

adopted regulations; making this Act an emergency measure; and generally relating to the regulatory authority of the Secretary and Commissioner under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 2-105

Annotated Code of Maryland

(1992 Volume and 1994 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 2-106 and 5-314

Annotated Code of Maryland

(1991 Volume and 1994 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

2-105.

(a) The Secretary may adopt regulations for the Office of the Secretary.

(b) Before a unit in the Department publishes a proposed regulation under § 10-112 of the State Government Article, the unit shall submit the proposed regulation to the Secretary.

(c) (1) ~~THE~~ [The] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE Secretary may approve any proposed regulation.

(2) Within 30 days after submission of a proposed regulation on a regulatory, supervisory, quasi-judicial, disciplinary, or enforcement function of a unit, the Secretary may disapprove the proposed regulation but only if the Secretary finds that it:

(i) would discourage competition within a regulated occupation or profession;

(ii) would unfairly restrict entry of applicants into a regulated occupation or profession; or

(iii) otherwise is contrary to the public interest.

(3) The Secretary may disapprove or revise any other proposed regulation.

(D) (1) ~~EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY MAY NOT PROPOSE OR ADOPT ANY REGULATION THAT RESTRICTS THE SMOKING OR POSSESSION OF TOBACCO PRODUCTS IN ANY OF THE FOLLOWING ESTABLISHMENTS:~~