

(3) Training hours obtained during a team-based training as specified in §B(2) of this regulation may be applied to an individual team member's quarterly training requirement if the team-based training:

(a) Covers one or more of the topics identified in §B(1) of this regulation; and

(b) Occurs during the quarter for which the team member is seeking credit.

(4) If a team member maintains one or more specialized team positions, such as deliberate hostage rescue, or integrated tactical response K-9, the team member shall participate in additional documented training that is mandated and specific to each specialized position.

C. Special Tactical Response Training Requirements for a Tactical Commander.

(1) A tactical commander shall attend and successfully complete a documented tactical commander course within 1 year of assignment to a special tactical response team.

(2) Biennially, a tactical commander shall successfully complete a minimum of 16 hours of one or more of the following training topics:

(a) Review of criminal incidents and tactical response operations;

(b) Legal issues;

(c) Mutual aid procedures;

(d) Deployment and guidelines for deployment;

(e) Hostage rescue;

(f) Tactical team operations;

(g) Command and control;

(h) Command post operations;

(i) Tactical operation procedures;

(j) Tactical components and capabilities;

(k) Tactical considerations and mission; and

(l) Training scenarios and problem-solving simulations.

.05 No-Knock Warrant Service.

A. To increase the likelihood of safely resolving a high-risk warrant service operation, a law enforcement agency shall ensure that a police officer conducting no-knock warrant service:

(1) Successfully completes the minimum training requirements established in Regulation .06 of this chapter prior to service of a no-knock warrant; and

(2) Adheres to the law enforcement agency's internal policy and procedures.

B. Regardless of whether a judicial officer has authorized a police officer to enter a premises without knocking and announcing the police officer's presence prior to entry, a police officer shall, based upon exigent circumstances existing at the time of the entry determine whether such an announcement:

(1) Is reasonable;

(2) Increases the risk or danger to the police officer and others;

or

(3) Inhibits the effective investigation of a crime by enabling the destruction or tampering of evidence.

.06 Minimum Training Standards for Police Officers Involved in a No-Knock Warrant Service.

A. Prior to initial deployment in a no-knock warrant service operation a police officer shall successfully complete a Commission-approved no-knock warrant service course of study that includes:

(1) The purpose and intent of warrant service;

(2) Tactical response theory and concepts;

(3) Operational planning;

(4) Basic entry and search techniques;

(5) Crisis negotiation and de-escalation skills;

(6) Legal requirements;

(7) Problem solving situations in a scenario-based learning environment; and

(8) Multi-agency, mutual aid warrant services procedures.

B. A Commission-approved no-knock warrant service course shall include a minimum of 24 hours of instruction.

C. Successful completion of a no-knock warrant service course requires a police officer to obtain a minimum passing score of 80 percent in all classes.

.07 Deployment.

A. Prior to each deployment a special tactical response team or police officer involved in no-knock warrant service shall:

(1) Ensure compliance with all applicable training standards within this chapter;

(2) Conduct a documented threat and risk assessment to determine the appropriate response and resources necessary for the mission; and

(3) Develop a mission-specific operational plan and orders.

B. After-Action Debriefing and Report.

(1) A tactical commander, or senior member, shall conduct a debriefing of each incident in which a special tactical response or police officers involved in no-knock warrant operations were deployed.

(2) A tactical commander shall prepare, appropriately disseminate, and retain an after-action report in accordance with agency policy and Maryland law.

ROBERT L. GREEN
Secretary of Public Safety and Correctional Services

Title 13A STATE BOARD OF EDUCATION

Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS

13A.05.13 State-Aided Educational Institutions

Authority: Education Article, §§5-501—5-506, Annotated Code of Maryland

Notice of Proposed Action

[19-263-P]

The Maryland State Board of Education proposes to adopt new Regulations .01—.06 under a new chapter, **COMAR 13A.05.13 State-Aided Educational Institutions**. This action was considered by the State Board of Education at their September 24, 2019, meeting.

Statement of Purpose

The purpose of this action is to establish requirements pertaining to the State-Aided Educational Institutions program.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The funding of the State-Aided Educational Institutions program economically impacts local school systems, the nonprofit organizations funded through the program, and Maryland citizens. Each of the organizations receives funding from the Maryland State Department of Education. This funding provides field trip opportunities to students and teachers at a free or reduced price, thus reducing the financial burden on local

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school systems (LSS) and parents having to cover the full cost of the trip. Services are specifically targeted to Title I schools, thus providing the educational experience to support economically disadvantaged students and families. These funds can be used to provide services to students attending public, private/parochial, and home school, ensuring that a wide range are afforded the opportunity to participate in these unique educational experiences. Nonprofit organizations receiving funding are also impacted economically. The State support allows organizations to leverage funding from other entities such as businesses and foundations. The funding also frees up organizational resources that can be used for program enhancement, hiring staff, and/or capital projects. The additional revenue increases the number of students who can visit the organizations.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(E+)	Varies
B. On other State agencies:	NONE	
C. On local governments:	(E-)	Varies
Benefit (+) Cost (-)		Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	(+)	Varies

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The Maryland State Department of Education (MSDE) is responsible for reviewing applications submitted by nonprofit organizations and making funding recommendations to the State Superintendent of Schools and the State Board of Education. Funding amounts requested and granted to each State-aided educational institution varies.

C. Each State-aided educational institution that receives funding from MSDE provides field trip opportunities to parents, students and teachers at a free or reduced price, thus reducing the financial burden on the local school system(s).

F. Some of the benefits of the funding received by State-aided educational institutions include free or reduced cost field trip opportunities for teachers, students, and parents.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

Some of the organizations that apply for and receive funding under the State-Aided Educational Institutions program are small businesses. The State support allows organizations to leverage funding from other entities such as businesses and foundations. The funding also frees up organizational resources that can be used for program enhancement, hiring staff, and/or capital projects. The additional revenue increases the number of students who can visit the organizations.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

All State-aided educational institutions that receive funding through this program serve individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michial A. Gill, Ph.D., Director of Grants Administration and State Aided Educational Institutions, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201, or call 410-767-3170 (TTY 410-333-6442), or email to michial.gill@maryland.gov, or fax to 410-333-0880. Comments will be accepted through January 21, 2020. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Board of Education during a public meeting to be held on February 25, 2020, at 9 a.m., at 200 West Baltimore Street, Baltimore, MD 21201.

.01 Purpose.

The State-Aided Educational Institutions program is created to provide State funding and support to nonprofit organizations that provide unique, educational experiences to students and teachers that cannot be replicated in the classroom. These educational experiences are aligned with Maryland curricular and educational priorities.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Board" means the Maryland State Board of Education.

(2) "Department" means the Maryland State Department of Education.

(3) "Nonprofit organization" means an organization that:

(a) Is based in the State;

(b) Is incorporated or registered under the laws of the State;

(c) Is exempt from federal income tax under §501(c)(3), (4), or (6) of the Internal Revenue Code; and

(d) Is current in the payment of all tax obligations to the State or any unit or subdivision of the State.

.03 Program Qualifications.

A. To be considered for funding, an educational institution shall qualify as a State-aided educational institution.

B. To qualify as a State-aided educational institution, an educational institution shall submit to the Department the following documentation:

(1) Names of the members of an independent governing board for the institution;

(2) Proof of status as a nonprofit organization;

(3) A copy of the most recent independent annual audit or copies of the most recent internally generated financial statements until the annual audit is available;

(4) A detailed operating budget that:

(a) For an educational institution other than the Baltimore Zoo, indicates that less than 50 percent of the operating budget comes from State grants;

(b) Specifies all sources of income, including:

(i) Grants received;

(ii) Names of granting agencies; and

(iii) The amount of each grant; and

(c) Specifies all expenditures;

(5) Plans for the use of any grant funds that may be awarded by the State-Aided Educational Institutions grants program;

- (6) Evidence of the provision of a direct service to Maryland school groups or to individuals with disabilities, including:
 - (a) Data on age levels of students to be served;
 - (b) Data on the projected number of students and teachers to be served both Statewide and by local jurisdiction; and
 - (c) Plans of the institution to support the Maryland curricular and educational priorities;
- (7) Evidence of liability insurance coverage; and
- (8) Evidence that the educational program for which funding is sought is not a new program and can show a track record of success.

.04 Funding.

An organization that seeks funding through the State-Aided Educational Institutions program in the fiscal year following the upcoming fiscal year shall submit to the Department:

A. A fiscal impact statement describing:

- (1) The program for which funding is sought;
- (2) Amount of funds requested;
- (3) Populations to be served;
- (4) Educational goals and objectives; and
- (5) Anticipated outcomes;

B. An augmentation request describing:

- (1) Who will be served;
- (2) Objectives of the educational program; and
- (3) Anticipated outcomes; and

C. An application for qualification as a State-aided educational institution containing supporting documentation as described in Regulation .03 of this chapter.

.05 Approval.

A. The Department shall review applications for qualification as a State-aided educational institution and shall submit a list of the qualified institutions to the State Superintendent of Schools.

B. The State Superintendent of Schools shall:

(1) Review and comment on the institutions on the list of qualified institutions and the extent to and manner in which each would forward the goals of the Maryland curricular and educational priorities; and

(2) Present the list of qualified institutions and comments on each institution to the Board for review and comment by the Board at the August meeting.

C. The Board shall submit to the Governor after the August meeting:

- (1) The list of qualified institutions;
- (2) The State Superintendent of Schools' comments on each institution; and
- (3) The Board's comments, if any, on each institution.

.06 Accountability Measures.

A. Each institution funded through the State-Aided Educational Institutions program shall submit the following annual reports:

- (1) Midyear/Interim Progress Report;
- (2) Managing for Results (MFR) Report; and
- (3) Annual Progress Report.

B. The Department will conduct an annual site visit for each nonprofit organization funded through the State-Aided Educational Institutions program.

KAREN B. SALMON, Ph.D.
State Superintendent of Schools

DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.28 Cross-State Air Pollution Rule to Control Annual Nitrogen Oxides Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions

*Authority: Environment Article, §§1-404, 2-103, and 2-301—2-303,
Annotated Code of Maryland*

Notice of Proposed Action

[19-270-P]

The Secretary proposes to adopt new Regulations .01 and .02 under a new chapter, COMAR 26.11.28 Cross-State Air Pollution Rule to Control Annual Nitrogen Oxides Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions.

Statement of Purpose

The purpose of this action is to propose new Regulations .01 and .02 under new chapter COMAR 26.11.28 Cross-State Air Pollution Rule to Control Annual Nitrogen Oxides Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions. This new chapter will incorporate by reference EPA's Cross-State Air Pollution Rule (CSAPR) and CSAPR Update.

This action will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland's State Implementation Plan (SIP).

Background

On March 10, 2005, the EPA finalized the federal Clean Air Interstate Rule (CAIR) program, which required 28 eastern states to make reductions in sulfur dioxide (SO_2) and nitrogen oxides (NO_x) emissions that contribute to unhealthy levels of fine particle and ozone pollution in downwind states. In 2008, Maryland adopted regulations that incorporated the requirements of CAIR. Under CAIR, affected units, including electric generating units (EGUs), were required to participate in a cap and trade program, which drove additional reductions to NO_x and SO_2 emissions. Using a base year of 2003, CAIR was expected to result in a 45 percent reduction in SO_2 emissions by 2010, and a 53 percent reduction in NO_x emissions by 2009.

In 2010, the EPA began development of an updated cap and trade program focused on the EGUs regulated by CAIR. The new program, the Cross-State Air Pollution Rule (CSAPR), was developed to address the 1997 8-hour ozone standards (80 parts per billion (ppb)), the 1997 annual PM2.5 standard (15 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)) and the 2006 24-hour PM2.5 standard (35 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)). CSAPR was to become effective January 1, 2012. However, due to legal challenges filed against the rule, the implementation of CSAPR was delayed three years. On December 3, 2014 (79 FR 71663), the EPA published the interim final rule with the effective date of CSAPR as January 1, 2015, and the termination of the CAIR program. All standards established under CSAPR were retained, with only the effective date of implementation being delayed by three years.

After CSAPR became effective on January 1, 2015, Maryland repealed its CAIR program (COMAR 26.11.28) and removed