PROPOSED ACTION ON REGULATIONS

<table>
<thead>
<tr>
<th></th>
<th>Offense Literal</th>
<th>CJS Code</th>
<th>Source</th>
<th>Felony or Misd.</th>
<th>Max Term</th>
<th>Min Term</th>
<th>Offense Type</th>
<th>Ser. Category</th>
<th>Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>421</td>
<td>Workers’ Compensation, Crimes Involving Affect or attempt to affect payment of compensation, fees, or expenses under Labor and Employment Article, Title 9, by means of a fraudulent representation, $100,000 or greater</td>
<td>1-0937</td>
<td>LE, §§9-1106 CR, §7-104(g)(1)(iii) (penalty)</td>
<td>Felony</td>
<td>20Y</td>
<td>Property</td>
<td>III</td>
<td>$25,000</td>
<td></td>
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</table>

Footnotes (text unchanged)
General Rules: (text unchanged)

DAVID SOULE
Executive Director

Subtitle 39 INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION

Notice of Proposed Action [20-021-P]

The Interagency Commission on School Construction proposes to amend:
(1) Regulations .05 and .06 under COMAR 14.39.02 Administration of the Public School Construction Program; and
(2) Regulation .02 under COMAR 14.39.07 Public School Facilities Educational Sufficiency Standards.

This action was considered by the Interagency Commission on School Construction at their November 14, 2019, meeting.

Statement of Purpose

The purpose of this action is to:
(1) Clarify the State Cost Share formula elements based upon changes to Economic Development Article, §1-101, Annotated Code of Maryland;
(2) Update references to the Maximum Gross Area Allowances to instead reference Gross Area Baselines as adopted by the Interagency Commission on School Construction; and
(3) Clarify that the Facilities Educational Sufficiency Standards are for assessment purposes only and are not requirements for school facility design or construction.

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 Cassandra Viscarra, Programs Support Administrator, Interagency Commission on School Construction, 200 West Baltimore Street, 2nd Floor, Baltimore, MD 21201, or call 410-767-0611, or email to cassandra.viscarra@maryland.gov, or fax to 410-333-6522. Comments will be accepted through February 18, 2020. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Interagency Commission on School Construction during a public meeting to be held on March 12, 2020, at 200 West Baltimore Street, State Board of Education Meeting Room, 7th Floor, Baltimore, MD 21201.

14.39.02 Administration of the Public School Construction Program

Authority: Education Article, §§4-126, 5-112, and 5-303; State Finance and Procurement Article, §§5-7B-07, Annotated Code of Maryland

05 State Cost Share Percentage

A. (text unchanged)
B. Percentages.
(1) (text unchanged)
(2) Reductions in the cost share that exceed [-5%] -5 percent shall be phased in over [3] 2 years so that a 1-year reduction in the cost share percentage does not exceed [-5%] -3 percent.
(3) (text unchanged)
C. Revisions to Percentages.
(1)—(2) (text unchanged)
(3) The IAC shall add the following amounts to calculate the recommended revised cost share amounts:
(a)—(e) (text unchanged)
(d) 5 percent if the county where the LEA is located is a [One Maryland] Tier I county that has an unemployment rate greater than [1.5 times the State average unemployment rate] the average rate or number of percentage points identified in Economic Development Article, §1-101, Annotated Code of Maryland, or has met the average rate or number of percentage points identified in Economic Development Article, §1-101, Annotated Code of Maryland, at some time during the preceding 24-month period;
(e) 5 percent if the county where the LEA is located is a [One Maryland] Tier I county that has a [per capita income] median household income level below [67 percent of the State average per capita income] the level identified in Economic Development Article, §1-101, Annotated Code of Maryland, or has had a median income...
household income level below the level identified in Economic Development Article, §1-101, Annotated Code of Maryland, at some time during the preceding 24-month period;

(1)—(f) (text unchanged)

.06 Maximum State Construction Allocation.

A.—D. (text unchanged)


1. The [maximum gross area allowance] gross area baseline is the product of the approved student enrollment and the [maximum gross area allowance] baseline gross square footage per student, and may be adjusted by the IAC on a case-by-case basis, based upon presented evidence of program need.

2. The [maximum gross area allowance] baseline gross square footage per student is set by the IAC and may be adjusted by the IAC on a case-by-case basis, based upon presented evidence of program need.

F. (text unchanged)

G. New Construction. The maximum State construction allocation for new construction is calculated according to either:

1. The following formula:
   (a) Multiply the lesser of the [maximum gross area allowance] gross area baseline or the actual project gross area by the average Statewide per square foot school building cost, which is based on bids received for new school construction in the prior year and cost information derived from industry sources;
   (b)—(c) (text unchanged)

2. (text unchanged)

H. Renovation.

1. The maximum State construction allocation for projects proposed to renovate buildings or portions of buildings, 16 years or older, is calculated according to either:
   (a) The following formula:
      (i) Beginning with the oldest portion of the building, and using the [maximum gross area allowance] gross area baseline as the upper limit, determine the eligible square footage of the renovation categorized according to the age group of the building portion containing the renovation;
      (ii)—(vi) (text unchanged)
      (b) (text unchanged)

2. Adjustments to the Maximum State Construction Allocation for Renovation Projects. The IAC may:
   (a) (text unchanged)
   (b) Adjust the maximum State construction allocation for renovation of a building that exceeds the [maximum gross area allowance] gross area baseline.

3. (text unchanged)

I. (text unchanged)

J. Addition. When a project involves an addition only, the IAC at its discretion may calculate the maximum State allocation according to either:

1. The following formula.
   (a) Subtract the existing square footage from the [maximum gross area allowance] gross area baseline; and
   (b) (text unchanged)

2. (text unchanged)

K.—L. (text unchanged)

M. Forward-Funded Project. If the maximum State construction allocation for a forward-funded project is calculated according to the formulas in §G, H, or I of this regulation, the following factors shall be applied:

1. [Maximum Gross area allowance] Gross area baseline that applied on the bid-opening date, using the 7-year enrollment projections applied as follows:
   (a)—(b) (text unchanged)

(2)—(4) (text unchanged)

N. (text unchanged)

14.39.07 Public School Facilities Educational Sufficiency Standards

Authority: Education Article, §5-310, Annotated Code of Maryland

.02 General Requirements.

A.—C. (text unchanged)

D. The Facilities Educational Sufficiency Standards are to be used for assessment purposes only and are not requirements for school facility design or construction.

ROBERT A. GORRELL
Executive Director
Interagency Commission on School Construction

Title 20
PUBLIC SERVICE COMMISSION
Subtitle 50 SERVICE SUPPLIED BY ELECTRIC COMPANIES

20.50.09 Small Generator Facility Interconnection Standards

Authority: Public Utilities Article, §§2-113, 2-121, 5-101, 5-303, and 7-306, Annotated Code of Maryland

Notice of Proposed Action
[20-004-P]

The Public Service Commission proposes to amend Regulations 01, 02, 04—12, and .14 under COMAR 20.50.09 Small Generator Facility Interconnection Standards. This action was considered by the Public Service Commission at a scheduled rulemaking (RM 68) meeting held on September 18, 2019, notice of which was given under General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

1. Clarify situations where the Maryland Public Service Commission has jurisdiction over interconnections on electric distribution facilities as opposed to PJM/FERC, and to require new interconnection requests in cases where a small generator changes its sales strategy from PJM markets to Maryland retail markets under COMAR 20.50.09.01;

2. Revise and add definitions under COMAR 20.50.09.02;

3. Allow electric utility companies the ability to only charge a small generator interconnection request processing fee for a Level 2, Level 3, or Level 4 interconnection request within the bounds described in §B of this regulation and specified in its Tariff under COMAR 20.50.09.05;

4. Revise General Requirements Regulation 20.50.09.06 to:
   (a) Require interconnection requests for energy storage devices to be evaluated based on net system capacity;
   (b) Clarify utility monitoring and control plan requirements that were implemented with COMAR changes effective October 8, 2018;
   (c) Clarify that queue position is prioritized based on the date the interconnection request is submitted;