

(II) IF A MEMBER OF THE COMMITTEE OBJECTS TO APPROVAL OF THE EMERGENCY ADOPTION, THE APPROVAL OF THE COMMITTEE MAY BE GIVEN ONLY BY A MAJORITY OF ITS MEMBERS WHO ARE PRESENT AND VOTING AT A PUBLIC HEARING.

(3) THE STAFF OF THE COMMITTEE MAY POLL THE MEMBERS OF THE COMMITTEE, IN PERSON, BY TELEPHONE, OR IN WRITING.

(4) (1) THE COMMITTEE MAY IMPOSE, AS PART OF ITS APPROVAL, ANY CONDITION, INCLUDING A TIME LIMIT.

(II) IF THE COMMITTEE IMPOSES A TIME LIMIT ON THE EFFECTIVENESS OF THE REGULATION AND THE UNIT DOES NOT ADOPT THE REGULATION FINALLY BEFORE THE TIME LIMIT EXPIRES, THE STATUS OF THE REGULATION REVERTS TO ITS STATUS BEFORE THE EMERGENCY ADOPTION.

(5) THE COMMITTEE MAY RESCIND ITS APPROVAL BY A MAJORITY OF ITS MEMBERS PRESENT AND VOTING AT A PUBLIC MEETING HEARING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40, § 40A(g)(1) through (5) and former Art. 41, § 256-I(a)(1).

In subsection (a) of this section, the former words "amendment" and "repeal" are deleted as unnecessary since the amendment or repeal of a regulation is accomplished through the adoption of a later regulation. These deletions are consistent with the definition of "regulation" to mean "a statement or an amendment or repeal of a statement".

In the introductory clause of subsection (b)(1) of this section, the defined term "unit" is substituted for the former reference to an "adopting agency", to include officers. This substitution is supported by 62 Op. Att'y Gen. 24 (1977), in which the Attorney General stated that the authority of the Committee as to review and approval of emergency adoption applies to the regulations of each office of the Executive Branch and not just to those of the units that were "agenc[ies]" for the purpose of the former Art. 41, §§ 244 through 256A. This substitution also conforms subsection (b) of this section to subsection (a) of this section -- in which the former word "agency" was defined to mean, inter alia, an officer.

Also in the introductory clause of subsection (b)(1) of this section, the power to "adopt a proposed regulation immediately" is substituted for the former reference to the "rule ... may become effective immediately". For consistency, throughout subsection (b)(1) and (4)(ii) of this section, references to