



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 Lucas, AELR Committee Counsel

**Date:** June 14, 2022

**Re:** **Synopses of Regulations received from 5/13/2022 through 6/13/2022**

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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.

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cc: Sally Robb  
Jeremy Baker

**Natural Resources, Department of**

**Proposed Regulation**

**DLS Control No. 22-314**

**Department of Natural Resources:**

**Fisheries Service:**

**Oysters: COMAR 08.02.04.11**

According to the department, the purpose of this action is to clarify the culling rule for oysters. The current culling law language contradicts itself and has been interpreted in a variety of ways that has led to confusion regarding how to properly cull oysters. The changes under consideration would make it clear to all affected parties which oysters must be returned to the oyster bar, which oysters may be retained, and which oysters would be included in the calculation of the percentage of undersized oysters.

**Criminal Sentencing Policy, Commission on**

**Proposed Regulations**

**DLS Control No. 22-313**

**Independent Agencies:**

**Commission on Criminal Sentencing Policy:**

**General Regulations: COMAR 14.22.01.10**

**Criminal Offenses and Seriousness Categories: COMAR 14.22.02.02**

According to the commission, the purpose of this action is to indicate a modification to the calculation of the juvenile delinquency score in Regulation .10 under COMAR 14.22.01 General Regulations. The modification clarifies the instructions for scoring the juvenile delinquency component of the offender score to indicate that adjudications based on acts that are no longer crimes shall not be included. Additionally, the purpose of this action is to indicate a modification to the table of seriousness categories (guidelines offense table) in Regulation .02 under COMAR 14.22.02 Criminal Offenses and Seriousness Categories. The modification revises the offense type classification for Arson, 1st degree from property offense to person offense, thereby reflecting the substantial risk of harm.

**Insurance Administration, Maryland**

**Proposed Regulations**

**DLS Control No. 22-312**

**Maryland Insurance Administration:**

**Assets, Liabilities, Reserves, and Investments of Insurers:**

**Credit for Reinsurance: COMAR 31.05.08.02 and .29**

According to the administration, the purpose of this action is to amend Regulation .02 and adopt Regulation .29 under COMAR 31.05.08 Credit for Reinsurance. During the 2021 legislative session, Senate Bill 120 was passed as Chapter 104, Acts of 2020, which implemented the NAIC Credit for Reinsurance Model Law #785. Chapter 104 provides the authority for the Maryland Insurance Administration to adopt NAIC Model Regulation #787 Term and Universal Life Insurance Reserve Financing Model Regulation, which establishes uniform, national standards governing reserve financing arrangements pertaining to term and universal life insurance policies with secondary guarantees. This regulatory change adopts Model Regulation #787, which is an accreditation standard for the Maryland Insurance Administration.