
By: **Delegates Hubbard, Owings, Oaks, D. Davis, Frush, Cane, Morhaim, Nathan-Pulliam, Stern, Sher, Klausmeier, Boutin, Mohorovic, Elliott, R. Baker, Pitkin, Grosfeld, Hubers, Benson, Marriott, Hill, Billings, Swain, Kagan, Rosso, Bobo, Pendergrass, Rosenberg, Fulton, Branch, Gladden, Dypski, Phillips, D'Amato, Conroy, Proctor, Howard, Shriver, and Petzold**

Introduced and read first time: January 31, 2000
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 2000

CHAPTER _____

1 AN ACT concerning

2 **Children's Environmental Health and Protection Rights Act Advisory**
3 **Council**

4 FOR the purpose of establishing a Children's Environmental Health and
5 ~~Environmental~~ Protection Advisory Council; establishing the membership of the
6 Advisory Council; specifying the terms of the members of the Advisory Council;
7 ~~authorizing the Advisory Council to hire certain staff~~ providing for staffing of
8 the Advisory Council; authorizing the Advisory Council to hire certain
9 consultants and contract for certain analyses; specifying the purpose of this Act;
10 specifying the duties of the Advisory Council; requiring certain ~~principal~~
11 ~~departments of the Executive Branch of the State~~ units of State government to
12 submit certain information to the Advisory Council before submitting a proposed
13 regulation for the Maryland Register; requiring that a certain notice of proposed
14 regulations include a statement of the estimated impact on environmental
15 hazards that effect the health of children; adding a member to the Air Quality
16 Control Advisory Council; requiring certain reports by certain dates; and
17 generally relating to children's environmental health and protection.

18 BY adding to
19 Article - Health - General
20 Section 13-1001 through ~~13-1007~~ 13-1006, inclusive, to be under the new
21 subtitle "Subtitle 10. Children's Environmental Health"
22 Annotated Code of Maryland

1 (1994 Replacement Volume and 1999 Supplement)

2 BY repealing and reenacting, with amendments,

3 Article - State Government

4 Section 10-110 and 10-112

5 Annotated Code of Maryland

6 (1999 Replacement Volume)

7 BY repealing and reenacting, with amendments,

8 Article - Environment

9 Section 2-202

10 Annotated Code of Maryland

11 (1996 Replacement Volume and 1999 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article - Environment

14 Section 2-206

15 Annotated Code of Maryland

16 (1996 Replacement Volume and 1999 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Health - General**

20 **SUBTITLE 10. CHILDREN'S ENVIRONMENTAL HEALTH.**

21 13-1001.

22 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (B) "ADVISORY COUNCIL" MEANS THE CHILDREN'S ENVIRONMENTAL HEALTH
25 AND ~~ENVIRONMENTAL~~ PROTECTION ADVISORY COUNCIL.

26 (C) "ENVIRONMENTAL HAZARD" MEANS ~~EXPOSURE TO HARMFUL CHEMICALS~~
27 ~~AND ONE OR A GROUP OF TOXIC CHEMICAL, BIOLOGICAL, OR PHYSICAL AGENTS IN~~
28 THE ENVIRONMENT, RESULTING FROM HUMAN ACTIVITIES OR NATURAL
29 PROCESSES, THAT MAY IMPACT THE HEALTH OF EXPOSED CHILDREN, INCLUDING
30 SUCH POLLUTANTS SUCH AS LEAD, PESTICIDES, AIR POLLUTANTS, CONTAMINATED
31 DRINKING WATER, POLLUTED WATERS, TOXIC WASTE DUMPS, POLYCHLORINATED
32 BIPHENYLS, SECONDHAND TOBACCO SMOKE, AND INDUSTRIAL AND HOME
33 CHEMICALS, AND OTHER CHEMICALS AND POLLUTANTS THAT MAY IMPACT
34 CHILDREN'S HEALTH.

1 13-1002.

2 (A) THE GENERAL ASSEMBLY FINDS THAT:

3 (1) CHILDREN IN THE STATE FACE AN ARRAY OF PREVENTABLE
4 EXPOSURES TO ENVIRONMENTAL HAZARDS IN THEIR SCHOOLS, HOMES, AND
5 COMMUNITIES;

6 (2) IN CERTAIN CASES CHILDREN ARE AT GREATER RISK THAN ADULTS
7 FOR EXPOSURE TO AND POSSIBLE ILLNESS FROM ENVIRONMENTAL HAZARDS
8 BECAUSE CHILDREN:

9 (I) HAVE A DECREASED ABILITY TO DETOXYIFY CERTAIN
10 SUBSTANCES;

11 (II) HAVE A GREATER SENSITIVITY TO ENVIRONMENTAL HAZARDS
12 DURING THE STAGES OF DEVELOPMENT AND GROWTH AS A RESULT OF THEIR
13 IMMATURE BODY ORGANS AND TISSUES AND ~~WEAKER~~ IMMATURE IMMUNE
14 SYSTEMS;

15 (III) HAVE DIFFERENT EXPOSURE BEHAVIOR PATTERNS, SUCH AS
16 HAND-TO-MOUTH BEHAVIOR, SPENDING A GREATER AMOUNT OF TIME OUTDOORS
17 NEAR HAZARDS, AND SPENDING MORE TIME ON THE FLOOR AND ON THE GROUND
18 WHERE CONTAMINANTS CAN CONCENTRATE; AND

19 (IV) ~~INGEST TAKE IN~~ INGEST TAKE IN A GREATER AMOUNT OF CONTAMINANTS DUE
20 TO THEIR EATING PROPORTIONATELY MORE FOOD, BREATHING PROPORTIONATELY
21 MORE AIR, AND DRINKING PROPORTIONATELY MORE FLUIDS THAN ADULTS;

22 (3) HIGHER RATES OF POVERTY ARE ONE OF THE FACTORS THAT PLACE
23 CHILDREN OF ETHNIC AND MINORITY COMMUNITIES AT DISPROPORTIONATE RISK
24 FOR ENVIRONMENTAL EXPOSURES, DUE TO INADEQUATE HOUSING, POOR
25 NUTRITION, AND LIMITED ACCESS TO HEALTH CARE; ~~AND~~

26 (4) SOLUTIONS TO COMPLEX ENVIRONMENTAL HEALTH PROBLEMS
27 REQUIRE THE ONGOING COMMUNICATION, COLLABORATION, AND COOPERATION OF
28 AFFECTED COMMUNITIES AND MANY DISCIPLINES INCLUDING SCIENCE, MEDICINE,
29 PUBLIC HEALTH, ECONOMICS, PLANNING, LAW, AND POLICY; AND

30 (5) AS RECOMMENDED BY THE ADVISORY COUNCIL ON
31 ENVIRONMENTAL JUSTICE IN ITS REPORT PURSUANT TO CHAPTER 741 OF THE ACTS
32 OF THE GENERAL ASSEMBLY OF 1997, AS AMENDED, IT IS NECESSARY TO ASSESS THE
33 IMPACTS OF STATE POLICIES, PROGRAMS, AND ACTIVITIES ON AFFECTED
34 COMMUNITIES AND, IN THIS INSTANCE, CHILDREN ARE THE AFFECTED COMMUNITY.

35 (B) (1) THE GENERAL ASSEMBLY RECOGNIZES ITS RESPONSIBILITIES:

36 (I) TO ENABLE ALL CHILDREN TO GROW UP IN A SAFE AND
37 HEALTHY ENVIRONMENT; AND

1 (II) TO USE ITS RESOURCES TO ENSURE THAT EVERY CHILD IS
 2 PROVIDED WITH AN ENVIRONMENTALLY SAFE AND HEALTHY LEARNING
 3 ENVIRONMENT IN WHICH TO GROW, DEVELOP, AND MATURE INTO A PRODUCTIVE
 4 AND HEALTHY ADULT.

5 (2) THE GENERAL ASSEMBLY SEEKS TO MEET THESE RESPONSIBILITIES
 6 BY CREATING AN ADVISORY COUNCIL TO:

7 (I) IDENTIFY ENVIRONMENTAL HAZARDS THAT MAY AFFECT
 8 ~~CHILDREN~~ CHILDREN'S HEALTH; AND

9 (II) ~~CREATE~~ RECOMMEND SOLUTIONS TO THOSE HAZARDS
 10 THROUGH INTERDISCIPLINARY PROBLEM SOLVING AND COALITION BUILDING.

11 13-1003.

12 THERE IS A STATE CHILDREN'S ENVIRONMENTAL HEALTH AND
 13 ~~ENVIRONMENTAL~~ PROTECTION ADVISORY COUNCIL.

14 13-1004.

15 (A) (1) THE ADVISORY COUNCIL SHALL BE COMPOSED OF ~~45~~ 18 MEMBERS AS
 16 FOLLOWS:

17 (I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY
 18 THE PRESIDENT OF THE SENATE;

19 (II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY
 20 THE SPEAKER OF THE HOUSE;

21 (III) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE
 22 SECRETARY'S DESIGNEE;

23 (IV) THE SECRETARY OF THE ENVIRONMENT, OR THE SECRETARY'S
 24 DESIGNEE;

25 (V) THE SECRETARY OF AGRICULTURE, OR THE SECRETARY'S
 26 DESIGNEE;

27 (VI) ~~THE SECRETARY OF NATURAL RESOURCES, OR THE~~
 28 ~~SECRETARY'S DESIGNEE;~~

29 ~~(VII)~~ THE SECRETARY OF EDUCATION, OR THE SECRETARY'S
 30 DESIGNEE;

31 ~~(VIII)~~ (VII) THE SECRETARY OF HUMAN RESOURCES, OR THE
 32 SECRETARY'S DESIGNEE;

33 ~~(IX)~~ (VIII) THE SECRETARY OF HOUSING AND COMMUNITY
 34 DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

1 (XI) THE SPECIAL SECRETARY OF THE GOVERNOR'S SUBCABINET
2 FOR CHILDREN, YOUTH, AND FAMILIES, OR THE SPECIAL SECRETARY'S DESIGNEE;

3 (X) TWO LICENSED PEDIATRIC HEALTH CARE PROVIDERS WITH
4 EXPERTISE IN THE FIELD OF CHILDREN'S ENVIRONMENTAL HEALTH, APPOINTED BY
5 THE GOVERNOR;

6 (XI) ~~ONE LICENSED SOCIAL WORKER WITH EXPERTISE IN THE~~
7 ~~FIELD OF CHILDREN'S ENVIRONMENTAL HEALTH, APPOINTED BY THE GOVERNOR~~
8 ONE REPRESENTATIVE FROM THE JOHNS HOPKINS UNIVERSITY WHO HAS
9 EXPERTISE IN STUDYING THE IMPACT OF ENVIRONMENTAL ALLERGIES ON
10 CHILDHOOD ASTHMA;

11 (XII) ONE PARENT OR GUARDIAN WHOSE CHILD HAS BEEN
12 CLINICALLY DIAGNOSED AS HAVING BEEN EXPOSED TO ENVIRONMENTAL HEALTH
13 HAZARDS INCLUDING LEAD PAINT OR PESTICIDES, APPOINTED BY THE GOVERNOR;

14 (XIII) ~~ONE PEDIATRIC ENVIRONMENTAL HEALTH RESEARCHER~~
15 ENVIRONMENTAL EPIDEMIOLOGIST WITH EXPERTISE IN CHILDREN'S
16 ENVIRONMENTAL HEALTH, APPOINTED BY THE GOVERNOR; AND

17 (XIV) ONE ECONOMIST SKILLED IN MEASURING THE ECONOMIC
18 COSTS OF ILLNESS AND THE BENEFITS OF PREVENTION, APPOINTED BY THE
19 GOVERNOR;

20 (XV) ONE ENVIRONMENTAL TOXICOLOGIST WITH EXPERTISE IN
21 ISSUES OF IMPORTANCE TO CHILDREN'S ENVIRONMENTAL HEALTH, APPOINTED BY
22 THE GOVERNOR;

23 (XVI) ONE REPRESENTATIVE FROM THE MARYLAND ASSOCIATION OF
24 COUNTIES, APPOINTED BY THE GOVERNOR; AND

25 (XVII) ONE INDIVIDUAL FROM PRIVATE INDUSTRY REPRESENTING
26 THE REGULATED COMMUNITY, APPOINTED BY THE GOVERNOR.

27 (2) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE
28 SECRETARY'S DESIGNEE ~~AND THE SECRETARY OF THE ENVIRONMENT OR THE~~
29 ~~SECRETARY'S DESIGNEE SHALL SERVE AS COCHAIRS~~ THE CHAIRMAN.

30 (3) THE SECRETARY OF THE ENVIRONMENT OR THE SECRETARY'S
31 DESIGNEE SHALL SERVE AS THE VICE CHAIRMAN.

32 (B) (1) THE TERM OF A MEMBER IS 4 YEARS.

33 (2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY
34 THE TERMS PROVIDED FOR MEMBERS OF THE ADVISORY COUNCIL ON OCTOBER 1,
35 2000.

36 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
37 SUCCESSOR IS APPOINTED AND QUALIFIES.

1 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
2 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND
3 QUALIFIES.

4 13-1005.

5 ~~(A) WITH THE APPROVAL OF THE GOVERNOR, THE ADVISORY COUNCIL SHALL~~
6 ~~APPOINT AN EXECUTIVE DIRECTOR, WHO IS THE CHIEF ADMINISTRATIVE OFFICER~~
7 ~~OF THE ADVISORY COUNCIL.~~

8 ~~(B) THE EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF THE ADVISORY~~
9 ~~COUNCIL.~~

10 ~~(C) UNDER THE DIRECTION OF THE ADVISORY COUNCIL, THE EXECUTIVE~~
11 ~~DIRECTOR SHALL PERFORM ANY DUTY OR FUNCTION THAT THE ADVISORY COUNCIL~~
12 ~~REQUIRES.~~

13 ~~(D) THE ADVISORY COUNCIL MAY DETERMINE THE APPROPRIATE JOB~~
14 ~~CLASSIFICATION AND, SUBJECT TO THE STATE BUDGET, COMPENSATION FOR THE~~
15 ~~EXECUTIVE DIRECTOR.~~

16 ~~13-1006.~~

17 (A) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE ADVISORY
18 COUNCIL IS A QUORUM.

19 (B) THE ADVISORY COUNCIL SHALL MEET AT LEAST SIX TIMES A YEAR, AT
20 THE TIMES AND PLACES THAT IT DETERMINES.

21 (C) EACH MEMBER OF THE ADVISORY COUNCIL IS ENTITLED TO:

22 ~~(1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND~~

23 ~~(2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE~~
24 ~~TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

25 (D) (1) ~~THE ADVISORY COUNCIL MAY EMPLOY A STAFF IN ACCORDANCE~~
26 ~~WITH THE STATE BUDGET~~ THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE
27 SHALL COORDINATE WITH THE DEPARTMENT OF THE ENVIRONMENT AND OTHER
28 STATE AGENCIES TO PROVIDE FOR STAFFING OF THE ADVISORY COUNCIL.

29 (2) THE ADVISORY COUNCIL MAY ~~DETERMINE THE APPROPRIATE JOB~~
30 ~~CLASSIFICATION AND, EMPLOY CONSULTANTS~~ SUBJECT TO THE STATE BUDGET;
31 COMPENSATION FOR STAFF.

32 (E) (1) THE ADVISORY COUNCIL MAY CONTRACT FOR AN ANALYSIS OF THE
33 CURRENT STATE ORGANIZATIONAL STRUCTURE REGARDING CHILDREN'S
34 ENVIRONMENTAL HEALTH AND PROTECTION.

35 (2) AN ANALYSIS UNDER THIS SUBSECTION SHALL BE PERFORMED IN A
36 MANNER CONSISTENT WITH THE RECOMMENDATION OF THE ADVISORY COUNCIL ON

1 ENVIRONMENTAL JUSTICE CONTAINED IN THE COUNCIL'S REPORT DATED
2 NOVEMBER 1999.

3 ~~13-1007. 13-1006.~~

4 THE ADVISORY COUNCIL SHALL:

5 (1) ~~(H)~~ REVIEW AND COMMENT ON EXISTING RULES, REGULATIONS,
6 AND STANDARDS TO ENSURE THAT THE RULES, REGULATIONS, AND STANDARDS
7 ADEQUATELY PROTECT THE HEALTH OF CHILDREN FROM ENVIRONMENTAL
8 HAZARDS BY TAKING INTO ACCOUNT THE SPECIAL VULNERABILITY OF CHILDREN
9 BECAUSE OF THEIR DEVELOPING PHYSIOLOGY, AND BECAUSE THEIR EXPOSURES,
10 BEHAVIORS, AND DIETS CAN DIFFER GREATLY FROM THOSE OF ADULTS; ~~AND~~

11 ~~(H) RECOMMEND CHANGES TO THE PROMULGATING UNIT OF THE~~
12 ~~RULE, REGULATION, OR STANDARD IF THE ADVISORY COUNCIL DETERMINES THAT~~
13 ~~THE RULE, REGULATION, OR STANDARD DOES NOT ADEQUATELY PROTECT THE~~
14 ~~HEALTH OF CHILDREN;~~

15 (2) (I) REVIEW ~~AND COMMENT ON~~ PROPOSED REGULATIONS
16 SUBMITTED TO THE ADVISORY COUNCIL IN ACCORDANCE WITH § 10-110 OF THE
17 STATE GOVERNMENT ARTICLE TO DETERMINE IF THE PROPOSED REGULATION:

18 1. ADEQUATELY PROTECTS THE HEALTH OF CHILDREN
19 FROM ENVIRONMENTAL HAZARDS BY TAKING INTO ACCOUNT THE SPECIAL
20 VULNERABILITY OF CHILDREN BECAUSE OF THEIR DEVELOPING PHYSIOLOGY, AND
21 BECAUSE THEIR EXPOSURES, BEHAVIORS, AND DIETS CAN DIFFER GREATLY FROM
22 THOSE OF ADULTS;

23 2. IS CONSISTENT AND UNIFORM WITH THE CHILDREN'S
24 ENVIRONMENTAL HEALTH POLICIES, RULES, REGULATIONS, AND STANDARDS OF
25 OTHER STATE AGENCIES; AND

26 (II) RECOMMEND TO THE PROMULGATING UNIT MEASURES THAT
27 WOULD AVOID OR MINIMIZE ANY NEGATIVE IMPACT THAT THE PROPOSED
28 REGULATION MAY HAVE ON THE HEALTH OF CHILDREN;

29 (3) COMMENT ON ANY PROPOSED REGULATIONS THAT MAY BE
30 SUBMITTED BY ANY OTHER PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH,
31 AS ENUMERATED IN § 8-201 OF THE STATE GOVERNMENT ARTICLE, DURING THE
32 PUBLIC COMMENT PERIOD REQUIRED UNDER § 10-112(A)(3)(II) OF THE STATE
33 GOVERNMENT ARTICLE IF THE ADVISORY COUNCIL DETERMINES THAT THE
34 PROPOSED REGULATION WILL HAVE AN ADVERSE IMPACT ON CHILDREN'S HEALTH;

35 (4) GATHER AND DISSEMINATE INFORMATION TO THE PUBLIC,
36 INCLUDING THE RESEARCH AND MEDICAL COMMUNITIES, COMMUNITY-BASED
37 ORGANIZATIONS, SCHOOLS, AND STATE AGENCIES, ON HOW TO REDUCE, TREAT, AND
38 ELIMINATE CHILDREN'S EXPOSURES TO ENVIRONMENTAL HAZARDS TO FURTHER
39 THE PUBLIC'S UNDERSTANDING OF THE ENVIRONMENTAL HAZARDS THAT MAY
40 POTENTIALLY AFFECT CHILDREN;

1 (VII) ~~THE STATE BOARD OF EDUCATION.~~

2 (2) ~~AT LEAST 30~~ 15 DAYS BEFORE THE DATE A PROPOSED REGULATION

3 IS SUBMITTED TO THE MARYLAND REGISTER FOR PUBLICATION UNDER § 10-112 OF

4 THIS SUBTITLE, ~~A UNIT LISTED IN PARAGRAPH (1) OF THIS SUBSECTION THE~~

5 ~~PROMULGATING UNIT SHALL SUBMIT ITS PROPOSED REGULATION TO THE STATE~~

6 ~~CHILDREN'S ENVIRONMENTAL HEALTH AND ENVIRONMENTAL PROTECTION~~

7 ~~ADVISORY COUNCIL ESTABLISHED UNDER § 13-1003 OF THE HEALTH - GENERAL~~

8 ~~ARTICLE FOR REVIEW ANY PROPOSED REGULATIONS IDENTIFIED UNDER §~~

9 ~~10-112(A)(3)(II) OF THIS SUBTITLE AS HAVING AN IMPACT ON ENVIRONMENTAL~~

10 ~~HAZARDS AFFECTING THE HEALTH OF CHILDREN.~~

11 (C) At least 15 days before the date a proposed regulation is submitted to the

12 Maryland Register for publication under § 10-112 of this subtitle, the promulgating

13 unit shall submit the proposed regulation to the Committee.

14 [(c)] (D) (1) The Committee is not required to take any action with respect

15 to a proposed regulation submitted to it pursuant to subsection (b) of this section.

16 (2) Failure by the Committee to approve or disapprove the proposed

17 regulation during the period of preliminary review provided by subsection (b) of this

18 section may not be construed to mean that the Committee approves or disapproves

19 the proposed regulation.

20 (3) During the preliminary review period, the Committee may take any

21 action relating to the proposed regulation that the Committee is authorized to take

22 under §§ 10-111.1 and 10-112 of this subtitle.

23 [(d)] (E) Prior to the date specified in subsection (b) of this section, the

24 promulgating unit is encouraged to submit the proposed regulation to the Committee

25 and to consult with the Committee concerning the form and content of that

26 regulation.

27 10-112.

28 (a) (1) This subsection does not apply to the emergency adoption of a

29 regulation.

30 (2) To have a proposed regulation published in the Register, a unit shall

31 submit to the Administrator:

32 (i) 2 certified copies of the proposed regulation; and

33 (ii) a notice of the proposed adoption.

34 (3) The notice under this subsection shall:

35 (i) state the estimated economic impact of the proposed regulation

36 on:

- 1 1. the revenues and expenditures of units of the State
 2 government and of local government units; and
- 3 2. groups such as consumer, industry, taxpayer, or trade
 4 groups; {and}

5 ~~(H) STATE THE ESTIMATED IMPACT THE PROPOSED REGULATION~~
 6 ~~MAY HAVE ON THE HEALTH OF CHILDREN; AND~~

7 ~~(ii)~~ ~~(H)~~ give persons an opportunity to comment before adoption of
 8 the proposed regulation, by:

9 1. setting a date, time, and place for a public hearing at
 10 which oral or written views and information may be submitted; or

11 2. giving a telephone number that a person may call to
 12 comment and an address to which a person may send comments.

13 (4) (i) The estimated economic impact statement required under
 14 paragraph (3)(i) of this subsection shall state whether the proposed regulation
 15 imposes a mandate on a local government unit.

16 (ii) If the proposed regulation imposes a mandate, the fiscal impact
 17 statement shall:

18 1. indicate whether the regulation is required to comply with
 19 a federal statutory or regulatory mandate; and

20 2. include, in addition to the estimate under paragraph
 21 (3)(i)1 of this subsection, the estimated effect on local property tax rates, if applicable,
 22 and if the required data is available.

23 (5) The Administrator shall file the regulation with the Committee.

24 (b) As soon as the Committee approves emergency adoption of a regulation,
 25 the Committee shall submit to the Administrator 2 certified copies of the regulation.

26 (c) If a regulation under this section amends or repeals an adopted regulation,
 27 the text of the regulation under this section shall show the changes with the symbols
 28 that the Administrator requires.

29 (d) Immediately after the Administrator receives the copies of a regulation
 30 under this section, the Administrator shall:

31 (1) prepare 1 copy for publication; and

32 (2) send to the printer:

33 (i) the copy; and

34 (ii) any notice of the proposed adoption.

1

Article - Environment

2 2-202.

3 (a) (1) The Council consists of not more than 15 members appointed by the
4 Secretary.

5 (2) Of the Council members:

6 (i) 1 shall be appointed from a list of 3 qualified individuals who
7 are professional engineers licensed in this State, submitted to the Secretary by the
8 Baltimore section of the American Society of Mechanical Engineers;

9 (ii) 1 shall be appointed from a list of 3 qualified individuals
10 submitted to the Secretary by the Maryland section of the American Institute of
11 Chemical Engineers;

12 (iii) 2 shall be individuals who are employed in a manufacturing or
13 public utility business in this State, each appointed from a separate list of 3 qualified
14 individuals submitted to the Secretary by the Maryland Chamber of Commerce;

15 (iv) 1 shall be a physician;

16 (v) 1 shall be a member of the Regional Planning Council who is
17 recommended to the Secretary by the Regional Planning Council;

18 (vi) 1 shall be appointed from a list of 3 qualified individuals
19 submitted to the Secretary by the Maryland Association of Counties;

20 (vii) 4 shall be appointed 1 each from lists of 3 qualified individuals
21 submitted to the Secretary by:

22 1. The Chairman of the Board of Directors of the Council of
23 Governments of Metropolitan Washington;

24 2. The President of the Johns Hopkins University;

25 3. The President of the Maryland State-D.C. AFL-CIO; and

26 4. The Chancellor of the University System of Maryland;

27 [and]

28 (viii) 2 shall be public members who represent the community at
29 large[.]; AND

30 (IX) 1 SHALL BE A MEMBER OF THE CHILDREN'S ENVIRONMENTAL
31 HEALTH AND ~~ENVIRONMENTAL~~ PROTECTION ADVISORY COUNCIL WHO HAS
32 EXPERTISE IN PEDIATRIC ENVIRONMENTAL HEALTH.

33 (3) In making appointments to the Council, the Secretary shall:

1 (i) Consider giving appropriate representation to the various
2 geographical areas of this State; and

3 (ii) Appoint at least 1 member who is engaged actively in farming
4 and knowledgeable in farm and rural pollutant problems.

5 (b) (1) The term of a member is 5 years.

6 (2) The terms of the members are staggered as required by the terms
7 provided for members of the Council on July 1, 1986.

8 (3) The member who represents the Regional Planning Council serves
9 only so long as the member remains on the Regional Planning Council.

10 (4) At the end of a term, a member continues to serve until a successor is
11 appointed and qualifies.

12 (5) A member who is appointed after a term has begun serves only for
13 the rest of the term and until a successor is appointed and qualifies.

14 2-206.

15 (a) Before the Department adopts any rule or regulation under this title, the
16 Department shall submit the proposed rule or regulation to the Council for advice.

17 (b) Within 30 days after receiving a proposed rule or regulation from the
18 Department, the Council shall give the Department its advice on the proposal by
19 recommending:

20 (1) Adoption;

21 (2) Rejection; or

22 (3) Modification.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, within 6 months of the
24 effective date of this Act, the Children's Environmental Health and ~~Environmental~~
25 Protection Advisory Council shall submit to the Governor and, in accordance with §
26 2-1246 of the State Government Article, to the General Assembly a proposed work
27 plan for carrying out the requirements of this Act, which shall include required
28 funding resources.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2000.

