



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: John J. Joyce, AELR Committee Counsel
Kathleen P. Kennedy, AELR Committee Counsel
Georgianne Carter, AELR Committee Counsel

Date: April 2, 2021

Re: **Synopses of Regulations received from 3/12/2021 through 4/1/2021**

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.

/ma

cc: Jake Weissmann
Alexandra M. Hughes

Planning, Department of

Proposed Regulation

DLS Control No. 21-021

Department of Planning:

Historical and Cultural Programs:

Transfer of Human Remains and Associated Funerary Objects: COMAR

34.04.06.01 -.10

According to the department, the purpose of this action is to revise and update the regulations governing transfer by the Maryland Historical Trust (“MHT”) of human remains and associated funerary objects in MHT’s possession, custody, and control. This action will: (1) correct inconsistencies between the regulations and statute; (2) reconstitute the Burial Sites and Object Review Committee as an ad hoc committee instead of a standing committee; (3) ensure that prior notice is given to the relevant State ethnic commissions when a transfer of ethnic remains or objects is contemplated; (4) adjust review procedures to make them more practical and workable; (5) reorganize certain provisions and add clarity and uniformity ; and (6) remove unnecessary and inapplicable text.

Interagency Commission on School Construction

Proposed Regulations

DLS Control No. 21-022

Independent Agencies:

Interagency Commission on School Construction:

Meetings: COMAR 14.39.01.01

Administration of the Public School Construction Program: COMAR 14.39.02.05, .06, .08, .09, .10, .11, .12, .13, .14, and .15

Administration of the Public School Construction Program: COMAR 14.39.02.16, .17, .18, .19, .20, .21, .22, .23, .24, and .25

Administration of the Public School Construction Program: COMAR 14.39.02.26, .27, .28, .29, and .30

Use of Force Reporting: COMAR 14.39.04.03, and .09

According to the agency, the purpose of this action is to modify existing regulations to allow forward funding of certain systemic projects, modify the definition of limited renovation, extend deadlines for maintenance assessment responses, allow planning and design costs as eligible costs, and make other changes as necessary to comply with the Built to Learn Act of 2020 (2020 Md. Laws, Chap. 20).

Labor, Maryland Department of

Proposed Regulation

DLS Control No. 21-026

Maryland Department of Labor:

Racing Commission:

Thoroughbred Rules: COMAR 09.10.01.07

According to the department, the purpose of this action is to reduce the number of days from 180 to 120 for a horse to enter a claiming race without being subject to being claimed.

Public Service Commission

Proposed Regulations

DLS Control No. 21-023

Public Service Commission:

Terminations of Services:

Utility Service Protection Program: COMAR 20.31.05.01, .05, .07, .08, and .09

According to the commission, the purpose of this action is to (1) eliminate the requirement of a waiver of COMAR 20.31.05.08C(3), which limits the application of Maryland Energy Assistance Program (“MEAP”) funds for customers participating in the Commission’s Universal Service Protection Program (“USPP”), to first time participants in the USPP, absent a waiver; (2) permit first-time USPP applicants to choose to apply all or part of their MEAP benefit to arrearages in order to qualify for USPP, but this is a one-time election; (3) enable USPP participants to apply the MEAP grant to arrearages for USPP participation and eliminate the first time applicant limitation; and (4) eliminate the administrative process of utilities requesting waivers of COMAR to enable them to use the MEAP Grant funds to pay down customers’ arrearages in order to participate in USPP.

Education, State Board of

Proposed Regulation

DLS Control No. 21-020

State Board of Education:

General Instruction Programs:

Students at Risk for Reading Difficulties: COMAR 13A.03.08.01—.08

According to the board, the purpose of this action is to require local school systems to screen students in kindergarten for reading difficulties and to screen students in first grade who have not been screened or who are at risk for reading difficulties.