

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 671 Delegates Busch and Kach (TF on Rgltry Rfm)
Commerce and Government Matters Economic and Environmental Affairs

Regulatory Review and Evaluation Act - Revision

This bill revises the State's process for reviewing existing regulations. Every eight years each unit of State government is required to submit to the Governor and the Joint Committee on Administrative, Executive, and Legislative Review (AELR Committee) a schedule of regulations to be reviewed. Related regulations must be reviewed concurrently, in groupings no larger than a subtitle, unless good cause exists for reviewing regulations groupings larger than a subtitle. A unit's work plan must be submitted to the Governor and the AELR Committee one year prior to the commencement of the review of existing regulations. The bill establishes a process by which certain regulations are exempt from the review process.

The bill requires that any regulations or group of regulations scheduled for review by the Governor prior to January 10, 2001 for review prior to July 1, 2003 be reviewed on the schedule established by the Governor and in the manner and using the methodology prescribed under existing State law.

Fiscal Summary

State Effect: This bill is not expected to materially affect State finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: Pursuant to this legislation, the unit’s work plan may include procedures for public comment, procedures for ensuring the participation of stakeholders and other agencies, and procedures for gathering and reviewing recent scientific information relating to the regulations and similar regulations in other states or the federal government. The evaluation report submitted one year later must include any stakeholders or affected units invited to review the regulations, a description of the process used to solicit public comment, summaries of all comments received and the adopting authority’s responses, a description of any inter-agency conflict and the proposed resolution of the conflict, and a summary of any relevant scientific data or other relevant information. The evaluation report must provide a reason for any plan to propose, repeal, or reorganize any regulation.

Current Law: Each unit of State government must review all of its existing regulations every eight years, according to a schedule set by the Governor through an executive order. Prior to this review, each unit must submit to the Governor and the AELR Committee a work plan outlining the review process. The work plan must include a description of the procedures and methods to be used in evaluating regulations, identify the individuals in the unit who will coordinate the evaluation and communicate with the AELR Committee, and establish the schedule the unit will follow in completing its evaluation report. The evaluation report must contain a summary of any proposed amendments, repeal, or reorganization of the unit’s regulations.

Background: The Task Force on Regulatory Reform was established in 1999 to examine the existing process for the review of regulations under the Regulatory Review and Evaluation Act and to examine at least two titles of the Code of Maryland Regulations for the purposes of examining ways to eliminate obsolete language, apply a cost/benefit analysis and small business impact assessment, and identify regulatory requirements that may exceed federal standards. This legislation is a result of recommendations from the task force.

State Fiscal Effect: State agencies are already required to submit work plans and evaluation reports to the Governor and the AELR Committee. While the bill requires additional information to be included in the work plans and evaluation reports, it is not expected to result in the need for additional resources.

Additional Information

Prior Introductions: None.

Cross File: SB 383 (Senator Neall) – Economic and Environmental Affairs.

Information Source(s): Department of Budget and Management, Department of Health and Mental Hygiene, Department of the Environment, Department of Legislative Services

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