 regulation a cost/benefit and small business impact assessment, and justify the need
27 for the more restrictive or stringent State standard; and

28 WHEREAS, The Governor's Executive Order on Regulatory Standards and
29 Accountability applies only to regulations proposed for adoption after February 1,
30 1996, and does not apply to a substantial body of regulations which have not been
31 amended after that date; and

1 WHEREAS, The Code of Maryland Regulations (COMAR) is approaching 24,000
2 pages in length and reflects upwards of 6,000 pages of revisions annually; and

3 WHEREAS, Under the leadership of Vice President Al Gore's Reinventing
4 Government campaign, the federal government successfully eliminated 15,000 pages
5 of redundant, outdated, or poorly-worded language from the Code of Federal
6 Regulations; now, therefore, be it

7 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That there is a
8 Task Force on Regulatory Reform; and be it further

9 RESOLVED, That the Task Force shall:

10 (1) examine the existing process for the review of regulations under the
11 Regulatory Review and Evaluation Act;

12 (2) identify portions of at least two titles of the Code of Maryland
13 Regulations (COMAR) for a pilot examination for the purpose of:

14 (i) clarifying language;

15 (ii) eliminating obsolete language;

16 (iii) applying a cost/benefit analysis;

17 (iv) assessing the impact on small business; and

18 (v) identifying a standard that is more restrictive or stringent than
19 an applicable federal standard; and

20 (3) as it considers to be necessary and appropriate, make any
21 recommendations for legislation for introduction in the legislative session for the year
22 2001; and be it further

23 RESOLVED, That the Task Force shall be composed of 15 members as follows:

24 (1) two members of the Senate of Maryland, appointed by the President
25 of the Senate;

26 (2) two members of the House of Delegates, appointed by the Speaker of
27 the House;

28 (3) four cabinet-level Secretaries or their designees, appointed by the
29 Governor;

30 (4) the Administrator of the Division of State Documents or the
31 Administrator's designee;

32 (5) three members representing private industry regulated by the State,
33 appointed by the Governor; and

1 (6) three members of the general public who are active in regulatory
2 affairs, appointed by the Governor; and be it further

3 RESOLVED, That:

4 (1) the Governor shall appoint the chairman of the Task Force;

5 (2) eight members of the Task Force shall constitute a quorum;

6 (3) the Task Force shall determine the times and places for its meetings;
7 and

8 (4) the Department of Legislative Services shall provide staff for the
9 Task Force; and be it further

10 RESOLVED, That units in the Executive Branch whose regulations may be
11 examined by the Task Force shall cooperate with the Task Force in the performance of
12 its responsibilities under this Joint Resolution; and be it further

13 RESOLVED, That a member of the Task Force:

14 (1) may not receive compensation; but

15 (2) is entitled to reimbursement for expenses under the Standard State
16 Travel Regulations as provided in the State budget; and be it further

17 RESOLVED, That on or before December 1, 2000, the Task Force shall submit a
18 report of its findings and recommendations to the Governor and, subject to § 2-1246
19 of the State Government Article, to the Legislative Policy Committee of the General
20 Assembly; and be it further

21 RESOLVED, That the Task Force shall terminate on December 1, 2000; and be
22 it further

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