

**Joint Committee on
Administrative, Executive, and Legislative Review**

**Maryland General Assembly
Joint Committee on Administrative, Executive, and
Legislative Review (AELR)
2018 Membership Roster**

**Senator Roger Manno (Senate Chair)
Delegate Samuel I Rosenberg (House Chair)**

Senators

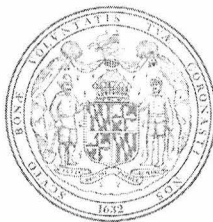
Robert Cassilly
Adelaide C. Eckardt
Guy Guzzone
James N. Mathias, Jr.
Victor R. Ramirez
Barbara Robinson
William C. Smith, Jr.
Steve Waugh

Delegates

Eric M. Bromwell
Luke Clippinger
Robert L. Flanagan
Marvin E. Holmes, Jr.
Jay A. Jacobs
Susan K. McComas
Dan K. Morhaim
Kirill Reznik
Mary L. Washington

Committee Staff

George H. Butler
Nathan W. McCurdy
Kathryn H. Selle



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

December 14, 2018

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 2018 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 11, 2018, the committee had received 8 regulations submitted by executive agencies in 2018 for emergency approval and 377 regulations proposed for adoption within normal timeframes, for an overall total of 385 regulations. In 2017, the committee received 8 emergency regulations and 267 proposed regulations for a total of 275 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 2018, MDH submitted 96 regulations to the committee, of which 1 was an emergency proposal and 95 were proposed regulations. The regulations submitted by MDH constituted approximately 25% of the total number of regulations the committee received for the year.

The Department of Labor, Licensing, and Regulation, which submitted 57 proposed regulations, was the second most prolific source of regulations. The State Board of Education was the third highest source of regulations in 2018, submitting 1 emergency proposal and 34 proposed regulations, for a total of 35 regulations. Other agencies submitting significant numbers of regulations were the Department of Transportation (25 proposed regulations), the Maryland Insurance Administration (23 proposed regulations), the Department of Natural Resources (2 emergency proposals and 17 proposed regulations), the Department of the Environment (17 proposed regulations), the Department of Agriculture (1 emergency proposal and 14 proposed regulations), the Department of Assessments and Taxation (13 proposed regulations), the Maryland Higher Education Commission (1 emergency proposal and 12 proposed regulations), and the Public Service Commission (11 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 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 (Presiding)

Delegate Samuel I. Rosenberg
House Chair

RM:SIR/GHB:NWM:KHS/cr

cc: Ms. Ryane Necessary
Ms. Dana Tagalicod