



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:** August 18, 2025

**Re:** **Synopses of Regulations received from 8/1/2025 through 8/17/2025**

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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  
Matthew Jackson

## **Elections, State Board of**

### **Proposed Regulations**

#### **DLS Control No. 25-179**

#### **Board of Elections: Definitions; General Provisions:**

**Election Plan:** COMAR 33.01.08.01 – .04

#### **Records Management:**

**Copies of Registration Lists:** COMAR 33.03.02.01

#### **Canvassing:**

**Definitions; General Provisions:** COMAR 33.08.01.05-1, .09, and .13

#### **Absentee Ballots:**

**Definitions; General Provisions:** COMAR 33.11.01.04

#### **Precincts, Polling Places, and Facilities:**

**Polling Places:** COMAR 33.15.03.01 and .02

According to the board, the purpose of this action is to: (1) amend 33.03.02.01 to bring the State Board of Elections practices regarding voting lists into compliance with a recent court decision regarding the definition of electoral process; (2) adopt 33.01.08.01-.04 to reflect new requirements for local boards to submit an election plan as outlined in SB259 from the 2025 MGA legislative season; (3) amend 33.11.01.04 to reflect new requirements for local boards to submit an election plan as outlined in SB259 from the 2025 MGA legislative season; (4) amend 33.15.03.01-.02 to reflect new requirements for local boards to submit an election plan as outlined in SB259 from the 2025 MGA legislative season; (5) amend 33.17.02.02 to reflect new requirements for local boards to submit an election plan as outlined in SB259 from the 2025 MGA legislative season; (6) adopt 33.07.11.03 to standardize and minimize any forms or documentation related to service as an election judge; (7) amend 33.08.01.05-1 to include email notification as a valid form of notice of canvass; (8) amend 33.08.01.09 to update the wording to reflect the current practice of local boards to test systems for accuracy; and (9) adopt 33.08.01.12 to create a process for local boards to inform SBE if they will not certify their county results on the second Friday after the election.

## **Agriculture, Department of**

### **Proposed Regulations**

#### **DLS Control No. 25-186**

#### **Department of Agriculture: Office of the Secretary:**

#### **Class 4 Limited Winery License Exemption for Maryland-Grown Agricultural**

**Products:** COMAR 15.01.22.01 – .04

According to the department, the purpose of this action is to establish the criteria and procedure under which the Secretary of Agriculture may grant an exemption to a Class 4 Limited Winery License holder from the ingredient percentage requirement set forth in the Alcoholic Beverages and Cannabis Article, § 2-206(b)(2)(ii), Annotated Code of Maryland.

**Natural Resources, Department of**

**Proposed Regulation**

**DLS Control No. 25-182**

**Department of Natural Resources: Fisheries Service:**

**Fishing Licenses - Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure: COMAR 08.02.13.06**

According to the department, the purpose of this action is to formalize the reporting methods for commercial and fishing guide licensees and require licensees to declare their method of reporting for each type of report they are required to submit. The proposed action clarifies the requirements for paper reporting and adds methods for electronic reporting without hailing and electronic reporting with hailing.

The proposed action (a) makes it clear that anyone licensed under Natural Resources Article, §§4-210, 4-210.1, 4-701, 4-701.1, or 4-701.2, Annotated Code of Maryland shall accurately record their harvest information; (b) describes the methods of reporting and the requirements for each method; (c) requires a licensee to declare which reporting method they will use for each type of report they are required to complete; (d) provides a mechanism for a licensee to change their declaration up to two times per license year; and (e) describes exceptions to regulations if a licensee chooses to report with the electronic harvest reporting system with hailing.

**Proposed Regulation**

**DLS Control No. 25-183**

**Department of Natural Resources: Fisheries Service:**

**Striped Bass: COMAR 08.02.15.07**

According to the department, the purpose of this action is to reauthorize the use of drift gill nets on Saturdays and Sundays in the Chesapeake Bay commercial striped bass gill net fishery. The Department previously authorized this activity on Saturdays during December in 2018 and both Saturdays and Sundays in December in 2019 and 2020 by issuing a public notice, then expanded the allowance to the entire drift gill net season by regulation in 2021. The provision that allowed drift gill nets to be used on Saturdays and Sundays during the open drift gill net season in the Chesapeake Bay Individual Transferrable Quota commercial striped bass fishery was inadvertently removed from regulation when the Department eliminated the Chesapeake Bay Common Pool commercial striped bass fishery at the end of 2024.

The Department originally allowed this activity in order to provide additional flexibility for commercial harvesters to conduct their fishing activities. The change was consistent with the priorities developed jointly by the Department and the industry when the ITQ program was first implemented. Reauthorizing the use of drift gill nets on Saturdays and Sundays does not allow additional harvest of striped bass, as permittees in the Individual Transferrable Quota fishery are

assigned a set number of pounds they are allowed to harvest. Providing additional flexibility allows these harvesters to time their activities to market and weather conditions.

### **Interagency Commission on School Construction**

#### **Proposed Regulation**

**DLS Control No. 25-177**

**Independent Agencies: Interagency Commission on School Construction:**

**Administration of the Public School Construction Program: COMAR 14.39.02.06**

According to the agency, the purpose of this action is to establish the State and local cost share percentages for school construction projects for FY 2027 and 2028, codify the 100% State cost share for the Maryland School for the Blind, as established in statutory law, and simplify the calculation of cost share adjustments based on a county's tier 1 status.

### **Maryland Department of Health**

#### **Proposed Regulations**

**DLS Control No. 25-184**

**Maryland Department of Health: Health Services Cost Review Commission:**

**Rate Application and Approval Procedures: COMAR 10.37.10.26**

**Patient Rights and Obligations; Hospital Credit and Collection and Financial**

**Assistance Policies: COMAR 10.37.13.13**

According to the department, the purpose of this action is to have the Commission's existing regulations on Patient Rights and Obligations – Hospital Credit and Collection and Financial Assistance Policies conform to legislation enacted by the Maryland General Assembly since 2021.

#### **Proposed Regulations**

**DLS Control No. 25-185**

**Maryland Department of Health: Maryland Health Care Commission:**

**Data Reporting by Freestanding Medical Facilities: COMAR 10.24.06.01 – .04**

According to the department, the purpose of this action is to amend Regulations .01 and .02; repeal Regulation .03 and recodify existing Regulation .04 to be Regulation .03 under COMAR 10.24.06 Data Reporting by [Freestanding Medical] Non-Hospital Health Care Facilities. The purpose of these amendments is to repeal outdated language where the statutory authority has been repealed and clarify the Maryland Health Care Commission's authority to collect data from all non-hospital health care facilities.

**Public Service Commission**

**Proposed Regulations**

**DLS Control No. 25-181**

**Public Service Commission: Service Supplied by Electric Companies:**

**Electric System Planning: COMAR 20.50.15.01 – .06**

According to the commission, the purpose of this action is to implement the requirements for electric system distribution planning in the Climate Solutions Now Act of 2022 as codified in Public Utilities Article, §§7-801—7-804, Annotated Code of Maryland to promote a set of 12 State policy goals as follows:

- (1) Measures to decrease greenhouse gas emissions incident to electric distribution including high levels of distributed energy resources and electric vehicles;
- (2) Giving priority to vulnerable communities in the development of distributed energy resources and electric vehicle infrastructure;
- (3) Energy efficiency;
- (4) Meeting anticipated increases in load;
- (5) Incorporation of energy storage technology as appropriate and prudent to:
  - i. Support efficiency and reliability of the electric system; and
  - ii. Provide additional capacity to accommodate increased distributed renewable electricity generation in connection with electric transmission and distribution system modernization;
- (6) Efficient management of load variability;
- (7) Electric system resiliency and reliability;
- (8) Bidirectional power flows;
- (9) Demand response and other non-wire and non-capital alternatives;
- (10) Increased use of distributed energy resources including electric vehicles;
- (11) Transparent stakeholder participation in ongoing electric system planning processes; and
- (12) Any other issues the Commission considers appropriate.

These statutes codified in Public Utilities Article, §§7-801—7-804, Annotated Code of Maryland were subsequently amended in 2024 when House Bill 1393 (HB 1393), the Electric System Planning–Scope and Funding Act (Act), was enacted which changes the regulation focus from electric distribution system planning to electric system planning and also requires the Commission to adopt regulations or issue orders on or before December 31, 2025 to implement specific policies for electric system planning–requiring consideration of investment in, or procurement of, cost-effective demand-side methods including virtual power plants and other improvements to promote the State’s policy goals while considering the inherent differences between investor-owned electric companies, electric cooperatives, and municipal electric utilities.