

SENATE JOINT RESOLUTION 11

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P3

1999 Regular Session  
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By: **Senator Neall**

Introduced and read first time: March 1, 1999

Assigned to: Rules

Re-referred to: Economic and Environmental Affairs, March 3, 1999

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 23, 1999

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RESOLUTION NO. \_\_\_\_\_

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

1 regulation a cost/benefit and small business impact assessment, and justify the need  
2 for the more restrictive or stringent State standard; and

3 WHEREAS, The Governor's Executive Order on Regulatory Standards and  
4 Accountability applies only to regulations proposed for adoption after February 1,  
5 1996, and does not apply to a substantial body of regulations which have not been  
6 amended after that date; and

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

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11 of redundant, outdated, or poorly-worded language from the Code of Federal  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

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

15 RESOLVED, That the Task Force shall:

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

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

20 (i) clarifying language;

21 (ii) eliminating obsolete language;

22 (iii) applying a cost/benefit analysis;

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

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

26 (3) as it considers to be necessary and appropriate, make any  
27 recommendations for legislation for introduction in the legislative session for the year  
28 2001; and be it further

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

30 (1) two members of the Senate of Maryland, appointed by the President  
31 of the Senate;

32 (2) two members of the House of Delegates, appointed by the Speaker of  
33 the House;

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

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

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

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

9 RESOLVED, That:

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

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

12 (3) the Task Force shall determine the times and places for its meetings;  
13 and

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

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

19 RESOLVED, That a member of the Task Force:

20 (1) may not receive compensation; but

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

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

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

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

