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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before May 22, 2014, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of May 22, 2014.

Brian Morris
Acting Administrator, Division of State Documents
Office of the Secretary of State
(b) The resulting divided parcel comprised of less than 50 acres is conveyed to owners of adjoining land encumbered by an easement in favor of the Foundation, and both of the following occur:

(i) The owner amends the easement encumbering the adjoining land [as amended] to encumber the resulting divided parcel, or an overlay easement in favor of the Foundation is placed over the entire acreage constituting the resulting divided parcel and the adjoining land; and

(ii) Text unchanged

(c) The resulting divided parcel comprised of less than 50 acres [is conveyed to owners of adjoining land encumbered by an easement containing terms which are acceptable to the Foundation and an overlay easement in favor of the Foundation is placed over the entire acreage constituting the resulting divided parcel and the adjoining land; and]

(ii) An overlay easement in favor of the Foundation is placed over the entire acreage constituting the resulting divided parcel and the adjoining land.

(2) Text unchanged.

G. — H. Text unchanged.

.05 Previously Unapproved Subdivision.
A. — B. (text unchanged)
C. Requirements. An approval of the agricultural subdivision shall require that the owners comply with all of the requirements of this chapter, but, if any of the resulting divided parcels of the subdivision are less than 50 acres, the Foundation may waive the 50-acre requirement if:

[(1) At the time of the subdivision, the Foundation's regulations permitted the resulting divided parcels to be less than 50 acres;]

[(1) At the time of the subdivision:
(a) The Foundation's regulations permitted the resulting divided parcels to be less than 50 acres; or
(b) The subdivision met the requirements of Regulation 04F of this chapter.

(2) — (6) (text unchanged)

.07 Requirements upon Approval.
A. — B. (text unchanged)
C. If the funds and documentation required by this regulation are not provided by the landowner to the Foundation within 3 years of Foundation board approval, then, unless an extension request is submitted within 3 years and approved by Foundation staff, the approval is void.

EARL F. HANCE
Secretary of Agriculture

Title 22
STATE RETIREMENT AND PENSION SYSTEM
Subtitle 01 GENERAL REGULATIONS
22.01.03 Domestic Relations Orders

Authority: State Personnel and Pensions Article, §§21-110 and 21-592, Annotated Code of Maryland

Notice of Change to Open Meeting
[14-126-P]

The Open Meeting notice which appeared in 41:10 Md. R. 573 (May 16, 2014) has been changed. The correct notice follows.

Open Meeting
Final action on the proposal will be considered by the Board of Trustees for the State Retirement and Pension System during a public meeting to be held on July 15, 2014, at 9:30 a.m., at 120 E. Baltimore Street, 16th Floor Board Room, Baltimore, Maryland 21202.

R. DEAN KENDERDINE
Executive Director
State Retirement Agency

Subtitle 04 MEMBERSHIP
22.04.02 Membership in the Employees' System or the Teachers' System — General


Notice of Change to Open Meeting
[14-132-P]

The Open Meeting notice which appeared in 41:11 Md. R. 632 (May 30, 2014) has been changed. The correct notice follows.

Open Meeting
Final action on the proposal will be considered by the Board of Trustees for the State Retirement and Pension System during a public meeting to be held on July 15, 2014, at 9:30 a.m., at 120 E. Baltimore Street, 16th Floor Board Room, Baltimore, Maryland 21202.

R. DEAN KENDERDINE
Executive Director
State Retirement Agency

Subtitle 05 SERVICE CREDIT
22.05.01 Qualifying Leaves of Absence


Notice of Proposed Action
[14-156-P]

The Board of Trustees for the Maryland State Retirement and Pension System proposes to amend Regulations .02 and .03 and adopt new Regulation .04 under COMAR 22.05.01 Qualifying Leaves of Absence. This action was considered at the December 17, 2013, Board of Trustees meeting for the State Retirement and Pension System.
PROPOSED ACTION ON REGULATIONS

Statement of Purpose
The purpose of this action is to define what a qualified leave of absence is and clarify: (1) the length of time for a qualified leave of absence may not exceed 2 years; (2) the types of acceptable qualified leaves of absence; (3) the process used by staff for the State Retirement Agency when determining creditable service and member contributions for a qualified leave of absence; (4) the procedures that a member should follow to properly file a qualified leave of absence; and (5) when a qualified leave of absence ends and how that date will impact a service or disability effective date of retirement.

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 Anne E. Gavthrop, Director, Legislative Affairs, State Retirement Agency, 120 E. Baltimore Street, 16th Floor, Baltimore, Maryland 21202, or call 410-625-5602, or email to agavthrop@rsa.state.md.us, or fax to 410-468-1710. Comments will be accepted through July 14, 2014. A public hearing has not been scheduled.

Open Meeting
Final action on the proposal will be considered by the Board of Trustees for the State Retirement and Pension System during a public meeting to be held on August 19, 2014, at 9:30 a.m., at 120 E. Baltimore Street, 16th Floor Board Room, Baltimore, Maryland 21202.

0.02 Definition.
“Qualifying leave of absence” means a leave of absence for a period not exceeding 2 years which is approved by a member’s employer for one of the following reasons:
A. — C. (text unchanged)
D. [Government sponsored or subsidized employment, or both] Temporary assignment with another governmental employer; or
E. (text unchanged)

0.03 Service Credit for a Qualifying Leave of Absence.
A. Grant of Eligibility and Creditable Service Credit for a Qualifying Leave of Absence.
(1) Except as provided in §A(2) [and (3)] of this regulation, the Retirement Agency shall grant to receive eligibility and creditable service [to a member whose] for a period of absence from employment [is the result of that is determined by the Retirement Agency to be a qualifying leave of absence, [for the period of the member’s absence, if the member] a member shall:
(a) [Submit] Submit a completed [application for] form to request a qualifying leave of absence form to the Retirement Agency as provided in §D of this regulation; and
(b) Is not otherwise entitled to receive eligibility and creditable service credit during the period of the member’s absence under State Personnel and Pensions Article, Division II or III, Annotated Code of Maryland; and
(c) [Pay] Pays the member contributions with regular interest as provided under §C of this regulation before retirement.
(i) Before separation from employment; or
(ii) If the individual is separated from employment, within 60 days after the expiration of the leave of absence.
(2) A member may not receive eligibility or creditable service credit for a period of more than 2 years] qualifying leave of absence if the individual is otherwise entitled to receive eligibility and creditable service during the period of the member’s absence under State Personnel and Pensions Article, Division II or III, Annotated Code of Maryland.

B. Benefit Calculation.
(1) [Eligibility and] Except as provided in §B(2) of this regulation, creditable service for a member on a qualifying leave of absence shall be based on the full-time equivalent for the member’s position as certified by the member’s participating employer under COMAR 22.04.01 on the effective date of the leave, and earnable compensation shall be based on the actual salary for the member’s position on the effective date of the leave.
(2) [The] For a member of the Employees’ Pension System, Law Enforcement Officers’ Pension System, Local Fire and Police System, or Teachers’ Pension System who works on a part-time basis, creditable service for a qualifying leave of absence shall be prorated, and earnable compensation [for a member on a qualifying leave of absence] shall be based on the full-time equivalent salary for the member’s position on the effective date of the leave.

C. Member Contributions.
(1) A member shall pay the Retirement Agency the member contributions as determined under this section, together with regular interest on the contributions compounded annually to the date of payment, before retirement.
(2) [A member of the Correctional Officers’ Retirement System, Employees’ Retirement System, Teachers’ Retirement System, Employees’ Contributory Pension System, Teachers’ Contributory Pension System, State Police Retirement System, and the Law Enforcement Officers’ Pension System,] Except as provided in §C(3) of this regulation, a member shall pay the member contributions based on the [full-time] equivalent salary for the member’s position as of the effective date of the qualifying leave of absence.
(3) A member of the Employees’ Pension System or the Teachers’ Pension System who is not subject to the contributory pension benefit, or a member of the Local Fire and Police System] and who was receiving earnable compensation in excess of the Social Security taxable [wages] wage base on the effective date of the qualifying leave of absence shall pay the member contributions payable on the excess.

D. Filing Procedures.
(1) [The member’s employer shall provide a member with the Retirement Agency application for] A member shall properly complete and submit the form available from the Retirement Agency to request a qualifying leave of absence [form and the application shall conform to the requirements of §D(2) of this regulation].
(2) [The] The [application] request for a qualifying leave of absence form shall:
(a) State the [date a member’s] term of the leave approved by the employer, not to exceed 2 years, including the dates that the qualifying leave of absence begins and ends;
(b) Specify the type of qualifying leave;
(c) Contain certification by the member’s employer that:
(i) The employee was placed on a leave of absence for the term and reason specified on the form; and
(ii) [Reflect that the] The leave of absence has been approved by a member’s employer; and
(d) [Require the member to provide any documentation or information that is necessary for] requested by the Retirement Agency, including a letter of explanation from the member’s employer if the leave of absence has been approved for
Title 26
DEPARTMENT OF THE ENVIRONMENT
Subtitle 12 RADIATION MANAGEMENT
26.12.01 Radiation Protection

Authority: Environment Article, §§8-105, 8-301, and 8-304, Annotated Code of Maryland

Notice of Proposed Action
[14-160 P-1]

The Secretary of the Environment proposes to amend Regulation .01 under COMAR 26.12.01 Radiation Protection.

Statement of Purpose
The purpose of this action is to update COMAR 26.12.01.01 Incorporation by Reference to incorporate Supplement 24, which includes (a) two U.S. Nuclear Regulatory Commission rules relating to general radioactive materials licenses and technical regulation corrections; (b) a change to the schedule for application for radioactive material license; (c) a requirement for thyroid shielding when an x-ray beam may strike a patient’s thyroid gland; (d) requirements for use by veterinarians of hand-held radiation machines; and (e) minor changes and corrections.

Comparison to Federal Standards
There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact
The proposed action has no economic impact.

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 Michael D. Kurnan, Regulations Coordinator, Radiological Health Program, Air and Radiation Management Administration, Maryland Department of the Environment, 1800 Washington Boulevard, Suite 750, Baltimore, Maryland 21230, or email to michael.kurnan@maryland.gov, or call 410-537-3208, or fax to 410-537-3198. Comments will be accepted through July 14, 2014. A public hearing has not been scheduled.

The proposed regulation may be viewed on the MDE Website at http://www.mde.state.md.us/programs/Air/RadiologicalHealth/RegulationsforControlIonizingRadiation/Pages/Programs/AirPrograms/Radiological_Health/Regulations/index.aspx, or at official depository libraries throughout the State. A listing of these depository libraries is available at http://www.dsld.state.md.us/Destoritories.aspx or call 410-974-2486 or 800-633-9657.

R. DEAN KENDERDINE
Executive Director
State Retirement Agency