

**Maryland General Assembly
Joint Committee on Administrative, Executive, and
Legislative Review (AELR)
2017 Membership Roster**

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Delegate Samuel I Rosenberg (House Chair)**

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MARYLAND GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

December 14, 2017

The Honorable Thomas V. Mike Miller, Jr., Co-chair
The Honorable Michael E. Busch, Co-chair
Members of the Legislative Policy Committee

Dear Members of the Legislative Policy Committee:

The following report of the Joint Committee on Administrative, Executive, and Legislative Review for 2017 is submitted in accordance with § 2-506(b) of the State Government Article.

Functions of the Committee

The committee has several statutory review functions relating to the activities of the Executive Branch. The committee's primary role is to review regulations issued by State administrative agencies. The specific statutory functions of the committee are as follows:

- review of all regulations proposed by State executive agencies before publication of the regulations in the *Maryland Register*;
- review and approval of all requests from State executive agencies for the immediate adoption, through the emergency process, of proposed regulations;
- discretionary review of the operations of any executive agency;
- discretionary inquiry into any alleged failure of an officer or employee of any branch of State government to comply with the laws of the State;
- review and approval of any executive order promulgated by the Governor pursuant to the Governor's emergency energy powers under Title 14, Subtitle 3 of the Public Safety Article;

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- review of executive agency “work plans” and “evaluation reports” submitted in the course of an agency’s cyclical review of its existing regulations under the Regulatory Review and Evaluation Act, as implemented by Executive Order 01.01.2003.20;
- ongoing supervisory responsibilities under the “State Documents Law” relating to the publication of the *Maryland Register* and the *Code of Maryland Regulations* (COMAR) and;
- other specific review responsibilities established by statute.

Statistical Overview

As of December 12, 2017, the committee had received 8 regulations submitted by executive agencies in 2017 for emergency approval and 267 regulations proposed for adoption within normal timeframes, for an overall total of 275 regulations. In 2016, the committee received 13 emergency regulations and 364 proposed regulations for a total of 377 regulations.

The committee has compiled statistics since 1993 on the number of regulations received by the committee from each agency. The Maryland Department of Health (MDH), formerly the Department of Health and Mental Hygiene, consistently has been the most prolific in submitting regulations to the committee. In 2017, MDH submitted 107 regulations to the committee, of which 2 were emergency proposals and 105 were proposed regulations. The regulations submitted by MDH constituted 40% of the total number of regulations the committee received for the year.

The Department of Natural Resources, which submitted 1 emergency regulation and 27 proposed regulations for a total of 28 regulations, was the second most prolific source of regulations. The Department of Labor, Licensing, and Regulation was the third highest source of regulations in 2017, submitting 2 emergency regulations and 15 proposed regulations, for a total of 17 regulations. Other agencies submitting significant numbers of regulations were the State Board of Education (13 proposed regulations), the Maryland Department of the Environment (11 proposed regulations), the Maryland Higher Education Commission (10 proposed regulations), the Maryland Insurance Administration (10 proposed regulations), the Workers’ Compensation Commission (9 proposed regulations), the Department of Public Safety and Correctional Services (8 proposed regulations), and the Maryland Department of Transportation (1 emergency regulation and 6 proposed regulations).

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Supervisory Responsibilities under the State Documents Law

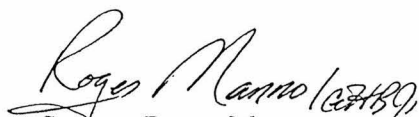
As part of its supervisory responsibilities under the "State Documents Law" (Title 7, Subtitle 2 of the State Government Article), the committee continued to monitor significant developments concerning publications of the Division of State Documents (DSD), a unit within the Office of the Secretary of State. DSD publishes the *Maryland Register* and the *Code of Maryland Regulations* (COMAR).

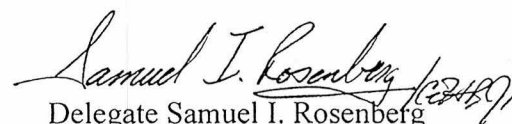
Existing Agency Operations and Regulations

Under § 2-506(b) of the State Government Article, the committee is required to comment on any recommendations to bring about the more efficient operation of the branches of the State government and on any legislative action that is needed to change or reverse a regulation of a unit of the Executive Branch. The committee has been satisfied with the continued cooperation it receives from the Executive Branch and is pleased to report that no recommendations for change are required at this time.

The committee wishes to note its appreciation for the continued cooperation of the Executive Branch and its various agencies in making the process of legislative review of regulations successful.

Respectfully submitted,


Senator Roger Manno
Senate Chair


Delegate Samuel I. Rosenberg
House Chair (Presiding)

RM:SIR/GHB:CLL:KHS/cr

cc: Ms. Carol L. Swan
Mr. Ryan J. Bishop