



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

Memorandum

To: Members of the AELR Committee
Standing Committee Chairs

From: Georgeanne Carter, AELR Committee Counsel
Kathleen P. Kennedy, AELR Committee Counsel
Kelvin V. Lucas, AELR Committee Counsel

Date: September 27, 2024

Re: **Synopses of Regulations received from 9/13/2024 through 9/26/2024**

Enclosed please find synopses of regulations received by the Joint Committee on Administrative, Executive, and Legislative Review (AELR) during the weeks noted above.

The Office of Policy Analysis prepares analyses of the regulations to determine if there are any problem areas, to ensure that the regulations comply with statutory authority and legislative intent, and to assess the fiscal impact of the regulations. If any regulation is of particular interest to you, please feel free to contact us at 410-946-5350 and we will supply you with a copy of the regulation along with the legal and fiscal analysis.

GC:KPK:KVL/bal

cc: Sally Robb
Jeremy Baker

Agriculture, Department of

Emergency/Proposed Regulations

DLS Control No. 24-114

Department of Agriculture: Soil and Water Conservation:

Food Processing Residuals Utilization Program: COMAR 15.20.13.01 – .28

According to the department, the purpose of this action is to adopt new regulations implementing new legislation governing the utilization of food processing residuals in the State (e.g., the transportation of this material from a food processing plant to agricultural operations in the State, and the storage and land application of this material at these locations). See Ch. 531, Acts of 2024

Emergency/Proposed Regulations

DLS Control No. 24-115

Department of Agriculture: Soil and Water Conservation:

Agricultural Operation Nutrient Management Plan Requirements:

COMAR 15.20.07.02

According to the department, the purpose of this action is to amend COMAR 15.20.07.02, which incorporates the Maryland Nutrient Management Manual, adding Supplement No. 10 to the manual. Among other things, Supplement No. 10 includes: (1) new standards governing the number of applications per field per season consistent with good husbandry and sound agronomic practices and (2) the “USDA-NRCS Field Office Technical Guide – Maryland/D.C. Area – Waste Storage Structure – 313”.

Housing and Community Development, Department of

Proposed Regulations

DLS Control No. 24-109

Department of Housing and Community Development:

Public Health Impact Assessments:

Procedure: COMAR 05.23.01.01 – .04

According to the department, the purpose of this action is to describe procedures and requirements for the public health impact statements for certain residential projects required under Ch. 122 (H.B. 538), Acts of 2024.

Planning, Department of

Proposed Regulation

DLS Control No. 24-112

Department of Planning: Historical and Cultural Programs:

Historical and Cultural Museum Assistance Program: COMAR 34.04.04.04

According to the department, the purpose of this action is to amend COMAR 34.04.04.04 to align with the statutory changes enacted in 2024 Maryland Laws, Ch. 494; remove the prohibition that museums which already receive operating support from the Maryland State Arts Council may not receive funding from the Historical and Cultural Museum Assistance Program.

Civil Rights, Commission on

Emergency/Proposed Regulations

DLS Control No. 24-108

Independent Agencies: Prescription Drug Affordability Board:

Cost Review Study Process: COMAR 14.01.04.05

According to the commission, the purpose of this action is to make technical corrections to clarify analyses and data sources, include additional factors for study, and establish procedures for the preliminary determination and cost review study report that align with the procedures for reviewing policies and setting upper payment limits.

Proposed Regulations

DLS Control No. 24-110

Independent Agencies: Maryland Health Benefit Exchange:

Eligibility Standards for Enrollment in a Qualified Health Plan and a Qualified Health Plan with APTC and CSR in the Individual Exchange:

COMAR 14.35.07.08, .11, .13, .18, and .19

Termination, Cancellation, and Rescission of Qualified Health Plan:

COMAR 14.35.14.04

According to the exchange, the purpose of this action is to bring MHBE into alignment with the 2025 Notice of Benefit and Payment Parameters and make a technical correction to eliminate redundant subsections in 14.35.07.11.

Proposed Regulations

DLS Control No. 24-113

Independent Agencies: Maryland Technology Development Corporation:

Investment Programs: COMAR 14.04.02.04

Seed Funds: COMAR 14.04.05.05

Equitech Growth Fund: COMAR 14.04.10.01 – .06

Pava LaPere Innovation Acceleration Grant Program: COMAR 14.04.11.01 – .05

According to the commission, the purpose of this action is to update the regulations to conform to Ch. 462, Acts of 2023 and Ch. 711, Acts of 2024, by adding to the Maryland Technology Development Corporation (“TEDCO”) the Equitech Growth Fund and the Pava La Pere Innovation Acceleration Grant Program, respectively. The proposed action adopts new regulations for the Equitech Growth Fund and the Pava LaPere Innovation Acceleration Grant Program. The action also makes certain administrative changes to conform with the statutory provisions.

The Equitech Growth Fund supports the economic competitiveness and inclusive growth of emerging and advanced industries in Maryland through the creation of supporting infrastructure assets, resources, and a diverse workforce that builds the strengths of Maryland’s economy. Awards from the Equitech Growth Fund will be made in the form of awards grants, investments, loans, or other financial assistance from Equitech Growth Fund to public, nonprofit, or private entities in Maryland, including institutions of higher education and public-private partnerships (P3s).

The Pava LaPere Innovation Acceleration Grant Program is established to provide grants to certain technology-based start-up companies that are founded by students of a post-secondary institution located in the Baltimore-Columbia-Towson Metropolitan Statistical Area in Maryland.

Insurance Administration, Maryland

Proposed Regulations

DLS Control No. 24-111

Maryland Insurance Administration: Property and Casualty Insurance:

Notices of Cancellation, Nonrenewal, Premium Increase, and Reduction in

Coverage: COMAR 31.08.03.04, .05, .07, and .08

According to the administration, the purpose of this action is to amend COMAR 31.08.03 Notices of Cancellation, Nonrenewal, Premium Increase, and Reduction in Coverage to align requirements under COMAR Title 31, Subtitle 8, Chapter 3 and requirements under the Insurance Article that pertain to the delivery of certain notices (notices of cancellation, nonrenewal, reduction of coverage, and premium increase) to policyholders and the processes that policyholders must follow to protest actions proposed in such notices. More specifically, the regulation specifies how a carrier may deliver these notices via electronic means and better clarifies when an insured must sign a protested notice in order for it to be considered duly filed.