

B. (text unchanged)

WILLIAM M. PALLOZZI
Secretary of State Police

**Subtitle 06 FIRE PREVENTION
COMMISSION**

**29.06.05 Fire Sprinkler Contractor Licensing
Regulations**

Authority: Public Safety Article, §§6-206 and 9-901—9-905, Annotated Code of Maryland

Notice of Proposed Action
[19-149-P]

The Secretary of State Police proposes to amend Regulation .03 under **COMAR 29.06.05 Fire Sprinkler Contractor Licensing Regulations**.

Statement of Purpose

The purpose of this action is to amend the definition of "designated qualified individual" pursuant to Public Safety Article, §§6-206 and 9-901—9-905, Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Heidi Ritchie, Maryland Fire Prevention Commission, 18345 Colonel H.K. Douglas Drive, Suite 240, Hagerstown, MD 21740, or 1-877-890-0199, or email to msp.sfpc@maryland.gov, or fax to 301-766-3889. Comments will be accepted through September 3, 2019. A public hearing has been scheduled for 9:30 a.m., August 15, 2019, at Laurel Municipal Building, 8103 Sandy Spring Road, Council Chambers, Laurel, MD 20707.

.03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) "Designated qualified individual" means an owner or permanent and dedicated employee of a fire sprinkler contractor, who is responsible for overseeing work performed by other persons employed by the contractor, and who possesses the required NICET or equivalent qualification or professional engineer qualifications in accordance with the appropriate class of license as listed in this chapter.

(2)—(11) (text unchanged)

WILLIAM M. PALLOZZI
Secretary of State Police

**Title 31
MARYLAND INSURANCE
ADMINISTRATION**

**Subtitle 02 POWERS AND DUTIES —
HEARINGS**

31.02.01 Hearings

Authority: Insurance Article, §§2-109 and 2-205—2-215; State Government Article, §10-206; Annotated Code of Maryland

Notice of Proposed Action
[19-147-P]

The Insurance Commissioner proposes to amend Regulations .06 — .08 under **COMAR 31.02.01 Hearings**.

Statement of Purpose

The purpose of this action is to amend COMAR 31.02.01.06—.08 as follows:

(1) Under Regulation .06 clarify the expectations that the party requesting a subpoena for a hearing is responsible for the delivery. In addition, clarify that the service of subpoenas must comply with the Maryland Rules of Civil Procedure;

(2) Renumbering the items under Regulation .07D so that they are easier to read;

(3) Moving a sentence from Regulation .07D to become a new .07E for clarity;

(4) Removing the current .07E so that it is clear that the Maryland Rules of Civil Procedure can be used as a guide for resolving all hearing issues, not simply issues dealing with procedural matters;

(5) Adding a new title to Regulation .07F to clarify the information contained in this section. Renumbering Regulation .07F to add a (1) and (2) and moving the language currently contained in .07F down to the subparts;

(6) Adding a new Regulation .07H to clarify that the Maryland Rules of Civil Procedure may be used as a guide for resolving all issues regarding the conduct of the hearing;

(7) Adding language to Regulation .08C(2) to require the hearing officer to conduct the hearing in a manner necessary to ensure a fair resolution of issues. Changing the language in Regulation .08C(2)(a) and (b) to match the led in. Adding a subpart (c) to Regulation .08C(2) to require the hearing officer to rule on all procedural issues;

(8) Making stylistic changes to Regulation .08D(1) so that is consistent with the changes being made to Regulation .07E(2);

(9) Removing Regulation .08D(2) so that it is clear that the Maryland Rules of Civil Procedure can be used as a guide for resolving all hearing issues, not simply issues dealing with procedural matters; and

(10) Adding a new Regulation .08G to clarify that the Maryland Rules of Civil Procedure may be used as guide for resolving all hearing issues.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 Saint Paul Place, Suite 2700, Baltimore, Maryland 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through September 3, 2019. A public hearing has not been scheduled.

.06 Subpoenas.

A. — B. (text unchanged)

C. Service of Subpoenas.

(1) *The party requesting the subpoena shall be responsible for proper service of the subpoena.*

[(1)] (2) Except as provided in [§C(2)] §C(3) of this regulation, subpoenas shall be served by hand delivery by an individual 18 years old or older who is not a party to the proceeding[. For subpoenas requested 15 calendar days or fewer before the scheduled hearing, the requester shall provide service] *by delivering a copy to the person named or to an agent authorized by appointment or by law to receive service for the person named or as permitted by Rule 2-121(a)(3) of the Maryland Rules of Civil Procedure. Service of a subpoena upon a party represented by an attorney may be made by service upon the attorney under Rule 1-321(a) of the Maryland Rules of Civil Procedure.*

[(2)] (3) (text unchanged)

D. — F. (text unchanged)

.07 Conduct of Hearing — In General.

A. — C. (text unchanged)

D. The hearing officer shall conduct the hearing and may allow the case to proceed in a manner necessary to ensure the fair resolution of the issues including, but not limited to[, placing reasonable limitations on the number of witnesses a party may call and the exclusion of evidence which is repetitive, irrelevant, immaterial, or otherwise not probative. The Maryland Rules of Civil Procedure may be used as a guide for resolving procedural issues regarding the conduct of the hearing.]:

(1) *Placing reasonable limitations on the number of witnesses a party may call;*

(2) *Excluding evidence which is repetitive, irrelevant, immaterial, or otherwise not probative; and*

(3) *Ruling on all procedural matters, including motions, objections, and offers of proof.*

E. [The hearing officer shall rule on all procedural matters, including motions, objections, and offers of proof] *Formal rules of pleading or evidence need not be observed at a hearing under the provisions of this regulation.*

F. [The Commissioner may designate an attorney to represent the Administration. Once the hearing is closed by the hearing officer, the individual presenting the case on behalf of the Administration may not have a further role in the decision process of the Administration.] *Representation of the Administration.*

(1) *The Commissioner may designate an attorney to represent the Administration.*

(2) *Once the record is closed by the hearing officer, the attorney who represented the Administration may not have a further role in the decision process of the Administration.*

G. (text unchanged)

H. The Maryland Rules of Civil Procedure may be used as a guide for resolving issues regarding the conduct of the hearing.

.08 Conduct of Hearing — Proposed Examination Reports.

A. — B. (text unchanged)

C. Rights of Parties.

(1) (text unchanged)

(2) The hearing officer [may] *shall conduct the hearing and allow the case to proceed in a manner necessary to ensure the fair resolution of the issues including, but not limited to:*

(a) [Place] *Placing* reasonable limitations on the number of witnesses a party may call; [and]

(b) [Exclude] *Excluding* evidence that is repetitive, irrelevant, immaterial, or otherwise not probative[.]; *and*

(c) *Ruling on all procedural matters, including motions, objections, and offers of proof.*

D. [Rules of Pleading or evidence.

(1)] Formal rules of pleading or evidence need not be observed at a hearing under [this] *provisions of this regulation.*

[(2)] The Maryland Rules of Civil Procedure may be used as a guide for resolving procedural issues regarding the conduct of the hearing.]

E. — F. (text unchanged)

G. The Maryland Rules of Civil Procedure may be used as a guide for resolving issues regarding the conduct of the hearing.

ALFRED W. REDMER, JR.
Insurance Commissioner

Title 36
MARYLAND STATE
LOTTERY AND GAMING
CONTROL AGENCY

Notice of Proposed Action

[19-141-P]

The Maryland State Lottery and Gaming Control Agency proposes to amend:

(1) Regulations .20, .26—,28, and .38 under **COMAR 36.03.10 Video Lottery Facility Minimum Internal Control Standards;**

(2) Regulations .12, .21, and .31 under **COMAR 36.04.01 Video Lottery Technical Standards;**

(3) Regulation .02 under **COMAR 36.05.03 Table Games Procedures;**

(4) Regulation .01 under **COMAR 36.08.02 Registration;** and

(5) Regulations .06, .07, .09, .11, and .13 under **COMAR 36.09.01 Fantasy Competition.**

This action was considered at the Maryland Lottery and Gaming Control Commission open meeting held on June 27, 2019, notice of which was given pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

(1) Under COMAR 36.03.10.20, increase the personal check cashing limit to \$25,000;

(2) Under COMAR 36.03.10.26—,28, allow the facility operators to use an electronic credit system approved to process electronic counter check transactions, and to increase the check cashing limit to \$25,000;

(3) Under COMAR 36.03.10.38, allow facility operators to perform a jackpot or credit meter payout less than \$5,000 with only one employee;

(4) Under COMAR 36.04.01.12, clarify a single game event for an electronic table event;

(5) Under COMAR 36.04.01.21, change certain VLT security requirements to better reflect that a casino owns or leases its VLTs;