



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
Allan Fisher, Deputy Secretary

March 7, 2023

BILL NUMBER: House Bill 817 – First Reader

SHORT TITLE: State Government - Regulation Procedures and the Maryland Register

DEPARTMENT’S POSITION: Letter of Information

EXPLANATION OF DEPARTMENT’S POSITION:

The Maryland Department of Natural Resources provides the following information on House Bill 817.

The Department is supportive of making additional copies of the Maryland Register available to the public. More access to the regulatory process will result in a better informed public. However, the Department believes that the new language at State Government Article 10-110(c)(1)(ii) is largely duplicative of the already-established withdrawal and reproposal process laid out at State Government Article 10-116. The Department is also concerned that the publication requirement at State Government Article 10-111(a)(2)(iii) may be extremely difficult to meet at certain times of the year - when there are high levels of regulatory submissions, documents get bumped from one Register to a subsequent Register, usually in the order in which they were submitted. It is not clear what the consequence to the regulatory timeline would be if the notice were to not appear in the Register within the required 30-day period, even through no fault of the promulgating agency.

BACKGROUND INFORMATION:

None.

BILL EXPLANATION:

This bill revises the procedures by which agencies promulgate regulations, the amount of time the Joint Committee on Administrative, Executive and Legislative Review has to review and comment on proposed regulations, and places certain requirements on the Department of Legislative Services.