

**Minutes for the Regulatory Reform Meeting – Capital Region  
University of Maryland, College Park, Adele H. Stamp Union  
1021A Union Ln, College Park, MD 20742  
September 17, 2015  
10:00am**

**Call to order at 10:03am**

**Attending:** Jim Soltesz, Abba David Poliakoff, William Grant, Jim Brady, Suzy Ganz, Blackie Bowen, Jennifer Rhodes

**Not Attending:** Jay Steinmetz, Jay Baldwin, Henry Gilford, Lt. Governor

Abba Poliakoff call to approve minutes from meeting on September 10<sup>th</sup> – Central Maryland

- Motion to approve
- Minutes approved

Opening Remarks by Abba Poliakoff

- Mission is to transform Maryland into a business friendly state
- To accomplish this we need to recommend regulations to the Governor
- Eliminate duplications of regulations
- Leaders of Depts. have led this mission, need to have a customer related atmosphere
- Express appreciation to do so
- The purpose of what we are doing to reduce unnecessary regulatory burdens
- Enhances capital and employment
- Is a win win for all

Jim Brady emphasizes to make regulations specific

Richard asks small business owners to speak first

- Encourages them to share with the commission the challenges they are having

Luis Gutierrez, Dream Management, Inc.

- Built a company that is 100 employees
- Next phase of company is trying to compete in MD marketplace with other companies
- Has contract with MD Transit Administration
- This contract, wants MD to be open for business
- Specifically speaking about bonding , that only companies

Bill Grant asks what type of bond?

- Performance, bid bonds
- Two miles from MTA facility
- Working as subtracting for all these companies
- Have fought in front of BPW

- Luis goal is to be a prime contractor

Abba recommends to lay out in writing the particular bonding requirement, location requirements

- Send copy of the RFB Luis goal is to be a prime contractor

Pradeep Ganguly, Executive Vice President, PGCEDC

- In our view the regulatory environment has significant impact on the state
- We work closely with supply development division, Dept. of Transportation, and Public Works
- DIPI was created in 2011 in first term of Rushern Baker
- Streamline all county government and agencies
- Prince George's County of inspections one stop for regulatory
- Combine functions and staff of regulation and development
- Rushern Baker wants to make meaningful contributions and streamline the regulatory process
- Work close with businesses, land use development attorneys, etc.
- Visited 200 of top employers in Prince George's county
- Counted a total of 4,000 jobs that would come to Prince George's County
- In our view would not happen without leadership of Rushern Baker
- Pleased that Governor and administration has made regulatory environment a top issue
- Two main fields:
  - Excessive regulations and redundancy
  - Believe MD needs a paradigm shift
- This will expand jobs and expand our tax base

Jim Brady what are the specific regulations?

- Jim Brady wants obsolete regulations to be shown

Larry Towell, County Executive Allan Kittleman

- Wants to create a culture of customer service
- Doesn't have specific regulations
- More importantly is attitude of service yes attitude of service
- Fast track process to commit to speedy reviews
- Advocate for small business

John Corkill from Corkill, Cush, and Reeves

- Started private practice after architecture school
- Marched with MLK
- For 20 years have been fly on the wall to regulate architects of the state to regulate
- DLLR is in charge is public safety and welfare
- Registered under Maryland law to develop buildings and important parts of building
- DLLR worked with board of engineers to develop a report drawing where engineer is required and should require seal of engineer
- Architects no longer qualified in 2002 – DLLR

- Mechanical electrical engineer needs to sign and seal their work

Jim Brady asks Sec. Schulz if this board exists

- Sec. Schulz doesn't disagree that things may have happened in the past to create hurdles for licensing boards

Mike Wagner, Engineer

- Here to discuss streamlining regulations
- Delays associated
- Difficult to keep workforce in place to review things in a timely manner
- Want to improve economy of Maryland
- Hire third party reviewer
- Prince George's county permits have adopted project that has worked quite well
- Applicant can hire firm
- Instead of waiting
- Review plan in more timely process
- At completion of review company can still look at it, but job is much faster
- Third party reviews have been used for building, etc.
- Used for civil engineering
- Efficient operation and doesn't cost the state anything, allows ebb and flow of the economy
- Suggests that we put third party review process

Brad Frone

- Works for Prince George's County Executive
- Oversees a lot of permitting agencies
- Find person who wants to enforce rules instead of improve rules
- 3<sup>rd</sup> party peer review is where outside entity reviews a plan
- Make sure large market of folks can provide a service
- Transportation it could be expanded
- Secretaries have done a lot of good work
- MDE needs to staff up significantly to look at peer review
- From a state to a county level
- Look at access permits
- When you would be required to submit
- Many counties have the same experience they have
- Should be county based
- All of these improvements should be through local based advocacy system
- Sec. Rahn had one

Jim Soltesz said he knows there has been discussion with Sec. Rahn

- When tests will actually be required

### Peter Gallerizzo, Civil Designs Systems

- Couple of rules he wants to pick on
- The counties are not on a coordinated effort
- Montgomery 3<sup>rd</sup> party footing, slabs, won't allow you to do framing
- 3<sup>rd</sup> party is good for contractors and developers
- Do in one day what might require mobilization
- MD 2000 storm water ordinance not one professional engineer, or with science background.
- Needs more clarity
- Need to get response to comments in
- As a surveyor and engineer he can't locate the end of the forest in Montgomery Co.
- Coursework and go the DNR route
- Work program through education

### Kathleen Maloney, Maloney and Associates

- From a development and building standpoint not amending the code
- We use the international building codes – more openness to amending codes
- Piece of legislation that passed last year on the energy code
- Allowing flexibility on energy code
- Believe strongly that any policy that results
- MS4 program is very interested in have the Co. succeed very interested in talking to MDE for restoration
- Differences in components

### Julie Verratti, Denizens Brewing Co.

- Owner of Denizens Brewing Co.
- Every month follow excise taxes
- Upset about format you have to pay in
- Would like to submit the paperwork online and not by the mail

### Kirk Megginson, MBE

- Minority enterprise
- A lot call him to participate on contracts
- Ran into problems with licensing
- Tried to get licensing
- A lot of smaller companies are not able to develop and grow
- Trying to make it easier for people who have these permits to get licenses that are needed
- Make it easier to get license

Sec. Schulz believes he's talking about the forestry license board, about 200 licensed foresters in the state

- Most are DNR employees
- Looking at possibilities

Robert Brewer, Lerch, Early, and Brewer

- Shouldn't have dichotomy that we frequently have
- Real estate developer
- Past chamber of commerce chair
- The state like credit card companies look at interest rates
- Wide disparity, not an income tax or corporate tax issues

Leslie Weber, Suburban Hospital

- Montgomery Co.
- Suburban hospital has been an affiliate of Johns Hopkins
- In 2004 HSCHC – document report for health benefits of community
- Compile into benefits report
- End result is to quantify end results of communities
- MD requirement pre date the federal requirement
- Federal government came out with requirement in 2009
- Hospital could have state government use

Gregory Davis, Business agent for Local Union 602

- Questioning there is no type of enforcement for licensing the state
- Could prevent a lot of other issues in the state

Sec. Schulz explains apprenticeship council wants to register a council to provide them jobs at the end

- Training council will approve and register with the county government

Nancy Chappell, ProCoat App

- Small specialty business with roofing and air condition
- Has had a lot of difficulty with being paid by state agencies for work
- Presently they are owed money on government jobs
- Former administration had a roundtable to discuss issues that small businesses are having and the issue is that they are not being paid
- When not paid can't be vendors or employees
- Husband has had 40 years of business
- GOMA said each work within the entity
- She has not been able to get face time for anyone to look at her case
- Asking for several weeks
- The owner has paid the general contractor and they have a non-disclosure contract
- All the contracts flow down
- Compliance officers should go out and investigate, find out facts until a decision is made

Joe Sheppe, Fire Protection Engineer

- Rescind requirements for professional hours for engineers
- Burdensome and unnecessary
- Professional engineers have to be licensed professional engineers

- Requirement is inherently unfair
- Exemptions at the federal level
- The reality there was no demonstrated need that improvements have been made whether ethics or building design
- The cost to the professionals who practice
- Cost state 27 million dollars for engineers in the state of Maryland

Jim Brady, Where does one go for these requirements?

- Dept. of Labor to consider it
- Continuing education requirement implemented in 2011

Shirley Appleby, Branch Banking & Trust

- Tax related
- She sent in testimony
- Complicated issue
- Clients don't know how to implement the requirement
- Will forward information to Augustine Commission

Jorge Ribas, Mid-Atlantic Hispanic Chamber

- Immigrant came to the US
- Represents the Mid- Atlantic Hispanic Chamber
- Started in Frederick MD
- Many complain about business climate in MD
- Some have legitimate reasons to complain
- Complains about being misled into buying a home
- When you look at presidential debate people don't trust government
- A lot of people who come with tremendous knowledge of construction
- People complaining about how to become certified
- Fail to see level playing field
- Change the dynamics of Maryland
- The test to be a carpenter or residential is not related to the work you do
- More and more want certifications, but need more competition so they can have opportunity over contracts

Alan Schneider, Howard Co. Citizens Association

- Talking to citizens across the county
- There are several problems
- Retired couple in Howard Co. wanted to build a two car garage took 50,000 and two years
- Another woman has 50 acres and wanted to build a house for her son, but with regulations and cost she wasn't able to
- Uniformity of regulations that apply
- Need to look at scope and what regulations apply

- Development on small piece of property would not have been allowed to
- Strong standards that need to be adhered to
- If standards were said at the outset it would help developers
- It is simple to combine regulations to make it more cost effective and small business and citizens would not be as adversely affected
- Compliance with the standards is critical
- Proposed regulations several years ago to have developers say what regulations apply

Nick Zaico, Maryland Public Policy Institute

- Has studied numerous codes
- Will send in on website

Bob Forazee – Mid Atlantic Farm Credit

- What we see driving it is time frame each agency has to respond to time frame
- Suggestion is to take a look at process
- Dept. of Planning administers this
- Transmit paper back and forth
- Expedite the process
- Approaches on multiple front

Julia Hoffman, Vice President of Prince George's Chamber of Commerce

- Focus is chamber success
- Focus on rules and regulations and policies
- Part of our legislative agenda is efficiency of government
- Came today to listen to comments of others and get comments from members

Rich Parsons

- Runs consulting firm
- Several specific comments he wants
- 28 acre requirement – heard from Mr. Brewer
- Don't have a regulatory process in place to address this
- One size all approach many times the state will implement guidelines that are meant to be guidelines are meant to be voluntary guidelines because they will be taken as requirements
- Say this is not a requirement
- That flexibility is not there
- Very difficult to go back
- Very involved in future and current regulatory process
- Dept. of Planning was sub planning dept.
- Continuous mission created by the state that should be reserved to the counties
- Primary regulatory should be in the counties

**Motion to adjourn 1:35pm**