



Maryland Register

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before January 13, 2020, 5 p.m.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 January 13, 2020.

Gail S. Klakring
Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

The Maryland Register is an official State publication published every other week throughout the year. A cumulative index is published quarterly.

The Maryland Register is the temporary supplement to the Code of Maryland Regulations. Any change to the text of regulations published in COMAR, whether by adoption, amendment, repeal, or emergency action, must first be published in the Register.

The following information is also published regularly in the Register:

- Governor's Executive Orders
- Attorney General's Opinions in full text
- Open Meetings Compliance Board Opinions in full text
- State Ethics Commission Opinions in full text
- Court Rules
- District Court Administrative Memoranda
- Courts of Appeal Hearing Calendars
- Agency Hearing and Meeting Notices
- Synopses of Bills Introduced and Enacted by the General Assembly
- Other documents considered to be in the public interest

CITATION TO THE MARYLAND REGISTER

The Maryland Register is cited by volume, issue, page number, and date. Example:

- 19:8 Md. R. 815—817 (April 17, 1992) refers to Volume 19, Issue 8, pages 815—817 of the Maryland Register issued on April 17, 1992.

CODE OF MARYLAND REGULATIONS (COMAR)

COMAR is the official compilation of all regulations issued by agencies of the State of Maryland. The Maryland Register is COMAR's temporary supplement, printing all changes to regulations as soon as they occur. At least once annually, the changes to regulations printed in the Maryland Register are incorporated into COMAR by means of permanent supplements.

CITATION TO COMAR REGULATIONS

COMAR regulations are cited by title number, subtitle number, chapter number, and regulation number. Example: COMAR 10.08.01.03 refers to Title 10, Subtitle 08, Chapter 01, Regulation 03.

DOCUMENTS INCORPORATED BY REFERENCE

Incorporation by reference is a legal device by which a document is made part of COMAR simply by referring to it. While the text of an incorporated document does not appear in COMAR, the provisions of the incorporated document are as fully enforceable as any other COMAR regulation. Each regulation that proposes to incorporate a document is identified in the Maryland Register by an Editor's Note. The Cumulative Table of COMAR Regulations Adopted, Amended or Repealed, found online, also identifies each regulation incorporating a document. Documents incorporated by reference are available for inspection in various depository libraries located throughout the State and at the Division of State Documents. These depositories are listed in the first issue of the Maryland Register published each year. For further information, call 410-974-2486.

HOW TO RESEARCH REGULATIONS

An Administrative History at the end of every COMAR chapter gives information about past changes to regulations. To determine if there have been any subsequent changes, check the "Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed" which is found online at <http://www.dsd.state.md.us/PDF/CumulativeTable.pdf>. This table lists the regulations in numerical order, by their COMAR number, followed by the citation to the Maryland Register in which the change occurred. The Maryland Register serves as a temporary supplement to COMAR, and the two publications must always be used together. A Research Guide for Maryland Regulations is available. For further information, call 410-260-3876.

SUBSCRIPTION INFORMATION

For subscription forms for the Maryland Register and COMAR, see the back pages of the Maryland Register. Single issues of the Maryland Register are \$15.00 per issue.

CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

Maryland citizens and other interested persons may participate in the process by which administrative regulations are adopted, amended, or repealed, and may also initiate the process by which the validity and applicability of regulations is determined. Listed below are some of the ways in which citizens may participate (references are to State Government Article (SG), Annotated Code of Maryland):

- By submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see "Opportunity for Public Comment" at the beginning of all regulations appearing in the Proposed Action on Regulations section of the Maryland Register). (See SG, §10-112)
- By petitioning an agency to adopt, amend, or repeal regulations. The agency must respond to the petition. (See SG §10-123)
- By petitioning an agency to issue a declaratory ruling with respect to how any regulation, order, or statute enforced by the agency applies. (SG, Title 10, Subtitle 3)
- By petitioning the circuit court for a declaratory judgment on the validity of a regulation when it appears that the regulation interferes with or impairs the legal rights or privileges of the petitioner. (SG, §10-125)
- By inspecting a certified copy of any document filed with the Division of State Documents for publication in the Maryland Register. (See SG, §7-213)

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Lawrence J. Hogan, Jr., Governor; **John C. Wobensmith,** Secretary of State; **Gail S. Klakring,** Administrator; **Mary D. MacDonald,** Senior Editor, Maryland Register and COMAR; **Elizabeth Ramsey,** Editor, COMAR Online, and Subscription Manager; **Tami Cathell,** Help Desk, COMAR and Maryland Register Online.

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COMAR Online

The Code of Maryland Regulations is available at www.dsd.state.md.us as a free service of the Office of the Secretary of State, Division of State Documents. The full text of regulations is available and searchable. Note, however, that the printed COMAR continues to be the only official and enforceable version of COMAR.

The Maryland Register is also available at www.dsd.state.md.us.

For additional information, visit www.dsd.state.md.us, Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

Availability of Monthly List of Maryland Documents

The Maryland Department of Legislative Services receives copies of all publications issued by State officers and agencies. The Department prepares and distributes, for a fee, a list of these publications under the title “Maryland Documents”. This list is published monthly, and contains bibliographic information concerning regular and special reports, bulletins, serials, periodicals, catalogues, and a variety of other State publications. “Maryland Documents” also includes local publications.

Anyone wishing to receive “Maryland Documents” should write to: Legislative Sales, Maryland Department of Legislative Services, 90 State Circle, Annapolis, MD 21401.

CLOSING DATES AND ISSUE DATES THROUGH JULY 2020

Issue Date	Emergency and Proposed Regulations 5 p.m.*	Notices, etc. 10:30 a.m.	Final Regulations 10:30 a.m.
February 14	January 27	February 3	February 5
February 28	February 10	February 14**	February 19
March 13	February 24	March 2	March 4
March 27	March 9	March 16	March 18
April 10	March 23	March 30	April 1
April 24	April 6	April 13	April 15
May 8	April 20	April 27	April 29
May 22	May 4	May 11	May 13
June 5	May 18	May 22**	May 27
June 19	June 1	June 8	June 10
July 6***	June 15	June 22	June 24
July 17	June 29	July 6	July 8
July 31	July 13	July 20	July 22

* Deadlines are for submissions to **DSD** for publication in the Maryland Register and do not take into account the 15-day AELR review period. Due date for documents containing 8 to 18 pages is 48 hours before the date listed; due date for documents exceeding 18 pages is 1 week before the date listed.

NOTE: ALL DOCUMENTS MUST BE SUBMITTED IN TIMES NEW ROMAN, 9-POINT, SINGLE-SPACED FORMAT. THE PAGE COUNT REFLECTS THIS FORMATTING.

** Note closing date changes.

*** Note issue date changes.

The regular closing date for Proposals and Emergencies is Monday.

REGULATIONS CODIFICATION SYSTEM

Under the COMAR codification system, every regulation is assigned a unique four-part codification number by which it may be identified. All regulations found in COMAR are arranged by title. Each title is divided into numbered subtitles, each subtitle is divided into numbered chapters, and each chapter into numbered regulations.

09.12.01.01D(2)(c)(iii)
 Title Subtitle Chapter Regulation Subsection Paragraph Subparagraph

A regulation may be divided into lettered sections, a section divided into numbered subsections, a subsection divided into lettered paragraphs, and a paragraph divided into numbered subparagraphs.

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

This table, previously printed in the Maryland Register lists the regulations, by COMAR title, that have been adopted, amended, or repealed in the Maryland Register since the regulations were originally published or last supplemented in the Code of Maryland Regulations (COMAR). The table is no longer printed here but may be found on the Division of State Documents website at www.dsd.state.md.us.

Table of Pending Proposals

The table below lists proposed changes to COMAR regulations. The proposed changes are listed by their COMAR number, followed by a citation to that issue of the Maryland Register in which the proposal appeared. Errata pertaining to proposed regulations are listed, followed by “(err)”. Regulations referencing a document incorporated by reference are followed by “(ibr)”. None of the proposals listed in this table have been adopted. A list of adopted proposals appears in the Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed.

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The Governor

EXECUTIVE ORDER 01.01.2020.01

(Rescinds Executive Order 01.01.2005.34, Executive Order 01.01.2005.36, Executive Order 01.01.2006.03, and Executive Order 01.01.2007.04)

Governor's Office of Crime Prevention, Youth, and Victim Services

WHEREAS, The Governor's Office of Crime Control and Prevention has grown from primarily a grant-making entity into an administrative office;

WHEREAS, There is a need to rename the office to reflect its true purpose and mission; and

WHEREAS, Multidisciplinary collaboration between those working in crime prevention and enforcement, victim services, and child welfare, education, and protection, makes Maryland a safer place to live, work, raise a family, and retire;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDER 01.01.2005.34, EXECUTIVE ORDER 01.01.2005.36, EXECUTIVE ORDER 01.01.2006.03, AND EXECUTIVE ORDER 01.01.2007.04 AND PROCLAIM THE FOLLOWING EFFECTIVE ORDER, EFFECTIVE IMMEDIATELY:

I. In this Executive Order, the following terms have the meanings indicated:

A. "Deputy Director" means the Deputy Director of the Children and Youth Division.

B. "Division" means the Children and Youth Division.

C. "Executive Director" means the Executive Director of the Governor's Office of Crime Prevention, Youth, and Victim Services.

D. "Fund" means the Children's Cabinet Interagency Fund.

E. "Office" means the Governor's Office of Crime Prevention, Youth, and Victim Services.

F. "Plan" means the three-year plan prepared and annually updated by the Children's Cabinet.

II. Governor's Office of Crime Prevention, Youth, and Victim Services

A. There is a Governor's Office of Crime Prevention, Youth, and Victim Services.

B. Executive Director.

i. The Office shall be managed by an Executive Director who:

a. Is responsible for the daily operation and administration of the Office; and

b. Is appointed by and serves at the pleasure of the Governor.

ii. The Executive Director shall:

a. Advise the Governor on crime control and prevention and victim services;

b. Represent the Governor on boards, commissions, and councils as directed by the Governor or as required by law; and

c. To promote public safety, crime control and prevention, and victim services within Maryland, coordinate interagency activities throughout the State and with:

1. Local and federal governments;

2. Local, regional, and federal counterpart organizations;

3. Private nonprofit organizations; and

4. The public.

d. Ensure that the State is a full and active partner in federal crime control, victim services, and prevention grants and programs; and

e. Leverage federal initiatives and innovations.

C. The Office shall be comprised of professional staff appointed by the Governor and as provided for in the State budget.

D. The Office shall:

i. Direct and coordinate:

a. Interagency and intergovernmental public safety, crime control and prevention, and victim services policies and programs within the State, paying special attention to key linkages between federal, State, regional, subdivision, and local activities; and

b. The application, allocation, and use federal and State funds designated for services to victims and witnesses of crimes, and facilitate the delivery of such services;

ii. Advise and provide recommendations to the Governor:

a. About policies, strategies, legislation, budgets, and measures to improve public safety, crime control and prevention, and victim services and youth programs within the State; and

b. To streamline existing committees, commissions, agencies, or departments to prevent redundancy or enhance efficiency;

iii. With the cooperation and collaboration of appropriate State units, prepare a three-year Comprehensive State Crime Control and Prevention Plan, which shall be:

a. Submitted to the Governor by December 1, 2020; and

b. Annually updated;

iv. Serve as the State unit:

a. Designated as the state administering agency for the U.S. Department of Justice in the application for, and administration of, federal and State funds for public safety, crime control and prevention, and victim services programs; and

b. Administratively responsible for the preparation, management, and reporting functions with respect to the State plan required by the Juvenile Justice and Delinquency Prevention Act;

v. Assign staff to the Juvenile Grant Planning and Review Council as the designated juvenile justice specialist required by federal law and regulations to perform functions that ensure compliance with federal standards for detention of juveniles in secure detention facilities or correctional facilities;

vi. Provide technical assistance for the public safety and crime control and prevention activities and programs of State and local units of government, private nonprofit organizations, and local communities;

vii. Encourage coordinated local crime control and prevention plans; and

viii. Perform such additional duties as may be assigned by the Governor.

III. Maryland Statistical Analysis Center.

A. There is a Maryland Statistical Analysis Center within the Office.

B. The Maryland Statistical Analysis Center shall:

i. In regards to State and local data on public safety, crime control and prevention, and victim services:

a. Coordinate its collection and analysis with State and local units of government;

b. Ensure its timeliness and accuracy;

c. Interpret and utilize it; and

d. Provide and coordinate its sharing with the Federal Bureau of Justice Statistics and other units of federal and state governments;

ii. Produce statistical reports on public safety, crime control and prevention, and victim services;

iii. Coordinate, and provide to State and local agencies:

a. research, technical assistance, and statistics about public safety, crime control and prevention, and victim services; and

b. appropriate access to federal resources with statistical information about public safety, crime control and prevention, and victim services;

iv. Promote the development of systems that track statistics for public safety, crime control and prevention, and victim services in Maryland;

v. Serve as an information center and repository for data and documents about public safety, crime control and prevention, and victim services programs;

vi. Provide support to the Criminal Justice Information Advisory Board; and

vii. Perform such additional duties as may be assigned by the Governor.

IV. Children's Cabinet.

A. There is a Children's Cabinet administered by the Office.

B. Membership and Procedures.

i. The Cabinet shall consist of:

a. The Secretary of Budget and Management;

b. The Secretary of Disabilities;

c. The Secretary of Health;

d. The Secretary of Human Services;

e. The Secretary of Juvenile Services;

f. The State Superintendent of Schools; and

g. The Governor's Office of Crime Prevention, Youth, and Victim Services Executive Director or the Director's designee.

ii. The Governor's Office of Crime Prevention, Youth, and Victim Services Executive Director or the Director's designee shall serve as Chairperson and be responsible for the administration and operation of the Children's Cabinet.

iii. The Children's Cabinet shall meet at the call of the Chairperson no less than six times per year.

iv. The Office shall provide staff to the Children's Cabinet as necessary.

C. The Children's Cabinet shall:

i. Develop and implement coordinated State policies to improve the health and welfare of children and families;

ii. Promote a stable, safe, and healthy environment in Maryland for children and families;

iii. Provide a regular forum for State agencies responsible for meeting and developing coordinated policy recommendations to the Governor;

iv. Prepare and annually update a three-year Plan that:

a. Establishes priorities and strategies for the coordinated delivery of State interagency services to children and families;

b. Includes best practices for implementation of systems of care that:

1. Are child-centered and family-focused;

2. Are based on individual strengths and needs; and

3. Provide services in the least restrictive setting.

c. Is coordinated with any other approved State plans relating to services for children and families; and

v. Establish a committee to perform the functions of the State Coordinating Council for Children.

V. The Children's Cabinet Interagency Fund.

A. The Children's Cabinet may accept federal grants or allocations for the benefit of and to be appropriated, transferred, credited, or paid into the Fund.

B. The Children's Cabinet shall review and approve applications for grants from the Fund.

C. Disbursements from the Fund shall:

i. Be made to local subdivisions that have local management boards; and

ii. Reflect the priorities set forth in the Plan or set by the Office of the Governor.

D. The Children's Cabinet shall ensure that all programs funded by the Fund are implemented in accordance with the Plan and the policies and procedures adopted pursuant to this Executive Order.

VI. Children and Youth Division.

A. There is a Children and Youth Division within the Office.

B. The Division shall be managed by a Deputy Director who is:

i. Primarily responsible for developing and coordinating the delivery of interagency State government services to children and families;

ii. Appointed by and serves at the pleasure of the Executive Director; and

iii. Subject to the authority of the Executive Director.

C. The Division shall be comprised of:

i. Professional staff appointed by the Executive Director; and

ii. Professional staff liaisons from State units.

D. The Division shall:

i. Adopt a coordinated, comprehensive, interagency approach to the development of a continuum of care that:

a. Is family- and child-oriented; and

b. Emphasizes prevention, early intervention, and community-based services with special attention to at-risk populations;

ii. Inform and support the collective and specific work of the Children's Cabinet;

iii. Promote values, policies, and practices that continually advance the well-being of Maryland's children and families;

iv. Partner with local management boards to plan, coordinate, and monitor the delivery of integrated services along the full continuum of care; and

v. Assist the Children's Cabinet in the allocation of any funds assigned to the Children's Cabinet for distribution as grants to any State agency, local government or organization, local management board, or private organization.

E. The Division shall report to the Governor annually by December 15 on the status of:

i. Children in Maryland; and

ii. The efforts to meet the policy goals of the State for services to children and families.

VII. Except as otherwise provided by law or this Executive Order, all existing policies and procedures, contracts, property, and other duties and responsibilities associated with the Governor's Office of Crime Control and Prevention, the Maryland Statistical Analysis Center, the Office for Children, and the Children's Cabinet shall continue in effect under the Governor's Office of Crime Prevention, Youth, and Victim Services unless completed, withdrawn, cancelled, or modified or otherwise changed pursuant to law.

VIII. In any other executive order:

A. "Governor's Office of Crime Control and Prevention" means its successor agency, the Governor's Office of Crime Prevention, Youth, and Victim Services;

B. "Executive Director of the Governor's Office of Crime Control and Prevention" means its successor official, the Executive Director of the Governor's Office of Crime Prevention, Youth, and Victim Services;

C. "Governor's Office for Children" means its successor agency, the Division of Children and Youth of the Governor's Office of Crime Prevention, Youth, and Victim Services; and

D. “Executive Director of the Governor’s Office for Children” means its successor official, the Deputy Director of the Division of Children and Youth of the Governor’s Office of Crime Prevention, Youth, and Victim Services.

IX. All units of the State subject to the control and direction of the Governor are authorized and directed to cooperate with, and provide such data and other information as may be allowed by law, to the Executive Director for the purpose of implementing the provisions of this Executive Order.

X. This Executive Order may not be construed to alter the designation of, or grant of authority to, any unit of State or local government for the purposes of federal law.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 17th Day of January, 2020.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[20-03-26]

EXECUTIVE ORDER 01.01.2020.02

Reorganization of State Government Governor’s Office of Crime Prevention, Youth, and Victim Services

Submitted to the President of the Senate and the Speaker of the House of Delegates of Maryland

Date: January 17, 2020

AN EXECUTIVE ORDER PURSUANT TO ARTICLE II, SECTION 24 OF THE CONSTITUTION OF MARYLAND

AN EXECUTIVE ORDER concerning

Reorganization of State Government
Governor’s Office of Crime Prevention, Youth, and Victim Services

FOR the purpose of renaming the Governor’s Office of Crime Control and Prevention to be the Governor’s Office of Crime Prevention, Youth, and Victim Services; renaming the Governor’s Office for Children to be the Division of Children and Youth under the Governor’s Office of Crime Prevention, Youth, and Victim Services; providing that the Governor’s Office of Crime Prevention, Youth, and Victim Services shall be the successor to the Governor’s Office of Crime Control and Prevention; providing that the Division of Children and Youth shall be the successor of the Governor’s Office for Children; establishing the duties of the Governor’s Office of Crime Prevention, Youth, and Victim Services and the Division of Children and Youth; providing that certain employees transferred as a result of this Act shall be transferred without diminution of certain rights, benefits, or employment or retirement status; providing for the continuity of certain transactions affected by or flowing from this Act; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders, and other directives, permits and licenses, applications, forms, plans, memberships, contracts, property, investigations, and administrative and judicial responsibilities; providing for appropriate transitional provisions relating to the continuity of certain boards and other units;

providing that certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges are transferred to the Governor’s Office of Crime Prevention, Youth, and Victim Services; providing for the continuity of certain contracts, agreements, grants, or other obligations; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross-references or terminology rendered incorrect by this Executive Order and to describe any corrections made in an editor’s note following the section affected; and generally relating to the establishment of the Governor’s Office of Crime Prevention, Youth, and Victim Services and the Division of Children and Youth.

By repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–518(a)(9), 9–603(a)(2)(i), (j)(1)(i), and (k), 9–614(b)(1)(i) and (2)
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1510(a)(5) and (h)
Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)

By repealing,
Article – Criminal Law
Section 10–626(a)(5)
Annotated Code of Maryland
(2012 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–626(d)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–404, 10–208(a)(4), 10–209(b) and (e), 11–801(f), 11–804(a), 11–910(d), 11–911, 11–914(6), 11–919(b)(1) and (c)(1), 11–923(c)(1), (d), (e), and (g), 11–927(d)(2)(ix)2., 11–928(a), (c), (d)(1), (e)(1), and (f), 11–1006(c)(1), (d), (e), and (g), 11–1008(b)(3), 11–1101(c), 11–1102(a) and (b)(4), 12–403(d)(2), 12–601, 12–602(e)(2), (f), and (g)(1)(i) and (2)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Education
Section 8–417(b)(2) and 9.5–203(a)(6)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Family Law
Section 4–501(h), 4–503(a)(1), 4–512(a)(5) and (h), 4–515(a)(1) and (c)(2)(i), 5–704.4 (a)(3) and (f), 5–1102(a)(3) and 5–1103(a)(3)
Annotated Code of Maryland
(2019 Replacement Volume)

By repealing and reenacting, with amendments,
Article – Health-General
Section 5–703(a)(7), 7.5–303(a)(1)(xi) and (xii), 13–1504(a)(1)(ix), 15–139(d)(1), 24–904(b)(3)

Annotated Code of Maryland
(2019 Replacement Volume)

By repealing and reenacting, with amendments,
Article – Health Occupations
Section 20–101(l)(2)(ii)

Annotated Code of Maryland
(2019 Replacement Volume)

By repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–2103(a)(13)(i)
Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Human Services
Section 1–210(3), 6–604(a)(6), 7–128(12) and (16), 8–101(g), (h), (i)(1), (j)(1)(i), (k) through (m), (n)(1), (o), and (p), 8–306(a)(1), 8–402(a)(1), 8–507(a)(1), (b), and (c)
Annotated Code of Maryland
(2019 Replacement and 2019 Supplement)

By adding to
Article – Human Services
Section 8–101(g) and (h)
Annotated Code of Maryland
(2019 Replacement and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Public Safety
Section 1–401(b)(9), 2–514(a)(1) and (b), 3–207(a)(18)(i) and (h), 3–507(b)(1) and (c) through (e), 4–101(b), 4–401(d), 4–501(e), 4–601(b), 4–701(c), 4–703(f)(1), 4–901(e), 4–903(a) and (d)(3), 4–906(c)(2), 4–1008(2), 4–1009(a) and (c)(1) and (2), 4–1101(c), 4–1201(a) through (d), 4–1301(b), 4–1401(b), and 5–502(a), (b)(2)(iv), and (f)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 12–110(c)(1)(x) and (xi)
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – State Government
Section 6–401(d), 6–404(8), 6–406(a)(1), 9–2701(c)(1)(iv)1., 9–3201(c), 9–3202, 9–3206, 9–3207(e)(2), 9–3209(b)(4), 9–3211(g) and 10–1503(b)(22)
Annotated Code of Maryland
(2014 Replacement Volume and 2019 Supplement)

By repealing and reenacting, with amendments,
Article – Transportation
Section 12–206.1(b)(1)(ii) and (e), and 25–113(a)(5)
Annotated Code of Maryland
(2012 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ORDERED BY THE GOVERNOR OF MARYLAND, pursuant to Article II, Section 24, of the Constitution of Maryland, that the Laws of Maryland read as follows:

Article – Correctional Services

3–518.

(a) The Management Council consists of the following 15 members:

(9) a representative of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, appointed by the Governor;

9–603.

(a) (2) (i) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, the Maryland Department of Health, and the Maryland Correctional Administrators Association shall evaluate the implementation of the requirements of this section and determine a schedule to add additional counties, provided that the provisions of this section shall apply to all local detention centers and the Baltimore Pre-trial Complex by January 2023.

(j) On or before November 1, 2020, and annually thereafter, the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall report data from individual local correctional facilities to the General Assembly, in accordance with § 2–12[46]57 of the State Government Article, on:

(1) the number of inmates diagnosed with:

(i) a mental health disorder;

(k) Any behavioral health assessment, evaluation, treatment recommendation, or course of treatment shall be reported to the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** and also include any other data necessary to meet reporting requirements under this section.

9–614.

(b) (1) On or before December 31 each year, each correctional unit shall submit data to the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** showing, by correctional unit:

(i) the total population of the correctional unit;

(2) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall make the information submitted in accordance with paragraph (1) of this subsection available on its website and, when the information has been received from every correctional unit in accordance with paragraph (1) of this subsection, promptly submit the information in a report to the General Assembly, in accordance with § 2–1257 of the State Government Article.

Article – Courts and Judicial Proceedings

3–1510.

(a) (5) “Victim services provider” means a nonprofit or governmental organization that has been authorized by the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to have online access to records of shielded peace orders in order to assist victims of abuse.

(h) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, in consultation with the Maryland Judiciary, may adopt regulations governing online access to shielded records by a victim services provider.

Article – Criminal Law

10–626.

(a) [(5) “GOCCP” means the Governor’s Office of Crime Control and Prevention.]

(d) (1) The Executive Director of [GOCCP] **THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall administer the Fund.

Article – Criminal Procedure

2–404.

On or before December 31, 2009, and annually thereafter, the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall report to the House Judiciary Committee and the Senate Judicial Proceedings Committee, in accordance with § 2–1257 of the State Government Article on the progress of jurisdictions and the Department of State Police in establishing interrogation rooms capable of creating audiovisual recordings of custodial interrogations.

10–208.

(a)(4) The Executive Director of the [Governor's Office of Crime Control and Prevention;] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**;

10–209.

(b) The Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, the Attorney General, and the Director of the Maryland Justice Analysis Center of the Department of Criminology and Criminal Justice of the University of Maryland shall serve on the Advisory Board as ex officio members.

(e) Subject to the approval of the head of the appropriate unit, the Advisory Board may use the staff and facilities of the Department, the Administrative Office of the Courts, and the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** in the performance of its functions.

11–801.

(f) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

11–804.

(a) There is a Criminal Injuries Compensation Board in the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

11–910.

(d) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

11–911.

There is a State Board of Victim Services in the [Governor's Office of Crime Control and Prevention created by Order 01.01.1995.18] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

11–914.

Subject to the authority of the Executive Director, the Board shall:

(6) approve or disapprove each grant application submitted by the [Governor's Office of Crime Control and Prevention]

GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES;

11–919.

(b) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall:

(1) adopt regulations for the administration and award of grants under Part II of this subtitle; and

(c)(1) approve each grant application received by the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** before any money is released from the Fund;

11–923.

(c)(1) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall help establish sexual assault crisis programs in the State.

(d) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** may award grants to public or private nonprofit organizations to operate the sexual assault crisis programs certified by the federally recognized State sexual assault coalition.

(e) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall regularly consult, collaborate with, and consider the recommendations of the federally recognized State sexual assault coalition regarding sexual assault crisis programs and policies, practices, and procedures that impact victims of sexual assault.

(g) The Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall include a report on the sexual assault crisis programs in the annual report submitted by the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to the General Assembly, in accordance with § 2–1257 of the State Government Article.

11–927.

(d)(2) The Committee consists of the following members:

(ix) the following members appointed by the Governor:

2. one representative of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

11–928.

(a) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall establish and sustain child advocacy centers in the State and ensure that every child in the State has access to a child advocacy center.

(c) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** may contract with public or private nonprofit organizations to operate child advocacy centers.

(d) (1) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall contract with a nonprofit organization that is qualified under § 501(c)(3) of the Internal Revenue Code and

represents urban, rural, and suburban child advocacy centers in the State to establish a Maryland Statewide Organization for Child Advocacy Centers.

(e) Money for child advocacy centers:

(1) shall be distributed to child advocacy centers in accordance with a formula agreed on by the Maryland Statewide Organization for Child Advocacy Centers and the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**;

(f) On or before June 1 each year, the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall submit an annual report, in accordance with § 2-1257 of the State Government Article, on child advocacy centers to the General Assembly.
11-1006.

(c)(1) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall help establish and expand programs for survivors of homicide victims in the State.

(d) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall award grants to public or private nonprofit organizations to operate the programs for survivors of homicide victims.

(e) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** regularly shall consult, collaborate with, and consider the recommendations of service providers to survivors of homicide victims regarding programs, policies, practices, and procedures that impact survivors of homicide victims.

(g) On or before October 1 each year, the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall include a report on the programs for survivors of homicide victims in the annual report submitted by the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to the General Assembly, in accordance with § 2-1257 of the State Government Article.

11-1008.

(b) (3) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall administer the pilot program.

11-1101.

(c) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

11-1102.

(a) There is a Victim Services Unit in the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

(b)(4) any other program that provides victim services under the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** that the Executive Director determines would benefit from inclusion under the Unit.

12-403.

(d) Except as otherwise provided under federal law, a law enforcement unit other than a State law enforcement unit that participated with a State law enforcement unit in seizing property forfeited under this section:

(2) may ask the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to determine its share.

12-601.

[(a)] In this subtitle [the following words have the meanings indicated.

(b) "GOCCP" means the Governor's Office of Crime Control and Prevention.

(c)], "MSAC" means the Maryland Statistical Analysis Center of [GOCCP] **THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

12-602.

(e)(2) [GOCCP] **THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall submit the aggregate report to the Governor, the General Assembly, as provided in § 2-1257 of the State Government Article, and each seizing authority before September 1 of each year

(f)(1) [GOCCP] **THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall include in the aggregate report the total amount from forfeitures deposited in the General Fund of the State under § 12-405 of this title that were appropriated to the Maryland Department of Health for the purpose of funding drug treatment and education programs and how the funds were spent.

(2) [GOCCP] **THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** may include, with the aggregate report of MSAC, recommendations to the legislature to improve forfeiture statutes to better ensure that forfeiture proceedings are reported and handled in a manner that is fair to crime victims, innocent property owners, secured interest holders, citizens, and taxpayers.

(g)(1)(i) [GOCCP] **THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall report the noncompliance to the Police Training Commission; and

(2) If the seizing authority fails to comply with the required reporting provisions within 30 days after being contacted by the Police Training and Standards Commission, [GOCCP] **THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** and the Police Training and Standards Commission jointly shall report the noncompliance to the Governor and the Legislative Policy Committee of the General Assembly.

Article – Education

8-417.

(b) (2) The Department of Human Services, the Department of Juvenile Services, the Department of Budget and Management, the Maryland Department of Health, and the [Governor's Office for Children] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall participate with the Department in the development and implementation of rates in programs licensed or approved by those agencies to the extent required by federal and State law.

9.5-203.

(a) The Council consists of the following members:

(6) The Executive Director of the [Governor's Office for Children] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, or the Executive Director's designee;

Article – Family Law

4-501.

(h) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

4-503.

(a) A law enforcement officer who responds to a request for help under § 4-502 of this Part I of this subtitle shall give the victim a written notice that:

(1) includes the telephone number of a local domestic violence program that receives funding from the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**; and

4-512.

(a)(5) "Victim services provider" means a nonprofit or governmental organization that has been authorized by the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to have online access to records of shielded protective orders in order to assist victims of abuse.

(h) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, in consultation with the Maryland Judiciary, may adopt regulations governing online access to shielded records by a victim services provider.

4-515.

(a)(1) The Executive Director shall establish a program in the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to help victims of domestic violence and their children.

(c) Any program established under this section shall be subject to the following conditions:

(2) the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall:

(i) supervise the program;

5-704.4

(a)(3) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

(f) Notwithstanding any appropriation made under subsection (h) of this section, not later than October 1, 2019, the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall provide grant funding for services provided by the Safe Harbor Regional Navigator Grant Program.

5-1102.

(a) All proposals for funding received under this subtitle designed to address the prevention of child physical or sexual abuse shall be reviewed by a selection committee composed of the following members:

(3) the [Special Secretary] **DEPUTY DIRECTOR** of the [Office for Children, Youth, and Families] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** who shall serve as the chairman of the committee.

5-1103.

(a) All proposals for funding received under this subtitle designed to address the prevention of child alcohol and drug abuse shall be reviewed by a selection committee composed of the following members:

(3) the [Special Secretary] **DEPUTY DIRECTOR** of the [Office for Children, Youth, and Families] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** who shall serve as chairman of the committee.

Article – Health – General

5-703.

(a) The State Team shall be a multidisciplinary and multiagency review team, composed of at least 25 members, including:

(7) The [Executive] **DEPUTY** Director of the [Governor's Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** or the [Executive] **DEPUTY** Director's designee

7.5-303.

(a) (1) The Council consists of the following members:

(xi) The [Executive Director of the Governor's Office for Children] **DEPUTY DIRECTOR OF THE DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, or the [Executive] **DEPUTY** Director's designee;

(xii) The Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, or the Executive Director's designee;

13-1504.

(a) (1) The Advisory Council shall be composed of 19 members as follows:

(ix) The [Special Secretary] **EXECUTIVE DIRECTOR** of the [Governor's Office for Children] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, or the [Special Secretary's] **EXECUTIVE DIRECTOR's** designee;

15-139.

(d) (1) The [Governor's Office for Children] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall adopt regulations to carry out the provisions of subsection (c)(2) of this section.

24-904.

(b) The Standing Advisory Committee shall consist of:

(3) One representative from law enforcement, nominated by the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**;

Article – Health Occupations

20-101.

(1)(2) "Residential child care program" includes a program:

(ii) That is subject to the licensing requirements of the [Governor's Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** governing the operations of residential child care programs.

Article – Housing and Community Development

4-2103.

(a) The Council consists of the following members:

(13) the following members, appointed by the Governor:

(i) one representative of the [Governor's Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**;

Article – Human Services

1–210.

Notwithstanding any other State law and except as provided in § 1–211 of this subtitle, on written request, a public agency shall disclose information and records on children, youth, and families served by that agency to:

(3) the [Governor’s Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

6–604.

(a) The Commission consists of the following 18 members appointed by the Governor:

(6) the Executive Director of the [Governor’s Office for Children] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES OR EXECUTIVE DIRECTOR’S DESIGNEE;**

7–128.

The Board consists of the following members:

(12) the [Executive] **DEPUTY** Director of the [Governor’s Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES,** or the [Executive] **DEPUTY** Director’s designee;

(16) the Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES,** or the Executive Director’s designee; and

8–101.

(G) **“DEPUTY DIRECTOR” MEANS THE DEPUTY DIRECTOR OF THE DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

(H) **“DIVISION” MEANS THE DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

[(g)] (I) “Evidence-based” means meeting the criteria for an evidence-based early childhood home visiting service delivery model as defined by the federal Department of Health and Human Services.

[(h)] (J) “Executive Director” means the Executive Director of the [Governor’s Office for Children] **THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

[(i)] (K) (1) “Family” means an eligible child’s natural, adoptive, or foster parents.

[(j)] (L) (1) “Home visiting program” means a program or initiative that:

(i) contains home visiting as a primary service delivery strategy;

[(k)] (M) “Hospital” has the meaning stated in § 19–301 of the Health – General Article.

[(k–1)] (N) “Local behavioral health authority” has the meaning stated in § 7.5–101 of the Health – General Article.

[(l)] (O) “Local management board” means an entity established or designated by a county under Subtitle 3 of this title to ensure the

implementation of a local, interagency service delivery system for children, youth, and families.

[(m)] (P) “Office” means the [Governor’s Office for Children] **THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

[(n)] (Q) “Promising” means a home visiting program or practice that:

(1) does not yet meet the standard for evidence-based practices; and

[(o)] (R) “Public agency” means a State or local government unit or a quasi-governmental entity.

[(p)] (S) (1) “Residential child care program” means an entity that provides 24-hour per day care for children within a structured set of services and activities that are designed to achieve specific objectives relative to the needs of the children served and that include the provision of food, clothing, shelter, education, social services, health, mental health, recreation, or any combination of these services and activities.

8–306.

(a) On or before January 1, 2018, the Prince George’s County Local Management Board shall:

(1) develop and implement a strategic plan to raise revenues to match the total funding provided by the [Governor’s Office for Children] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES;**

8–402.

(a) The Council consists of the following members:

(1) the [Executive] **DEPUTY** Director of the [Governor’s Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES,** or the Executive Director’s designee;

8–507.

(a)(1) The [Governor’s Office for Children] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** and the agencies of the Children’s Cabinet, with input from local management boards, local home visiting programs, and the Early Childhood Advisory Council, shall require the recipients of State funding for home visiting programs to submit reports to the [Governor’s Office for Children] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** on a regular basis.

(b) The [Governor’s Office for Children] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** and the agencies of the Children’s Cabinet shall develop a standardized reporting mechanism for the purpose of collecting information about and monitoring the effectiveness of State-funded home visiting programs

(c) On or before December 1, 2013, and at least every 2 years thereafter, the [Governor’s Office for Children] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** and the agencies of the Children’s Cabinet shall submit a report to the Governor and, in accordance with § 2–1257 of the State Government Article, the Senate Finance Committee, the House Ways and Means Committee, and the Joint Committee on Children, Youth, and

Families on the implementation and outcomes of State-funded home visiting programs.

Article – Public Safety

1–401.

(b) The Board consists of the following members:

(9) the Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, or the Executive Director’s designee; and

2–514.

(a) On or before April 1, 2010, and on or before April 1 of every even-numbered year thereafter, each local law enforcement unit shall report to the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** on the status of crime scene DNA collection and analysis in its respective jurisdiction for the preceding calendar year, and the Department shall report to the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** on the status of crime scene DNA collection statewide for the preceding calendar year, including:

(1) the crimes for which crime scene DNA evidence is routinely collected;

(b) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall compile the information reported by the local law enforcement units and the Department under subsection (a) of this section and submit an annual summary report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

3–207.

(a) The Commission has the following powers and duties:

(18) to develop, with the cooperation of the Office of the Attorney General, the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**, and the Federal Trade Commission, a uniform identity fraud reporting form that:

(i) makes transmitted data available on or before October 1, 2011, for use by each law enforcement agency of State and local government; and

(h) The Commission shall distribute the victim’s representation notification form developed by the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** under § 12–206.1(e) of the Transportation Article to each law enforcement agency in the State.

3–507.

(b) Every year, on or before March 1, 2016, and March 1 of each subsequent year, each local law enforcement agency shall provide the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** with information, for the previous calendar year, about each officer-involved death and death in the line of duty that involved a law enforcement officer employed by the agency, to include at a minimum:

(1) the age, gender, ethnicity, and race of a deceased individual;

(c) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH,**

AND VICTIM SERVICES shall adopt procedures for the collection and analysis of the information described in subsection (b) of this section.

(d) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall analyze and disseminate the information provided under subsection (b) of this section.

(e) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall make an annual report on the incidence of officer-involved deaths and deaths in the line of duty in the State to the General Assembly, in accordance with § 2–1257 of the State Government Article, on or before June 30 of each year.

4–101.

(b) “Executive Director” means the Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

4–401.

(d) The Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall:

4–501.

(e) “Executive Director” means the Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

4–601.

(b) “Executive Director” means the Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

4–701.

(c) “Executive Director” means the Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

4–703.

(f) The [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** and the Maryland Police Training and Standards Commission shall provide technical assistance to agencies in applying for:

(1) money from the Fund; or

4–901.

(e) “Executive Director” means the Executive Director of the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

4–903.

(a) There is a Maryland Violence Intervention and Prevention Advisory Council in the [Governor’s Office of Crime Control and Prevention] **GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

(d)(3) The results of the evaluation under paragraph (2) of this subsection shall be posted to the [Governor's Office of Crime Control and Prevention's] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES'** website.

4-906.

(c) In addition to any other reporting requirements from the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES,** grantees shall submit a report at the end of each grant cycle that shall:

(2) be posted to the [Governor's Office of Crime Control and Prevention's] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES'** website.

4-1008.

A local government or nonprofit entity that receives funding under this subtitle:

(2) shall comply with any data sharing and reporting requirements established by the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** under § 4-1009 of this subtitle as a condition of receiving funding.

4-1009.

(a) In this section, "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

(c)(1) On or before October 1, 2020, and every October 1 thereafter, the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall place on its website in an easily accessible location a filterable data display showing all data collected under this subtitle pertaining to outcome-based performance measures under this section for the previous fiscal year.

(2) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall notify annually in writing the Governor and the Legislative Policy Committee, in accordance with § 2-1257 of the State Government Article, when the filterable data display has been updated under paragraph (1) of this subsection.

4-1101.

(c) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

4-1201.

(a) This subtitle applies only to each grant the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** makes to the Baltimore Police Department.

(b) The purpose of this subtitle is to ensure that grants from the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to the Baltimore Police Department for community policing efforts are used for that purpose.

(c) (1) In fiscal year 2019, the Baltimore Police Department shall prepare a half-year report on the expenditure of grants received from the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

(2) In fiscal year 2020 and in each subsequent fiscal year, the Baltimore Police Department shall prepare an annual report on the expenditure of grants received from the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

(d) The report required under subsection (c) of this section shall include:

(1) the intended use of each grant from the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** to the Baltimore Police Department; and

(2) the specific expenditures made by the Baltimore Police Department with any monetary grants received from the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

4-1301.

(b) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

4-1401.

(b) "Executive Director" means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

5-502.

(a) There is a Cease Fire Council in the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.**

(b)(2) Of the 11 members of the Council:

(iv) one shall be the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** or a designee;

(f)(1) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall provide staff support for the Council.

(2) The Assistant Attorney General assigned to the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** is the legal advisor to the Council.

Article – State Finance and Procurement

12–110.

- (c) (1) The Council consists of the following members:
- (x) the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**;
- (xi) the [Executive] **DEPUTY** Director of the [Governor's Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**;

Article – State Government

6–401.

- (d) “[Executive] **DEPUTY** Director” means the [Executive] **DEPUTY** Director of the [Governor's Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

6–404.

The Unit shall:

- (8) collaborate with the Department, the Department of Human Services, the Maryland Department of Health, and the [Governor's Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** in all matters related to the licensing and monitoring of children's residential facilities; and

6–406.

- (a) The Unit shall report in a timely manner to the [Executive] **DEPUTY** Director, the Secretary, and, in accordance with § 2–1257 of this article, the Speaker of the House of Delegates and the President of the Senate:

- (1) knowledge of any problem regarding the care, supervision, and treatment of children in facilities;

9–2701.

- (c) (1) The Council consists of:
- (iv) the following members appointed by the [Governor's Office for Children] **DIVISION OF CHILDREN AND YOUTH OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**:

1. four youths nominated by the local management boards established under § 8–301 of the Human Services Article;

9–3201.

- (c) “Executive Director” means the Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

9–3202.

There is a Justice Reinvestment Oversight Board in the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

9–3206.

The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall provide staff for the Board.

9–3207.

- (e) (2) The Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall appoint members of the advisory board, subject to the approval of the chair of the Board.

9–3209.

- (b) (4) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall receive from the Fund each fiscal year the amount necessary to offset the costs of administering the Fund, including the costs incurred in an agreement to collect and interpret data as authorized by § 9–3207 of this subtitle.

9–3211.

- (g) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall provide staff for the Commission.

10–1503.

- (b) The Council consists of the following 37 members:

- (22) The Executive Director of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**;

Article – Transportation

12–206.1.

- (b) (1) During the investigation of a moving violation, the investigating agency shall:

- (ii) Provide the victim's representative with a copy of the victim's representation notification form developed by the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** under subsection (e) of this section.

- (e) The [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** shall develop and, as necessary, update a uniform victim's representation notification form that may be filed by a victim's representative under this section.

25–113.

- (a)(5) “Maryland Statistical Analysis Center” means the research, development, and evaluation component of the [Governor's Office of Crime Control and Prevention] **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES**.

SECTION 2. AND BE IT FURTHER ORDERED, That, as provided in this Executive Order:

- (a) (1) The Governor's Office of Crime Prevention, Youth, and Victim Services is the successor of the Governor's Office of Crime Control and Prevention.

- (2) The Executive Director of the Governor's Office of Crime Prevention, Youth, and Victim Services is the successor of the Executive Director of the Governor's Office of Crime Control and Prevention.

- (3) The Division of Children and Youth of the Governor's Office of Crime Prevention, Youth, and Victim Services is the successor of the Governor's Office for Children.

- (4) The Deputy Director of the Division of Children and Youth of the Governor's Office of Crime Prevention, Youth, and Victim Services is the successor of the Executive Director of the Governor's Office for Children.

- (b) In every law, executive order, rule, regulation, policy, or document created by an official, an employee, or a unit of this State, the names and titles of those agencies and officials mean the names and titles of the successor agency or official.

SECTION 3. AND BE IT FURTHER ORDERED, that all persons who, as of the effective date of this Order, are employed in the Governor's Office of Crime Control and Prevention, the Maryland Statistical Analysis Center, and the Governor's Office for Children are hereby transferred to the Governor's Office of Crime Prevention, Youth, and Victim Services without any change or loss of rights or status, and shall retain their merit system and retirement system status.

SECTION 4. AND BE IT FURTHER ORDERED, that any transaction affected by or arising from any statute here amended, repealed, or transferred, and validly entered into before the effective date of this Order and every right, duty, or interest flowing from it remains valid after the effective date and may be terminated, completed, consummated, or enforced pursuant to law.

SECTION 5. AND BE IT FURTHER ORDERED, that all rules and regulations, proposed rules and regulations, standards and guidelines, proposed standards and guidelines, orders and other directives, forms, plans, memberships, special funds, appropriations, grants, applications for grants, contracts, property, investigations, administrative and judicial proceedings, rights to sue and be sued, and all other duties and responsibilities associated with those functions of the Governor's Office of Crime Control and Prevention, the Maryland Statistical Analysis Center, and the Governor's Office for Children transferred by this Order shall continue in effect under the Governor's Office of Crime Prevention, Youth, and Victim Services.

SECTION 6. AND BE IT FURTHER ORDERED, that any unexpended appropriation for the purpose of financing the Governor's Office of Crime Control and Prevention, the Maryland Statistical Analysis Center, and the Governor's Office for Children shall be transferred by approved budget amendment to the Governor's Office of Crime Prevention, Youth, and Victim Services.

SECTION 7. AND BE IT FURTHER ORDERED, that nothing in this Act shall affect the terms of office of a member of any division, board, council, commission, authority, office, unit, or other entity that is transferred by this Act to the Governor's Office of Crime Prevention, Youth, and Victim Services. An individual who is a member of any such entity on the effective date of this Act shall remain a member for the balance of the term to which the member is appointed, unless the member sooner dies, resigns, or is removed under appropriate provisions of law.

SECTION 8. AND BE IT FURTHER ORDERED, that the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross-references and terminology rendered incorrect by this Executive Order. The publisher shall adequately describe any correction that is made in an editor's note following the section affected.

SECTION 9. AND BE IT FURTHER ORDERED, that this Executive Order shall become effective and have the force of law on the 27th day of February, 2020, unless specifically disapproved within 50 days after submission, by a Resolution of Disapproval concurred in by a majority vote of all members of either House of the General Assembly.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 17th Day of January, 2020.

LAWRENCE J. HOGAN, JR.
Governor

ATTEST:

JOHN C. WOBENSMITH
Secretary of State

[20-03-27]

The General Assembly

For additional up-to-date information concerning bills introduced in the General Assembly, log on to <http://mlis.state.md.us> and click on Bill Information and Status. You may then enter a specific bill number for information about that bill. You may also click on Senate Synopsis or House Synopsis for the most recent synopsis list for each house, or click on Synopsis Index for a listing of all bill synopses since the beginning of the legislative session.

SYNOPSIS NO. 1

House Bills

- HB0001** The Spkr, et al. Built to Learn Act of 2020.
- HB0003** Del D.E. Davis. Business Regulation - Flavored Tobacco Products - Prohibition.
- HB0004** Del Atterbeary. Public Safety - Rifles and Shotguns - Secondary Transactions.
- HB0005** Del Chang. Crimes - Hate Crimes - Use of an Item or a Symbol to Threaten or Intimidate.
- HB0006** Dels Krebs and M. Jackson. Public Safety - 9-1-1 Fees - Audits.
- HB0007** Del Healey. Environment - Public and Nonpublic Schools - Inspections for Mold Hazards and Mold or Moisture Problems.
- HB0008** Del Arentz. Illegal Dumping and Litter Control Law - Yard Waste.
- HB0009** Del Guyton, et al. Maryland Horse Industry Board - Breeding Stables and Horse Establishments - Definitions.
- HB0010** Del Ebersole. Public Buildings - Changing Facilities for Adult Diapers.
- HB0011** Del Cardin. Judges - Election, Retention, and Mandatory Retirement Age.
- HB0012** Del Rogers, et al. Department of Veterans Affairs - Homes for Veterans - Veterans of Uniformed Service.
- HB0013** Del Hartman, et al. Solid Waste Management - Prohibition on Releasing a Balloon Into the Atmosphere.
- HB0014** Del Queen. Equal Pay for Equal Work - Inquiring About Wages - Prohibition on Adverse Action.
- HB0015** Del Harrison. Public Schools - Student Health - Certificate of Dental Health.
- HB0016** Del Adams. Sales and Use Tax - Aircraft Parts and Equipment - Exemption.
- HB0017** Del Arentz. Maryland Agricultural Land Preservation Foundation - Valuation of Easement.
- HB0018** Del Carr. State Operating Budget - Publication of Expenditures.
- HB0019** Del Adams. Education - Required Number of School Days or Hours.
- HB0020** Del Chang. Real Property - Residential Rental Property - Annual Eviction Moratorium.
- HB0021** Del Cardin. Abandoned Property in Possession of a Museum.
- HB0022** Del Cardin. Election Law - Campaign Material - Alteration of Definition.
- HB0023** Dorchester County Delegation. Motor Vehicle Registration - Exception for Golf Carts - Hoopers Island.
- HB0024** Dorchester County Delegation. Dorchester County - Alcoholic Beverages - Class C Beer, Wine, and Liquor License.
- HB0025** Del Holmes. Condominiums and Homeowners Associations - Amendments to Declarations and Governing Documents.
- HB0026** Del Chang. Attendance of Students - Lawful Absences - Mental Illness.
- HB0027** Dels Szeliga and Arian. Baltimore County - Sales and Use Tax Exemption - Qualified Opportunity Zones.
- HB0028** Del Ebersole. Vehicle Laws - Driver's Licenses Confiscated for Real ID Compliance - Failure to Possess or Display.
- HB0029** Dels Parrott and Hartman. Secondhand Precious Metal Object Dealers and Pawnbrokers - Exemptions for Auctioneers.
- HB0030** Del C. Watson, et al. Condominiums - Disclosures to Unit Owners and Prohibited Provisions in Instruments by Developers (Sunset Island Act).
- HB0031** Del Queen. Vehicle Laws - Special Registration Plates and Fund - Hunger Relief Initiatives.
- HB0032** Del Chang. General Provisions - Commemorative Days - Welcome Home Korean War Veterans Day.
- HB0033** Del Guyton, et al. Criminal Law - Abuse or Neglect of a Vulnerable Adult - Causing Severe Emotional Distress.
- HB0034** Del Palakovich Carr. Campaign Finance - Contributions, Expenditures, or Donations by Foreign-Influenced Corporations or Foreign Principals.
- HB0035** Del Queen. Public Safety - Firearm Telematics - Study.
- HB0036** Del Barron, et al. Juvenile Proceedings - Fines, Fees, and Costs.
- HB0037** Del Palakovich Carr. Election Law - References to Absentee Voting in Communications - Mail-In Voting.
- HB0038** Del Carr, et al. Vehicle Laws - Failure to Pay Video Toll - Reform of Penalties.
- HB0039** Del Arentz. Queen Anne's County - Alcoholic Beverages - Repeal of Place of Worship Prohibition.
- HB0040** Dels Barron and Henson. Criminal Procedure - Evidence - Causing Unavailability of Witness.
- HB0041** Del Cardin. Election Law - Campaign Finance Violations - Injunctive Relief.
- HB0042** Del Guyton. Public Information Act - Applications for Inspection - Responses and Time Limits.
- HB0043** Del Metzgar. Criminal Procedure - Plea Agreement Terms and the Violence Prevention Initiative Criteria.
- HB0044** Dels Krebs and M. Jackson (By Request). Commission to Advance Next Generation 9-1-1 Across Maryland - Extension and Alteration.
- HB0045** Del Palakovich Carr. Economic Development - Opportunity Zone Incentives - Alteration of the More Jobs for Marylanders and Opportunity Zone Enhancement Programs.
- HB0046** Del Carr. Motor Vehicle Administration - Authority to Suspend Registration for Violations Recorded by Traffic Control Signal Monitoring Systems - Repeal.
- HB0047** Del Parrott, et al. Public Safety - Handgun Qualification License - Training Exemption.
- HB0048** Del Carr. Video Toll Violations - Intercounty Connector - Hearing Venue.
- HB0049** Del Palakovich Carr. Criminal Procedure - Pretrial Release - Pretrial Risk Assessment Instruments.
- HB0050** Del Ebersole. Baltimore County - Vehicle Height Monitoring Systems.
- HB0051** Del Bartlett. Election Law - Individuals Released From Correctional Facilities - Voter Registration.
- HB0052** Dels Parrott and Johnson. Local Government - Lemonade Stands - Prohibition on Regulation by Local Law.
- HB0053** Del Parrott, et al. Public Health - Contraceptive Devices - Minors.
- HB0054** Dels Carr and Moon. Vehicle Laws - Registration Renewal - Late Fee.

- HB0055** Del Carr. Vessels - Certificate of Title - Transfer-on-Death Beneficiary Designation.
- HB0056** Del Arentz. Chesapeake Bay Bridge - Reconstruction Advisory Group and Traffic Study.
- HB0057** Del Chang. Animal Shelters - Standards of Operation.
- HB0058** Del Holmes. Cooperative Housing Corporations, Condominiums, and Homeowners Associations - Reserve Studies.
- HB0059** Del Bagnall. Anne Arundel County - Board of Education Budget - Equity Category.
- HB0060** Del M. Jackson, et al. Local Pension Systems - Special Disability Retirement Allowance.
- HB0061** Del Grammer. Income Tax - Subtraction Modification - Retirement Income.
- HB0062** Del Grammer. Courts and Judicial Proceedings - Contempt - Duress.
- HB0063** Del Grammer. Baltimore County - Remediation of Illegal Dumping - Report.
- HB0064** Del Grammer. Criminal Trials - Spousal Privilege - Exception.
- HB0065** Del Grammer. Evidence - Causing Unavailability of Witness - Standard of Proof.
- HB0066** Del Grammer. Public Health - Immunizations - Minor Consent.
- HB0067** Del Grammer. Income Tax - Exemption - Individuals Erroneously Convicted, Sentenced, and Confined.
- HB0068** Del Grammer. North Point State Park - Deer Bow Hunting Season - Establishment.
- HB0069** Del Grammer. Criminal Procedure - Governor's Office of Crime Control and Prevention - Reporting of Seizures and Forfeitures.
- HB0070** Del Carr, et al. Vehicle Laws - Intersections - Prohibited Acts.
- HB0071** Del Carr, et al. Maryland Funding Accountability and Transparency Act - Nonbudgeted State Agencies.
- HB0072** Del Carr, et al. Maryland Transportation Authority - Video Streaming and Archiving - Open Meetings.
- HB0073** Del Grammer. Firearms - Right to Purchase, Own, Possess, and Carry - Medical Cannabis.
- HB0074** Del Grammer. Public Safety - Crime of Violence - Witness Intimidation.
- HB0075** Del Grammer. Clerks of the Courts - Case Management System - Information on Judge or Magistrate.
- HB0076** Del Grammer. Criminal Procedure - Victims and Witnesses - Restrictions on Release of Personal Information.
- HB0077** Dels Kipke and Chisholm. Anne Arundel County - Illegal Dumping and Litter Control Law - Adoption of Local Ordinance.
- HB0078** Del C. Watson. Bay Restoration Fund - Authorized Uses.
- HB0079** Del Rosenberg. Maryland Technology Internship Program - Qualifications for Participation - Alterations.
- HB0080** Del Atterbeary. Family Law - Grounds for Divorce.
- HB0081** Del Moon, et al. Criminal Law - Sodomy and Unnatural or Perverted Sexual Practice - Repeal.
- HB0082** Del Moon, et al. Criminal Procedure - Pretrial Release - Reimbursement of Special Condition Costs.
- HB0083** Del Moon, et al. Criminal Procedure - Automatic Expungement - Possession of Marijuana.
- HB0084** Del Moon, et al. State Highway Administration - Construction and Maintenance - Permit Requirements (Nighttime Construction Noise Reduction Act).
- HB0085** Del Impallaria, et al. Harford County - Alcoholic Beverages - Inspectors.
- HB0086** Del Korman. Transportation - Maryland Metro/Transit Funding Act - Alterations.
- HB0087** Del Korman. Public Health - Immunizations - Minor Consent (Access to Vaccines Act).
- HB0088** St. Mary's County Delegation. St. Mary's County - Alcoholic Beverages - On-Site Consumption Permit.
- HB0089** St. Mary's County Delegation. St. Mary's County - Emergency Snow Routes - Authority.
- HB0090** St. Mary's County Delegation. St. Mary's County - Agricultural Land Preservation Program - Installment Purchase Agreements - Repeal.
- HB0091** Del Long. Subtraction Modification - Qualified Maryland Toll Expenses.
- HB0092** Del Long. Sales and Use Tax - Tax-Free Periods - University and College Textbooks.
- HB0093** Dels C. Jackson and D.E. Davis. Consumer Protection - Mobile Home Purchasers.
- HB0094** Del Rosenberg. Estates and Trusts - Rule Against Perpetuities.
- HB0095** Del Howard, et al. Anne Arundel County - Natural Resources - Fishing With a Haul Seine.
- HB0096** Del Dumais. Family Law - Parentage and Adoption - Definitions.
- HB0097** St. Mary's County Delegation. St. Mary's County - Public Facilities Bond.
- HB0098** Del D.E. Davis. Electricity - Renewable Energy Portfolio Standard - Qualifying Biomass.
- HB0099** Del D.E. Davis. Labor and Employment - Injured Workers' Insurance Fund - Revisions.
- HB0100** Del Fraser-Hidalgo, et al. Maryland Agricultural Commission - Hemp Industry Member.
- HB0101** Del Rosenberg. Gas Price Clarity Act.
- HB0102** Del D.E. Davis. Public Service Commission - Public Utility Regulation Fund - Cap.
- HB0103** Del Moon, et al. General Assembly - Special Election to Fill a Vacancy in Office.
- HB0104** Del Impallaria, et al. Harford County - Alcoholic Beverages Licenses - Business Records.
- HB0105** Del Impallaria, et al. Harford County - Alcoholic Beverages - License Fees.
- HB0106** Dels Krebs and Pena-Melnyk. Health Occupations - Morticians and Funeral Directors - Apprenticeships.
- HB0107** Del R. Lewis, et al. Baltimore City - Complete Streets Program Funding - Traffic and Vehicle Monitoring Systems.
- HB0108** Del Stein. Condominiums - Responsibility for Property Insurance Deductibles.
- HB0109** Del R. Lewis, et al. Public Service Commission - Certificate of Public Convenience and Necessity - Rapid Health Impact Assessment and Final Action.
- HB0110** Del Long. Baltimore County - Homestead Property Tax Credit Notice - Lead Registry and Code Compliance - Pilot Program.
- HB0111** Del Korman, et al. Electric Vehicle Recharging Equipment for Multifamily Units Act.
- HB0112** Del Grammer. Baltimore County - Career Exploration and Development Activities in Public High Schools - Coffee.
- HB0113** Del Grammer. Hospitals - Patient's Bill of Rights - Minor Patients.
- HB0114** Del Long. Agriculture - Animal Shelters - Waiver of Adoption Fee.
- HB0115** Del D.E. Davis (By Request). Teachers' Pension System - Option Election.
- HB0116** Del D.E. Davis. Home Builder Guaranty Fund - Award Limitations - Revisions.
- HB0117** Del Dumais. Insurance - Industry Automobile Insurance Association - Board of Directors.
- HB0118** Del Dumais. Private Passenger Motor Vehicle Insurance - Prohibition on Cancellation Due to Towing or Emergency Roadside Coverage Claims.

- HB0119** Del Rosenberg, et al. Commission on African American Patriots in the American Revolutionary War.
- HB0120** Dels Dumais and C. Watson. Motor Carriers and For-Hire Driving Services - Nonprofit Organizations and Volunteer Drivers.
- HB0121** St. Mary's County Delegation. St. Mary's County - Metropolitan Commission - Nonsubstantive and Clarifying Revisions.
- HB0122** Del Chang. General Provisions - Commemorative Days - Hangul Day.
- HB0123** Del K. Young, et al. Labor and Employment - Wage History and Wage Range.
- HB0124** Del Malone. Maryland Income Tax Refunds - Anne Arundel County - Warrant Intercept Program.
- HB0125** Del Healey. Board of Public Works - Land Acquisition - Requirements.
- HB0126** Del Atterbeary. Peace Orders - Workplace Violence.
- HB0127** Del Lierman, et al. Maryland Arts and Culture Capital Grant Program.
- HB0128** Del Crosby, et al. Law Enforcement - Department of State Police - Body-Worn Cameras.
- HB0129** Dels Krimm and Cox. Taxes - Election for Pass-Through Entities.
- HB0130** Dels Healey and Stein. Vehicle Laws - Move Over Safety Monitoring System - Authorization.
- HB0131** Del Krimm. State Lottery - Instant Ticket Lottery Machines - Fraternal Organizations ("ITLM" for Homeless Veterans Act).
- HB0132** Del Barron, et al. Public Safety - Crime of Violence - Witness Intimidation.
- HB0133** Chr ENT (Dept). Vehicle Emissions Inspection Program - Deployed Military Personnel - Exemption.
- HB0134** Dels Reznik and Valderama. Health Insurance - Prescription Insulin Drugs - Limits on Copayment and Coinsurance.
- HB0135** Del Lierman, et al. Admissions and Amusement Tax - Electronic Bingo and Tip Jars - Distribution to Maryland State Arts Council.
- HB0136** Del Stein. Environment - On-Site Wastewater Services - Regulation.
- HB0137** Montgomery County Delegation. Montgomery County - Elections - Early Voting Centers MC 19-20.
- HB0138** Del Kipke. Anne Arundel County - Alcoholic Beverages - Off-Sale Licenses - Assessment Districts.
- HB0139** Del Crosby. Consumer Protection - Electronic Transactions - Sale of Vehicles.
- HB0140** Del Guyton, et al. Election Law - Petitions and Ballot Questions - Plain Language Requirement.
- HB0141** Dels Cullison and Kipke. Life and Health Insurance Guaranty Corporation Act - Revisions.
- HB0142** Del Guyton, et al. Election Law - Voting Order Priority - Individuals Who Need Extra Assistance.
- HB0143** Del Kipke. State Boat Act - Abandoned or Sunken Vessels - Removal.
- HB0144** Chr ECM (Dept). Insurance - Uninsured or Enhanced Underinsured Motorist Coverage - Property Damage.
- HB0145** Frederick County Delegation. Frederick County - Alcoholic Beverages - Repeal of Quota for Class B Licenses.
- HB0146** Frederick County Delegation. Frederick County - Alcoholic Beverages - Weinberg Center License.
- HB0147** Dels Kerr and K. Young. Education - High School Teachers Teaching Dual Enrollment Courses - Qualifications.
- HB0148** Del Henson, et al. Family Law - Nonpayment of Child Support - Sentencing.
- HB0149** Chr ENT (Dept). Real Property - Ground Leases - Required Notifications - Private Transaction Redemptions.
- HB0150** The Spkr (Admin). Budget Bill (Fiscal Year 2021).
- HB0151** The Spkr (Admin). Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2020, and the Maryland Consolidated Capital Bond Loans of 2013, 2014, 2016, 2017, and 2019.
- HB0152** The Spkr (Admin). Budget Reconciliation and Financing Act of 2020.
- HB0153** Chr ENT (Dept). Public Safety - Maryland Building Performance Standards.
- HB0154** Chr ENT (Dept). Motor Vehicles - Electronic Inspection Certificates for Used Vehicles - Sunset Extension.
- HB0155** St. Mary's County Delegation. St. Mary's County - Emergency Services Tax Revenue - Authorized Use.
- HB0156** Del Kerr, et al. Agriculture - Cost-Sharing Program - Sale of Harvested Cover Crops.
- HB0157** Chr ENT (Dept). Vehicle Laws - Business or Occupational Licenses - Administrative Penalties.
- HB0158** Chr ENT (Dept). Vehicle Laws - Equipment and Inspections - Standards and Requirements.
- HB0159** Chr ENT (Dept). State Ethics Commission - Determination of Public Official in an Executive Unit - Information From Units of State Government.
- HB0160** Chr ENT (Dept). Baltimore Regional Neighborhood Initiative Program - Eligible Organizations - Alteration of Geographic Boundaries.
- HB0161** Chr ENT (Dept). Nutrient Management - Professional Fertilizer Applicators - Requirements and Penalties.
- HB0162** Chr ENT (Dept). Transportation - Potomac River Bridges Towing Compact - Inclusion of Additional Bridges.
- HB0163** Del Miller, et al. Labor and Employment - Labor Organizations - Right to Work.
- HB0164** Dels Lisanti and Johnson. Harford County - Motorcycles - Sunday Sales.
- HB0165** Del Miller, et al. Solar Photovoltaic Recycling.
- HB0166** Del Washington, et al. Criminal Procedure - Law Enforcement Procedures - Use of Force.
- HB0167** Del Kerr. Higher Education - State Payments to Private Institutions - Unserved Student Populations.
- HB0168** Del Bridges, et al. Baltimore City - Alcoholic Beverages - Class B-D-7 License.
- HB0169** Del Patterson, et al. Expansion of Commercial Gaming - Referendum - Sports Wagering.
- HB0170** Del Lierman, et al. Criminal Procedure - Family Law Services for Sustained Safety Fund.
- HB0171** Del Guyton, et al. Crimes Against Animals - Interference With Livestock.
- HB0172** Chr ENT (Dept). Real Property - Ground Leases - Repeal of Registration Fees.
- HB0173** Chr ENT (Dept). Natural Resources - Sunday Hunting.
- HB0174** Chr ENT (Dept). Motor Vehicle Offenses - Following Too Closely - Application to Trucks.
- HB0175** Del Charkoudian, et al. Public Safety - State Fire Marshal - Explosives License.
- HB0176** St. Mary's County Delegation. St. Mary's County Open Meetings Act - Closed Sessions.
- HB0177** Chr ENT. Environment - Water Infrastructure Assets - Authorization of Emergency Actions and Establishment of Emergency Reserve.
- HB0178** Del Krimm. Real Property - Required Notices for Contracts of Sale - Zones of Dewatering Influence.
- HB0179** Del Charkoudian, et al. Maryland Recycling Act - Recyclable Materials and Resource Recovery Facilities - Alterations.
- HB0180** Del Crosby. State Government - State Song for Children - "The Land Mary-land".

HB0181 Del Reznik, et al. General Provisions - State Song - Advisory Panel.
HB0182 Del Reznik, et al. Potomac Compact for Fair Representation.
HB0183 Del Barron, et al. Human Relations - Employment Discrimination - Waiver of Immunity From Suit in Federal Court and Venue.
HB0184 Del Luedtke. Special Education - Judicial Actions - Attorney's Fees and Related Costs.
HB0185 Del Dumais, et al. Commission on Tax Policy, Reform, and Fairness.
HB0186 Del Rosenberg, et al. Higher Education - Nancy Grasmick Teacher Award - Eligibility.
HB0187 Del Pena-Melnyk, et al. Public Institutions of Higher Education - Outbreak Response Plan.
HB0188 Del Reznik, et al. Public Health - State-Provided Health Care Benefits.
HB0189 Del Dumais. Insurance - Credit for Reinsurance Model Law - Revisions.
HB0190 Del Barron. Public Ethics - Officials and Lobbyists - Reporting of Ceremonial Gifts and Awards of Insignificant Monetary Value.
HB0191 Del Dumais. Child Support, Custody, and Visitation - Award of Expenses - Suit Money.
HB0192 Del Hill, et al. Department of General Services - Energy-Conserving Standards (Maryland Sustainable Buildings Act of 2020).
HB0193 Del Cardin, et al. Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity.
HB0194 Del Korman, et al. State Highway Administration - Highway Work Permits - Pedestrian Access (Pedestrian Access Act of 2020).
HB0195 Del Pena-Melnyk. State Employee and Retiree Health and Welfare Benefits Program - Health Benefits - Required Participation in the Individual Exchange by Carriers.
HB0196 Del Pena-Melnyk. Maryland Health Benefit Exchange - Establishment of a State-Based Health Insurance Subsidies Program.
HB0197 Del Parrott, et al. Election Law - Qualification of Voters - Proof of Identity.
HB0198 Del Cain, et al. Election Law - Online Campaign Material - Use of Deepfakes.
HB0199 Chr W&M (Dept). Election Law - Campaign Finance Entities - Termination.
HB0200 Del W. Fisher, et al. Vehicle Laws - Registration Plate Frames and Borders - Enforcement.
HB0201 Dels Crosby and Stewart. Immunities - Associations, Organizations, and Charities - Liability of Agents and Volunteers.
HB0202 Del Cain, et al. Restorative Schools Fund and Grants - Establishment.
HB0203 Del Hettleman, et al. Community Parks and Playgrounds Program - Baltimore County and Howard County - Expansion.
HB0204 Del Qi, et al. Corporations and Associations - Disadvantaged Business Enterprises and Veteran-Owned Small Business Enterprises - Filing Fee Exemption and Study.
HB0205 Del D.M. Davis, et al. Southern Maryland Rapid Transit Project - Requirements and Funding.
HB0206 Del Krimm, et al. Unaccompanied Minors in Need of Shelter and Supportive Services.
HB0207 Del Wells, et al. Baltimore City Community College - Procurement Authority.
HB0208 Del Reznik, et al. Public Schools - Provision of Menstrual Hygiene Products.
HB0209 Del Lierman, et al. Plastics and Packaging Reduction Act.

HB0210 Del Crosby. Aquaculture - Leases in Water Column - Riparian Right of First Refusal.
HB0211 Del Crosby, et al. Criminal Law - Indecent Exposure Within the Sight of a Minor.
HB0212 Del Qi, et al. Vehicle Laws - Manufacturers and Dealers - Advertisements.
HB0213 Del W. Fisher, et al. Criminal Procedure - Probation Before Judgment - Facts Justifying a Finding of Guilt and Suspension of Sentence.
HB0214 Del Korman, et al. Higher Education - Collective Bargaining - Graduate Assistants (Graduate Assistant Collective Bargaining Fairness Act).
HB0215 Dels Barron and W. Fisher. Criminal Law - Crimes Involving Computers - Ransomware.
HB0216 Del Cardin, et al. Election Law - Campaign Material - Definition and Authority Line for Telephone Calls.
HB0217 Dels Lisanti and Johnson. Motor Vehicle Registration - Exception - City of Havre de Grace.
HB0218 Dels Holmes and Williams. Condominiums and Homeowners Associations - Annual Meetings.
HB0219 Chr W&M (Dept). Maryland Estate Tax - Portability.
HB0220 Chr W&M (Dept). Income Tax Credit - Employment of Apprentices - Extension.
HB0221 Del Ebersole. Income Tax Credit - Class F Vehicles - Extension.
HB0222 Del Palakovich Carr, et al. Income Tax Rates - Capital Gains Income.
HB0223 Del Palakovich Carr, et al. End Ineffective Business Subsidies Act of 2020.
HB0224 Del Palakovich Carr, et al. Opportunity Zone Tax Deduction Reform Act of 2020.
HB0225 Del Ebersole, et al. Gaming - Sports Wagering - Implementation.
HB0226 Del Long. Homestead Property Tax Credit Program - Notice of Eligibility - Lead Registry and Code Compliance.
HB0227 Wicomico County Delegation. Wicomico County - Landlord and Tenant - Repossession for Failure to Pay Rent - Procedures.
HB0228 Dels Branch and Smith. Baltimore City - 45th District - Alcoholic Beverages - Class B-D-7 License.
HB0229 Del Stein, et al. Pesticides - Use of Chlorpyrifos - Prohibition.
HB0230 Del Wells, et al. Vehicle Laws - Overtaking and Passing Bicycles.

[20-03-15]

Senate Bills

SB0001 Sen Peters, et al. Built to Learn Act of 2020.
SB0002 Sens Miller and Ferguson. Digital Advertising Gross Revenues - Taxation.
SB0003 Sen McCray. Electronic Smoking Devices, Other Tobacco Products, and Cigarettes - Taxation and Regulation.
SB0004 Sen Zucker. Gaming - Sports Betting - Implementation.
SB0005 Sen Hester. Public Safety - Maryland Cyber Reserve - Established.
SB0006 Chr EHE (Dept). State Real Estate Commission - Sunset Extension.
SB0007 Chr B&T (Dept). Maryland Green Building Council - Membership.
SB0008 Chr FIN (Dept). Uninsured Employers' Fund - Additional Assessment on Awards and Settlements - Amount.
SB0009 Chr EHE (Dept). Agriculture - Maryland Egg Law - Revisions.

- SB0010** Sens Lam and Hough. General Assembly - Special Election to Fill a Vacancy in Office.
- SB0011** Sen West. Baltimore County - Alcoholic Beverages - Board of License Commissioners - Qualifications.
- SB0012** Chr EHE (Dept). Professional Engineers - Qualifications for Licensure - Experience Requirements.
- SB0013** Sens Hershey and Reilly. Chesapeake Bay Bridge - Reconstruction Advisory Group and Traffic Study.
- SB0014** Chr FIN (Dept). Financial Institutions - State Banks, Trust Companies, and Savings Banks - Incorporators.
- SB0015** Chr FIN (Dept). Financial Institutions - Commissioner of Financial Regulation - Banking Institution Powers.
- SB0016** Sen Reilly. Business Occupations and Professions - Master Electricians Guaranty Fund - Establishment.
- SB0017** Sen Young, et al. Motor Vehicle Insurance - Use of Credit History in Rating Policies.
- SB0018** Chr EHE (Dept). Environment - Lead Poisoning Prevention Commission.
- SB0019** Sen Young. Agriculture - Management-Intensive Farming and Grazing.
- SB0020** Sen Patterson. General Provisions - Commemorative Days - Tuskegee Airmen Commemoration Day.
- SB0021** Sen Kagan. Alcoholic Beverages - Manufacturer's Licenses - Requirements for Food Sales.
- SB0022** Sen West. Election Law - Polling Places at Continuing Care Retirement Communities.
- SB0023** Chr FIN (Dept). Business Regulation - Trademarks, Service Marks, and Trade Names - Registration.
- SB0024** Sen Young. Small Business Fairness Act.
- SB0025** Sen Simonaire. Hunting and Fishing Licenses - Active Military, Former Prisoners of War, Recipients of the Purple Heart Award, and Disabled Veterans.
- SB0026** Chr FIN (Dept). Partnership for Workforce Quality Program - Alterations.
- SB0027** Sen Hayes. Higher Education - Policy on Student Concerns About Athletic Programs and Activities - Short Title.
- SB0028** Sen Lam, et al. Solid Waste Management - Prohibition on Releasing a Balloon Into the Atmosphere.
- SB0029** Sens Carozza and Lee. Criminal Law - Life-Threatening Injury Involving a Motor Vehicle or Vessel - Criminal Negligence (Wade's Law).
- SB0030** Sen Lee. Criminal Law - Crimes Involving Computers - Ransomware.
- SB0031** Sen Beidle. Anne Arundel County - Board of Community College Trustees.
- SB0032** Sen Beidle, et al. Anne Arundel County - Alcoholic Beverages - Board of License Commissioners Membership Revisions.
- SB0033** Sen Kagan. Election Law - Voting by Absentee Ballot - Prepaid Postage for Return of Ballots.
- SB0034** Sen Kagan. Consumer Protection - Scanning or Swiping Identification Cards and Driver's Licenses - Prohibition.
- SB0035** Sen Hough. Criminal Law - Crime of Violence - Definition.
- SB0036** Sen Hough. Correctional Services - Eligibility for Parole - Life Imprisonment.
- SB0037** Sen Beidle, et al. Anne Arundel County - Alcoholic Beverages - Class B and Class H Licenses - Renewals.
- SB0038** Sen West. Election Law - Campaign Finance Violations - Injunctive Relief.
- SB0039** Sen Waldstreicher. Public Safety - Regulated Firearm - Definition.
- SB0040** Sen Lam. Sales and Use Tax - Diapers - Exemption.
- SB0041** Sen Lam. Baltimore County - Vehicle Height Monitoring Systems.
- SB0042** Chr FIN (Dept). Health Services Cost Review Commission - Duties and Reports - Revisions.
- SB0043** Sen Simonaire. Licensing - Fingerprint Requirement.
- SB0044** Sen Lam. Public Buildings - Changing Facilities for Adult Diapers.
- SB0045** Sen Waldstreicher. Criminal Law - Child Pornography - Distribution, Creation, or Possession by Minor Subject.
- SB0046** Sen Lee. State's Attorney - Required Disclosure - Facial Recognition and DNA Analysis and Search.
- SB0047** Sens Kagan and Reilly (By Request). Commission to Advance Next Generation 9-1-1 Across Maryland - Extension and Alteration.
- SB0048** Chr B&T (Dept). Property Tax - Homeowners' and Renters' Property Tax Credits - Deadlines.
- SB0049** Chr FIN (Dept). Department of Human Services - Food Supplement Program - Renaming.
- SB0050** Chr FIN (Dept). Insurance - Maryland Automobile Insurance Fund - Notice of Cancellation.
- SB0051** Sen Patterson. Video Lottery Terminal Proceeds - Local Impact Grants - Reimbursement for Maryland Route 210 Projects.
- SB0052** Sen Simonaire, et al. Anne Arundel County - Alcoholic Beverages - Off-Sale Licenses - Assessment Districts.
- SB0053** Sen Reilly. Maryland Income Tax Refunds - Anne Arundel County - Warrant Intercept Program.
- SB0054** Sens Lam and Kelley. Electronic Smoking Devices - Added Flavoring - Prohibition on Shipping, Import, or Sale.
- SB0055** Sen Young. Income Tax Checkoff - Maryland Assault Weapons Buyback Fund.
- SB0056** Sen Kagan. Election Law - Petitions and Ballot Questions - Plain Language Requirement.
- SB0057** Sen Simonaire, et al. Anne Arundel County - Alcoholic Beverages - Petition of Support.
- SB0058** Sen West. Expansion of Commercial Gaming - Referendum - Sports Wagering.
- SB0059** Sen Young. State Lottery - Instant Ticket Lottery Machines - Fraternal Organizations ("Slots" for Homeless Veterans Act).
- SB0060** Sen Simonaire, et al. Anne Arundel County - Illegal Dumping and Litter Control Law - Adoption of Local Ordinance.
- SB0061** Sens Kagan and Reilly. Public Safety - 9-1-1 Fees - Audits.
- SB0062** Sen Hayes. Labor and Employment - Secure Maryland Wage Act.
- SB0063** Sen Hayes. Baltimore City - Property Tax Credit for Newly Constructed Dwellings - Reauthorization and Modification.
- SB0064** Sen Lee. Criminal Procedure - Evidence - Causing Unavailability of Witness.
- SB0065** Sen Ellis. Counties - Construction of Sidewalks and Crosswalks - Safe Alternative Routes to Public Schools.
- SB0066** Sen Ellis. Income Tax - Credit for Small Businesses - State Minimum Wage Increase.
- SB0067** Sen West. Public Information Act - Applications for Inspection - Responses and Time Limits.
- SB0068** Sen Waldstreicher. Criminal Procedure - Pretrial Release - Pretrial Risk Assessment Instruments.
- SB0069** Sen Hayes. Baltimore City - Alcoholic Beverages - Class A-7 Licenses - Surveillance System.
- SB0070** Chr FIN (Dept). Correctional Institutions - Correctional Education Council - Mandatory Education Program Requirements.
- SB0071** Chr EHE (Dept). State Board of Pilots - Sunset Extension.
- SB0072** Sen McCray. Baltimore City - Members of the Command Staff of the Police Department - Residency Requirements.
- SB0073** Sen McCray. Baltimore City - 45th District - Alcoholic Beverages - Class B-D-7 License.

- SB0074** Chr EHE (Dept). Environment - Marine Contractors Licensing Board - Authority, Program Evaluation, and Termination.
- SB0075** Sen Ellis. Business Regulation - Home Builders - Performance Bond Requirement.
- SB0076** Sen Ellis. Legal Holiday - Maryland Emancipation Day - Establishment.
- SB0077** Sen Ellis. Identification Cards and Driver's License Renewals - Inmates.
- SB0078** Sen Hough. Public Schools - Student Discipline Regulations - Remedial Measures.
- SB0079** Chr B&T (Dept). Gaming - Video Lottery Facilities and Licenses - Definitions.
- SB0080** Chr EHE (Dept). Maryland Intrastate Emergency Management Assistance Compact.
- SB0081** Chr EHE (Dept). State Government - Emergency Management - Continuity Planning.
- SB0082** Chr FIN (Dept). Management of eMaryland Marketplace.
- SB0083** Chr EHE (Dept). State Government - Delivery of Notices and Communications by Electronic Means - Authorized.
- SB0084** Sens Simonaire and Peters. Funeral Establishments and Crematories - Unclaimed Remains of Veterans - Notification, Disposition, and Reporting.
- SB0085** Sen Ellis. Maryland Neighborhood Revitalization Funding.
- SB0086** Sen Simonaire. Natural Resources - Fishing and Hunting Rights.
- SB0087** Sen Lam. Campaign Finance - Contributions, Expenditures, or Donations by Foreign-Influenced Corporations or Foreign Principals.
- SB0088** Sen Hayes. Abandoned Property in Possession of a Museum.
- SB0089** Sen Kagan. State Board of Elections - Certification of Voting Systems - Standards.
- SB0090** Sen Simonaire. Maryland Veterans Service Animal Program - Definitions.
- SB0091** Sen Kagan. Election Law - Individuals Released From Correctional Facilities - Voter Registration.
- SB0092** Chr EHE (Dept). Secretary of Agriculture - Weed Control Law.
- SB0093** Chr FIN (Dept). Insurance - Nonresident Insurance Producers - Cancellation.
- SB0094** Sen Eckardt. Motor Vehicle Registration - Exception for Golf Carts - Hoopers Island.
- SB0095** Chr FIN (Dept). Public Adjusters - Disbursement of Insurance Settlement Payments.
- SB0096** Chr FIN (Dept). Insurance - Third Party Administrators - Term and Reinstatement of Registration.
- SB0097** Chr FIN (Dept). Private Passenger Motor Vehicle Liability Insurance - Protests - Consumer Complaint Portal.
- SB0098** Chr FIN (Dept). Health Insurance - Technical Correction and Required Conformity With Federal Law.
- SB0099** Chr FIN (Dept). Health Insurance Benefit Cards, Prescription Benefit Cards, and Other Technology - Identification of Regulatory Agency.
- SB0100** Sen Eckardt. Dorchester County - Alcoholic Beverages - Class C Beer, Wine, and Liquor License.
- SB0101** Sen Simonaire, et al. Courts - Court Dog and Child Witness Program - Established.
- SB0102** Chr FIN (Dept). Vital Records - Birth Certificates - Change of Name of Child.
- SB0103** Sens Eckardt and Klausmeier. Health Occupations - Diagnostic Evaluation and Treatment of Patients - Disciplinary Actions (The Patient's Access to Integrative Healthcare Act of 2020).
- SB0104** Sen Young. Office of Cemetery Oversight - Cemetery Financial Statement - Requirements.
- SB0105** Sen Ellis. Southern Maryland Rapid Transit Project - Requirements and Funding.
- SB0106** Chr FIN (Dept). Health Care Facilities - Certificate of Need - Exception for State-Owned Facilities.
- SB0107** Sen Ellis. Real Property - Common Ownership Communities - Payment of Fees.
- SB0108** Sen Ellis. Income Tax - Credit for Qualified Commuters.
- SB0109** Sen Ellis. Disabled Active Duty Service Members, Disabled Veterans, and Surviving Spouses - Exemption From Property Tax and Other Charges and Refunds.
- SB0110** Sen Ellis. Maryland Medical Assistance Program - Douglas.
- SB0111** Chr FIN (Dept). Insurance - Universal and Variable Life Insurance - Notice.
- SB0112** Chr FIN (Dept). Health Insurance - Health Information - Disclosures Between Carriers.
- SB0113** Chr FIN (Dept). Health Insurance - Provider Panels - Definitions of Provider and Health Care Services.
- SB0114** Chr EHE (Dept). Natural Resources - Nuisance Organisms - Pilot Projects and Northern Snakeheads.
- SB0115** Chr B&T (Dept). Annual and Personal Property Reports - Submission.
- SB0116** Chr EHE (Dept). Maryland Home Improvement Commission - Sunset Extension.
- SB0117** Chr FIN (Dept). Real Estate Appraisers and Real Estate Appraiser Trainees - Licenses and Certificates - Experience, Renewal, and Reinstatement Requirements.
- SB0118** Chr EHE (Dept). Land Use - Alcohol Production and Agricultural Alcohol Production.
- SB0119** Chr FIN (Dept). Labor and Employment - Wage Payment and Collection - Order to Pay Wages.
- SB0120** Sen Lee. State Government - Department of Information Technology - Cybersecurity.
- SB0121** Sen Eckardt, et al. Sales and Use Tax - Aircraft Parts and Equipment - Exemption.
- SB0122** Sen McCray. Economic Development - Opportunity Zone Incentives - Alteration of the More Jobs for Marylanders and Opportunity Zone Enhancement Programs.
- SB0123** Sen Feldman. Maryland Transportation Authority - Video Streaming and Archiving - Open Meetings.
- SB0124** Sen Feldman. Maryland Health Benefit Exchange - Establishment of a State-Based Health Insurance Subsidies Program.
- SB0125** Sen Feldman. Private Passenger Motor Vehicle Insurance - Prohibition on Cancellation Due to Towing or Emergency Roadside Coverage Claims.
- SB0126** Sen Reilly. Anne Arundel County - Alcoholic Beverages - Entertainment Facilities.
- SB0127** Sen Reilly. Vehicle Laws - Cats and Dogs Left Unattended - Authorized Removal.
- SB0128** Sen Simonaire, et al. Local Government - Animal Control Facilities - Adoption Fee Waiver for Veterans (Pets for Vets Act of 2020).
- SB0129** Sen Simonaire. Election Law - Campaign Finance - Protection of Contributor Information.
- SB0130** Sen Simonaire. Alcoholic Beverages - License Requirements - Registered Voter and Citizenship.
- SB0131** Sen Simonaire. State Highways - Commercial Signs in Rights-of-Way - Penalties.
- SB0132** Sen Elfreth. Property Tax - Assessment Reviews - Aids in Reviewing Property.

- SB0133** Sens West and McCray. Education - High School Students - Graduation and Attendance Credit for Vocational Training.
- SB0134** Sen Feldman. Consumer Protection - Electronic Transactions - Sale of Vehicles.
- SB0135** Sen Feldman. Public Health - Immunizations - Minor Consent (Access to Vaccines Act).
- SB0136** Sen Feldman. Transportation - Maryland Metro/Transit Funding Act - Alterations.
- SB0137** Sen Cassilly, et al. Harford County - State's Attorney's Office and Child Support Administration - Transfer of Personnel.
- SB0138** Sen Cassilly, et al. Harford County - Service of Process - Detention Center Employees.
- SB0139** Sen McCray. Baltimore City - Alcoholic Beverages - Correction in Issuance of Class C License.
- SB0140** Sen McCray. Office of Legislative Audits - Audits of the Baltimore Police Department.
- SB0141** Sen Beidle, et al. Anne Arundel County - Alcoholic Beverages - Salaries of Inspectors.
- SB0142** Sen Simonaire, et al. Natural Resources - Recreational License Donation Program and Healing Hunting and Fishing Fund - Revisions.
- SB0143** Sen Beidle, et al. Anne Arundel County - Alcoholic Beverages - License Application Subject to Creditor Claim.
- SB0144** Sen McCray. Income Tax Credit - Class F Vehicles - Extension.
- SB0145** Sen Hester. Election Law - References to Absentee Voting in Communications - Mail-In Voting.
- SB0146** Sens Young and Feldman. Income Tax - Subtraction Modification - Expenses of Medical Cannabis Grower, Processor, Dispensary, or Independent Testing Laboratory.
- SB0147** Sen Young. Criminal Law - Kratom - Prohibition.
- SB0148** Sen Young. Board of Public Works - Land Acquisition - Requirements.
- SB0149** Sen West. Orphans' Courts - Appeals - Procedures.
- SB0150** Sen West. Estates and Trusts - Estate Recoveries - Presentation of Claims Against Medicaid Recipients.
- SB0151** Sen West. Estates and Trusts - Closed Estates - Subsequent Discovery of Check.
- SB0152** Sen West. Estates and Trusts - Rule Against Perpetuities.
- SB0153** Sen West. Criminal Law - Abuse or Neglect of a Vulnerable Adult - Causing Severe Emotional Distress.
- SB0154** Sen West. Real Property - Recordation of Deeds - Assignments of Rents and Assignments of Leases for Security Purposes.
- SB0155** Sen Augustine, et al. Consumer Protection - Mobile Home Purchasers.
- SB0156** Sen Cassilly, et al. Handgun Qualification License - Training Requirement - Exemption.
- SB0157** Sen Cassilly. Employers of Ex-Offenders - Liability - Immunity.
- SB0158** Sen Cassilly. Lodging Establishments - Accessible Rooms for Individuals With Disabilities - Bed Height.
- SB0159** Sen Hayes, et al. Baltimore City Community College - Procurement Authority.
- SB0160** Sens Kagan and Reilly. Financial Institutions - Security Questions and Measures.
- SB0161** Sen Elfreth, et al. Crimes - Hate Crimes - Use of an Item or a Symbol to Threaten or Intimidate.
- SB0162** Sen Elfreth, et al. Anne Arundel County - Natural Resources - Fishing With a Haul Seine.
- SB0163** Sen Elfreth, et al. Anne Arundel County - Alcoholic Beverages - Board Meetings.
- SB0164** Sen Kelley. Home Builder Guaranty Fund - Award Limitations - Revisions.
- SB0165** Sen Kelley. Insurance - Industry Automobile Insurance Association - Board of Directors.
- SB0166** Sen Kelley. Drugs and Devices - Electronic Prescriptions - Controlled Dangerous Substances.
- SB0167** Sen Kelley. Insurance - Credit for Reinsurance Model Law - Revisions.
- SB0168** Sen Kelley. Electricity - Renewable Energy Portfolio Standard - Qualifying Biomass.
- SB0169** Sen West. Health Occupations - Violations of the Maryland Dentistry Act - Penalties and Cease and Desist Orders.
- SB0170** Sen West. Real Property - Ground Leases - Past Due Ground Rent.
- SB0171** Sen Guzzone. Motor Carriers and For-Hire Driving Services - Nonprofit Organizations and Volunteer Drivers.
- SB0172** Sen Hester. Bay Restoration Fund - Authorized Uses.
- SB0173** Sen Hester. Vehicle Laws - Driver's Licenses Confiscated for Real ID Compliance - Failure to Possess or Display.
- SB0174** Sen West. State Board of Dental Examiners - Practice of Dentistry - Revisions.
- SB0175** Sen West. Condominiums - Responsibility for Property Insurance Deductibles.
- SB0176** Sens Eckardt and Carozza. Wicomico County - Landlord and Tenant - Repossession for Failure to Pay Rent - Procedures.
- SB0177** Sen Waldstreicher. Motor Vehicle Administration - Authority to Suspend Registration for Violations Recorded by Traffic Control Signal Monitoring Systems - Repeal.
- SB0178** Sen Hough, et al. Vehicle Laws - Manufacturers and Dealers - Advertisements.
- SB0179** Sen Hough, et al. Firearms - Right to Purchase, Possess, and Carry - Use of Medical Cannabis.
- SB0180** Sen Simonaire. Anne Arundel County - Alcoholic Beverages - Notice of License Application.
- SB0181** Sen Carter. Baltimore City - Alcoholic Beverages - Class B-D-7 License.
- SB0182** Chr EHE. State Board of Professional Counselors and Therapists - Sunset Extension and Program Evaluation.
- SB0183** Sen Lam. Health Insurance - Health Benefit Plans - Special Enrollment Period for Pregnancy.
- SB0184** Sen Lam, et al. University of Maryland, Baltimore - Study on the Health Effects of Air Traffic Noise.
- SB0185** Sen Jennings. Baltimore County - Sales and Use Tax Exemption - Qualified Opportunity Zones.
- SB0186** Sen Kelley. Life and Health Insurance Guaranty Corporation Act - Revisions.
- SB0187** Sen West. Civil Actions - Health Care Malpractice Claims (Life Care Act).
- SB0188** Sen Gallion, et al. Public Health - Misbranded Food - Meat Products.
- SB0189** Sens Gallion and Bailey. State Board of Veterinary Medical Examiners - Practicing Veterinary Medicine Without a License - Cease and Desist Order and Civil Penalty.
- SB0190** The Pres (Admin). Budget Bill (Fiscal Year 2021).
- SB0191** The Pres (Admin). Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2020, and the Maryland Consolidated Capital Bond Loans of 2013, 2014, 2016, 2017, and 2019.
- SB0192** The Pres (Admin). Budget Reconciliation and Financing Act of 2020.
- SB0193** Sen Kagan. Public Information Act - Denial of Part of a Public Record - Investigations by Inspectors General.
- SB0194** Sen Reilly. Anne Arundel County - Liquor Licenses - Transfer of License.
- SB0195** Sens Feldman and Hershey. Automobile Insurance - Usage-Based Insurance - Application and Notice.

- SB0196** Sen Simonaire. Anne Arundel County - Board of Education - Voting.
- SB0197** Sen Hough, et al. Correctional Facilities - Individuals Subject to Immigration Detainer - Homeland Security Notification.
- SB0198** Sen Hough, et al. Public Safety - Permit to Carry, Wear, or Transport a Handgun - Qualifications.
- SB0199** Sen Lee. Vehicle Laws - Overtaking and Passing Bicycles.
- SB0200** The Pres (Office of the State Prosecutor). Criminal Law - Misconduct in Office.
- SB0201** Sen Lee. Commercial Law - Personal Information Protection Act - Revisions.
- SB0202** Sen Kagan. Public Ethics - Executive Branch - Lobbying by Former Secretaries of Principal Departments (Shut the Revolving Door Act of 2020).
- SB0203** Sen Elfreth, et al. Income Tax Checkoff - Maryland Veterans Trust Fund.
- SB0204** Sens Elfreth and Lam. Potomac Compact for Fair Representation.
- SB0205** Sen Lee. Public Safety - Crime of Violence - Witness Intimidation.
- SB0206** Sen Lee, et al. Criminal Procedure - Motion to Vacate Judgment - Human Trafficking (True Freedom Act of 2020).
- SB0207** Sen Washington, et al. Unaccompanied Minors in Need of Shelter and Supportive Services.
- SB0208** Sen Lee, et al. Public Safety - Rifles and Shotguns - Secondary Transactions.
- SB0209** Sen West. Criminal Law - Unruly Social Gatherings - Civil Penalties.
- SB0210** Sen Waldstreicher, et al. Protective Orders - Relief Eligibility - Rape and Sexual Offenses.
- SB0211** Sen Salling, et al. Income Tax - Subtraction Modification - Military Retirement Income.
- SB0212** Sen Lee, et al. Criminal Law - Assault in the First Degree - Suffocation or Strangulation.
- SB0213** Sen Lee. Criminal Procedure - Victims and Witnesses - Restrictions on Release of Personal Information.
- SB0214** Sens Young and Hough. Frederick County - Alcoholic Beverages - Weinberg Center License.
- SB0215** Sens Young and Hough. Frederick County - Alcoholic Beverages - Repeal of Quota for Class B Licenses.
- SB0216** Sen Pinsky, et al. Income Tax - Carried Interest - Additional Tax.
- SB0217** Sen Lee, et al. Labor and Employment - Wage History and Wage Range.

[20-03-16]

The Judiciary

COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of the Court of Appeals dated January 10, 2020, **ARLENE ADASA SMITH-SCOTT** (CPF # 1202020010), 2905 Mitchellville Road, Suite 110, Bowie, Maryland 20716, has been disbarred, effective immediately, from the further practice of law in the State, and her name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

* * * * *

This is to certify that by an Order of the Court of Appeals dated January 9, 2020, **BABAK BAGHERI** (CPF # 9812150028), 4710 Falstone Avenue, Chevy Chase, Maryland 20815, has been disbarred, effective immediately, from the further practice of law in the State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

* * * * *

This is to certify that by an Order of the Court of Appeals dated November 22, 2019, **DMITRY DAVID BALANNIK** (CPF # 0812160039), 715 Rolling Fields Way, Rockville, Maryland 20850, has been disbarred by consent, effective January 15, 2020, from the further practice of law in the State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

[20-03-14]

Final Action on Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- Single underline, italic indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- [[Double brackets]] indicate text deleted at the time of final action.

Title 11

DEPARTMENT OF TRANSPORTATION

Subtitle 18 MOTOR VEHICLE ADMINISTRATION—FINANCIAL RESPONSIBILITY REQUIREMENTS

11.18.02 Self-Insurers

Authority: Transportation Article, §§12-104(b), 17-103, and 20-105.1,
Annotated Code of Maryland

Notice of Final Action

[19-233-F]

On January 7, 2020, the Administrator of the Motor Vehicle Administration adopted amendments to Regulations .02 and .03 under **COMAR 11.18.02 Self-Insurers**. This action, which was proposed for adoption in 46:24 Md. R. 1108 (November 22, 2019), has been adopted as proposed.

Effective Date: February 10, 2020.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

Title 14

INDEPENDENT AGENCIES

Subtitle 09 WORKERS' COMPENSATION COMMISSION

14.09.13 Individual Employer Self-Insurer

Authority: Labor and Employment Article, §§9-309, 9-402, 9-403, 9-405, and 9-406, Annotated Code of Maryland

Notice of Final Action

[19-239-F]

On January 9, 2020, the Workers' Compensation Commission adopted amendments to Regulation .07 under **COMAR 14.09.13 Individual Employer Self-Insurer**. This action, which was proposed for adoption in 46:24 Md. R. 1115 (November 22, 2019), has been adopted as proposed.

Effective Date: February 10, 2020.

R. KARL AUMANN
Chairman
Workers' Compensation Commission

Title 15

MARYLAND DEPARTMENT OF AGRICULTURE

Subtitle 01 OFFICE OF THE SECRETARY

15.01.04 Public Information Act Requests

Authority: Agriculture Article, §2-103; General Provisions Article, §§4-101—4-601; Annotated Code of Maryland

Notice of Final Action

[19-228-F]

On January 8, 2020, the Secretary of the Maryland Department of Agriculture adopted the repeal of existing Regulations .01—.17 and new Regulations .01—.16 under **COMAR 15.01.04 Public Information Act Requests**. This action, which was proposed for adoption in 46:23 Md. R. 1073—1076 (November 8, 2019), has been adopted as proposed.

Effective Date: February 10, 2020.

JOSEPH BARTENFELDER
Secretary of Agriculture

Subtitle 01 OFFICE OF THE SECRETARY

15.01.06 Correction or Amendment of Public Records

Authority: Agriculture Article, §2-103; General Provisions Article, §4-502; Annotated Code of Maryland

Notice of Final Action

[19-225-F]

On January 8, 2020, the Secretary of Agriculture adopted the repeal of existing Regulations .01—.10 under the existing chapter, **COMAR 15.01.06 Correction or Amendment of Personal Records**, and new Regulations .01—.11 under a new chapter, **COMAR 15.01.06 Correction or Amendment of Public Records**. This action, which was proposed for adoption in 46:23 Md. R. 1076—1077 (November 8, 2019), has been adopted as proposed.

Effective Date: February 10, 2020.

JOSEPH BARTENFELDER
Secretary of Agriculture

Title 24 DEPARTMENT OF COMMERCE

Subtitle 05 ECONOMIC DEVELOPMENT

24.05.16 Enterprise Investment Program

Authority: Economic Development Article, §2-108, Annotated Code of Maryland

Notice of Final Action [19-227-F]

On December 24, 2019, the Secretary of Commerce adopted the repeal of Regulations .01—.11 under **COMAR 24.05.16 Enterprise Investment Program**. This action, which was proposed for adoption in 46:23 Md. R. 1077—1078 (November 8, 2019), has been adopted as proposed.

Effective Date: February 10, 2020.

KELLY M. SCHULZ
Secretary of Commerce

Title 33 STATE BOARD OF ELECTIONS

Subtitle 10 VOTING SYSTEMS — SYSTEM REQUIREMENTS AND PROCEDURES

33.10.01 EVS Voting Solution

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-102, 9-105, and 11-201, and Title 9, Subtitle 2, Annotated Code of Maryland

Notice of Final Action [19-230-F]

On January 16, 2020, the State Board of Elections adopted amendments to Regulation .17 under **COMAR 33.10.01 EVS Voting Solution**. This action, which was proposed for adoption in 46:23 Md. R. 1078—1079 (November 8, 2019), has been adopted as proposed.

Effective Date: February 10, 2020.

LINDA H. LAMONE
State Administrator

Title 35 DEPARTMENT OF VETERANS AFFAIRS

Subtitle 06 MARYLAND VETERANS SERVICE ANIMAL PROGRAM

35.06.01 General Regulations

Authority: State Government Article, §9-957, Annotated Code of Maryland

Notice of Final Action [19-237-F]

On January 10, 2020, the Secretary of Maryland Department of Veterans Affairs adopted amendments to Regulations .02 and .07 under **COMAR 35.06.01 General Regulations**. This action, which was proposed for adoption in 46:24 Md. R. 1116 (November 22, 2019), has been adopted as proposed.

Effective Date: February 10, 2020.

GEORGE W. OWINGS III
Secretary of Veterans Affairs

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 07

DEPARTMENT OF HUMAN SERVICES

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.07 Child Protective Services—Investigation of Child Abuse and Neglect

Authority: Criminal Law Article, §§3-601, 3-602, and 3-602.1; Family Law Article, Title 5, Subtitle 7; Human Services Article, §§1-202 and 4-207; Annotated Code of Maryland Chs. 398 and 399, Acts of 2011 (Agency Note: 42 U.S.C. 5106a(b)(2); 45 CFR §1340.20)

Notice of Proposed Action

[20-041-P]

The Secretary of Human Services proposes to amend Regulations **.02, .06, .08—.14, .17, .21, and .23** under **COMAR 07.02.07 Child Protective Services—Investigation of Child Abuse and Neglect**.

Statement of Purpose

The purpose of this action is to amend the definition of child abuse to include sex trafficking and identifying that sex trafficking can be by any individual. Justification: Changes were made to Family Law Article, §5-701(x) and (y), Annotated Code of Maryland, this past legislative session regarding sex trafficking as a result of federal requirements authorized in the Trafficking Victims Protection Act of 2000. The definition of sex abuse was expanded to include sex trafficking of a child by any individual. There is no longer a requirement for a caregiver to be identified in a sex trafficking investigation. See Ch. 151 (S.B. 308), Acts of 2017

Proposed Change: Add “intent to harm” as a factor to be considered in investigations of mental injury. Justification: Changes were made to Family Law Article, §5-701, Annotated Code of Maryland, as a result of a recent court decision McClanahan vs. Washington County Department of Social Services. 445 Md. 691

(2015). This decision required the Department to determine whether mental injury was caused by an intentional act(s) regardless of whether there was an intent to harm the child. See Ch. 652 (S.B. 996), Acts of 2017.

Add “authority figure” to the list of persons who can be considered causing abuse to a child. Justification: Changes were made to Family Law Article, §5-701(b)(1) and (2), Annotated Code of Maryland, as a result of a recent court decision Wicomico County Department of Social Services vs. B.A. 449 Md. 122 (2016). This decision allows for a person who, because of the person’s position or occupation, exercises authority over a child to be identified as a child abuser. The decision clarifies that abuse does not include the physical injury of a child by accidental means. See Ch. 652 (S.B. 996), Acts of 2017.

Comparison to Federal Standards

In compliance with Executive Order 01.01.1996.03, this proposed regulation is more restrictive or stringent than corresponding federal standards as follows:

(1) Regulation citation and manner in which it is more restrictive than the applicable federal standard:

The definition of sex abuse was expanded to include sex trafficking of a child by any individual as a result of federal requirements authorized in the Justice for Victims of Trafficking Act of 2015. There is no longer a requirement for a caregiver to be identified in a sex trafficking investigation.

(2) Benefit to the public health, safety or welfare, or the environment:

The regulation pertains to the Justice for Victims of Trafficking Act of 2015 and Child Abuse Prevention and Treatment Act.

(3) Analysis of additional burden or cost on the regulated person:

No additional burden or cost on regulated person

(4) Justification for the need for more restrictive standards:

As a result of federal and State action multiple forms of abuse and neglect have been added to the scope of work required by CPS. These actions are not more stringent than the federal standard in the two instances in which Maryland Courts have determined higher standards. These are Wicomico County Department of Social

Services vs. B.A. 449 Md. 122 (2016) and McClanahan vs. Washington County 445 Md. 691 (2015).

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 Davon Gardner, Government Affairs Associate, Department of Human Services, 311 W. Saratoga Street, Baltimore, MD 21201, or call 410-767-8966, or email to Davon.Gardner@Maryland.gov. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) *“Accidental means” means an action in which injury is unintended and could not be reasonably expected.*

[(1)] (2)—[(5)] (6) (text unchanged)

(7) *“Authority figure” means a person who, because of the person’s position or occupation, exercises authority over a child.*

[(6)] (8) Caregiver.

(a) (text unchanged)

(b) *“Caregiver” includes but is not limited to[,] a stepparent, foster parent, guardian, custodian, employee, or volunteer in a facility or program caring for a child, a person who has responsibility for supervision of the child, or any individual engaged in sex trafficking a child or otherwise controlling a child who is involved in sex trafficking [or prostitution].*

[(7)] (9)—[(8)] (10) (text unchanged)

[(9)] (11) *“Child abuse” means [one or more of the following by a parent, caregiver, or household or family member]:*

[(a) Physical injury, not necessarily visible, or mental injury of a child under circumstances that indicate that the child’s health or welfare was harmed or placed at substantial risk of harm; or

(b) Sexual abuse of a child regardless of whether the child has physical injuries.]

(a) *The physical or mental injury of a child under circumstances that indicate that the child’s health or welfare is harmed or at substantial risk of being harmed by:*

(i) *A parent;*

(ii) *A household or family member;*

(iii) *A caregiver; or*

(iv) *An authority figure; or*

(b) *Sexual abuse, whether physical injuries are sustained or not.*

[(10)] (12)—[(33)] (35) (text unchanged)

[(34)] (36) *“Mental injury” means an observable, identifiable, and substantial impairment of a child’s mental or psychological ability to function caused by an intentional act or series of acts, regardless of whether there was an intent to harm the child.*

[(35)] (37)—[(48)] (50) (text unchanged)

[(49)] (51) *“Sex trafficking” means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a [person] child for the purpose of a commercial sex act.*

[(50)] (52) *“Sexual abuse” means any act that involves:*

(a) [sexual] *Sexual molestation[,] or exploitation [or sex trafficking] of a child[,] by:*

(i) *A parent;*

(ii) *A household or family member;*

(iii) *A caregiver; or*

(iv) *An authority figure; or*

(b) *Sex trafficking of a child by any individual.*

[(51)] (53) *Sexual Molestation or Exploitation.*

(a) (text unchanged)

(b) *“Sexual molestation or exploitation” includes but is not limited to:*

(i)—(iv) (text unchanged)

(v) *Committing a sexual crime in any degree including rape, sodomy, or [prostitution] sex trafficking; or*

(vi) *Allowing, encouraging, or engaging in obscene or pornographic display, photographing, filming, or depiction of a child in a manner prohibited by law[; or*

(vii) *Sex trafficking].*

[(52)] (54)—[(56)] (58) (text unchanged)

[(57)] (59) *“Voluntary placement” [has the meaning stated in] means a placement documented in a voluntary placement agreement pursuant to Family Law Article, [§5-525(b)(2)] §5-501(m), Annotated Code of Maryland.*

.06 Initial Response to a Report of Suspected Child Abuse or Neglect.

A.—G. (text unchanged)

H. If a report of suspected child abuse or neglect concerns an adult who is believed to have been abused or neglected as a child, the local department shall:

(1) Determine if the alleged maltreater:

(a) Is currently the parent of a child;

(b) Has permanent or temporary care, custody, or responsibility for supervision of a child; [or]

(c) Is a household or family member of a child; [and] or

(d) *Is an authority figure to a child;*

(2) (text unchanged)

(3) After assessing the extent of the child abuse or neglect, how recently the child abuse or neglect occurred, the risk to other children, and the identity of the alleged maltreater, *determine whether to conduct a CPS response.*

I. (text unchanged)

J. CPS Responses Across Jurisdictional Lines in Maryland.

(1) Investigations.

(a) Except as provided in [§J(4)] §J(1)(d) of this regulation, if the alleged child abuse or neglect occurred in a jurisdiction other than where the alleged victim or maltreater lives, the local department where the alleged child abuse or neglect occurred is responsible for the investigation.

(b) (text unchanged)

(c) The local department where the alleged victim or alleged maltreater lives shall:

(i) See an alleged victim living in that jurisdiction within the mandated time frame under Regulations .08 and [.16] .15 of this chapter and conduct any requested interview of the alleged victim or family;

(ii)—(vii) (text unchanged)

(d) If a local department receives a request from another local department pursuant to §D of this regulation, the local department to which a report has been referred is responsible for the investigation in accordance with §J(1)(a) [and (b)]—(c) of this regulation and forwarding a recommended finding to the referring local department.

(2) Alternative Response.

(a) (text unchanged)

(b) The local department conducting an alternative response is responsible for completing the assessment under Regulation [.15] .14 of this chapter.

(c) (text unchanged)

K. (text unchanged)

.08 On-Site Investigation.

A.—B. (text unchanged)

C. Abuse and Neglect—Mental Injury.

(1)—(2) (text unchanged)

(3) Professional Assessments—Mental Injury.

(a) (text unchanged)

(b) If a professional assessor concludes that the child has sustained a mental injury, the local department shall request a written assessment that includes:

(i) (text unchanged)

(ii) An explanation of the act, *series of acts*, or omission that is believed to have caused the mental injury *regardless of whether there was an intent to harm the child*.

(c) (text unchanged)

(4) (text unchanged)

.09 Completing the Investigation of Alleged Child Abuse or Neglect.

A.—B. (text unchanged)

C. An investigation is complete when the local department has completed the requirements of Regulation .07A and B of this chapter and a supervisor has approved the finding.

.10 Identification of Alleged Maltreater.

A.—B. (text unchanged)

C. A local department [shall] *may* not identify a maltreater in a case of indicated or unsubstantiated child abuse or neglect if the evidence is insufficient to identify:

(1) A parent, caregiver, *authority figure*, or household or family member of the alleged victim responsible for child physical abuse or child abuse with mental injury; [or]

(2) A parent, caregiver, *authority figure*, or household or family member of the alleged victim, or sex trafficker responsible for child sexual abuse; or

(3) A parent or caregiver of the alleged victim responsible for child neglect or *child neglect with mental injury*.

D. (text unchanged)

E. More than one individual may be identified as responsible for child abuse or neglect if more than one:

(1) Parent, caregiver, *authority figure*, or household or family member of the alleged victim, or sex trafficker was more likely than not responsible for the abuse of a child; or

(2) (text unchanged)

F. (text unchanged)

.11 Child Abuse Disposition.

A. Indicated Child Abuse.

(1) Physical Abuse with No Mental Injury. Except as provided in §A(3) of this regulation, a local department may make a finding of indicated child physical abuse if there is credible evidence, which has not been satisfactorily refuted, that the following four elements were present during the alleged child abuse:

(a)—(b) (text unchanged)

(c) A parent, caregiver, *authority figure*, or household or family member of the alleged victim responsible for the alleged abuse; and

(d) (text unchanged)

(2) Sexual Abuse[:].

(a) A local department may make a finding of indicated child sexual abuse if there is credible evidence, which has not been satisfactorily refuted, that the following three elements were present during the alleged child sexual abuse:

(i) (text unchanged)

(ii) A child victim; and

(iii) A [sex trafficker or] parent, caregiver, *authority figure*, or household or family member of the alleged victim responsible for the alleged child sexual abuse, or *sex trafficking of a child by any individual*.

(b) (text unchanged)

(3) Abuse—Mental Injury. A local department may make a finding of indicated child abuse with mental injury if there is credible evidence not satisfactorily refuted that the following five elements were present during the alleged child abuse with mental injury:

(a)—(b) (text unchanged)

(c) A parent, caregiver, *authority figure*, or household or family member of the alleged victim responsible for the alleged child abuse with mental injury;

(d) *Mental injury caused by an intentional act or series of acts, regardless of whether there was an intent to harm the child; and*

(e) Circumstances including the nature and extent of the mental injury indicating that the alleged victim's health or welfare was harmed or was at substantial risk of harm[:]; and

(e) An intentional or reckless disregard for the alleged victim's health or welfare[:].

B. Unsubstantiated Child Abuse.

(1)—(2) (text unchanged)

(3) A local department may find insufficient evidence supporting a finding of indicated child abuse for reasons including but not limited to:

(a)—(c) (text unchanged)

(d) An inability to obtain relevant facts regarding the alleged child [neglect] *abuse* despite reasonable efforts.

C. Ruled Out Child Abuse.

(1) (text unchanged)

(2) The local department may base a finding of ruled out on:

(a)—(b) (text unchanged)

(c) A finding that the alleged maltreater was not responsible for the injury for reasons including but not limited to:

(i) The injury [resulted from] *was caused by* accidental [and unintended contact with the child] *means* and was not caused by a reckless disregard for the child's health or welfare; or

(ii) (text unchanged)

D. (text unchanged)

.12 Child Neglect Disposition.

A. Indicated Child Neglect.

(1) (text unchanged)

(2) Neglect—Mental Injury. The local department may make a finding of indicated child neglect with mental injury if there is credible evidence, which has not been satisfactorily refuted, that the following four elements were present during the alleged neglect with mental injury:

(a) A mental injury caused by a failure to provide proper care and attention *regardless of whether there was an intent to harm the child* and characterized by an observable, identifiable, substantial impairment to the child's mental or psychological ability to function, which may be shown by the need for specific psychiatric, psychological, or social work intervention;

(b)—(d) (text unchanged)

B.—D. (text unchanged)

.13 Closure of Investigation.

Before a local department closes its record of investigation, the local department shall:

A. (text unchanged)

B. No later than 30 days after completing the investigation:

(1) In a case of ruled out child abuse or *neglect*, notify the alleged maltreater of the finding;

(2)—(3) (text unchanged)

C. (text unchanged)

.14 Alternative Response Assessment of Child Abuse or Neglect.

A.—B. (text unchanged)

[C. If while conducting an alternative response any situation exists as outlined in Regulation .07E(1)—(3) of this chapter, the department shall change the CPS response to an investigative response, and make a finding.]

[D.] C. If during the course of an alternative response assessment the department takes a child into custody without parental consent or before court approval, the local department shall have the child examined as outlined in Regulation [.07E] .07F of this chapter.

[E.] D. (text unchanged)

.17 Provision of Services.

A. (text unchanged)

B. If the local department provides continuing child welfare services through purchase or referral, the local department shall share information regarding the CPS response with the provider as appropriate to the case and in accordance with confidentiality provisions of Regulation [.22] .21 of this chapter.

C.—E. (text unchanged)

.21 Confidentiality—CPS Responses to Child Abuse or Neglect.

A. (text unchanged)

B. A local department shall disclose a record or report, or information in a record or report, concerning a CPS response:

(1)—(4) (text unchanged)

(5) To the Division of Parole and Probation in the Department of Public Safety and Correctional Services if, as a result of a report of suspected child abuse or neglect, the local department has reason to believe that an individual who lives with or is in the regular presence of a child is registered under Criminal Procedure Article, Title 11, Subtitle 7, Annotated Code of Maryland, as a result of committing a sexual crime against a child; [and]

(6) To a health care practitioner, or agency, institution, or program treating or caring for an alleged victim if the information or record is relevant to the treatment or care limited to the following:

(a)—(c) (text unchanged)

(d) Other information that the local department determines may be useful including:

(i)—(ii) (text unchanged)

(iii) The names of any individuals whose legal access to the alleged victim has been restricted[.]; and

(7) *Upon request, to the State Medical Director for Children Receiving Child Welfare Services and all personnel under the direct supervision of State Medical Director as necessary to execute the duties of the position.*

C. In response to a written request pursuant to Human Services Article, §1-203, Annotated Code of Maryland, concerning an alleged victim who has suffered a fatality or near fatality:

(1) (text unchanged)

(2) If the State's Attorney concludes that[.];:

(a)—(b) (text unchanged)

(3)—(4) (text unchanged)

D. If it furthers a purpose of the specific exception to confidentiality, a local department may disclose, at its discretion, a record or report, or information in a record or report, concerning a CPS response to:

(1) (text unchanged)

(2) Local or state officials administering child protective services, *juvenile services*, child care, foster care, or adoption, including related licensing, approval, and compliance with regulations, as necessary to carry out their official functions;

(3)—(7) (text unchanged)

(8) The Office of Child Care:

(a) [for] *For disclosure to an operator of a child care center that is required to be licensed or to hold a letter of compliance under*

Family Law Article, Title 5, Subtitle 5, Part VII, Annotated Code of Maryland, or to a family day care provider who is required to be registered under Family Law Article, Title 5, Subtitle 5, Part V, Annotated Code of Maryland, for the purpose of:

[(a)] (i) (text unchanged)

[(b)] (ii) Carrying out appropriate personnel actions following a report of suspected child abuse or neglect when the alleged maltreater is an employee of a child care center or family day care home and, the alleged victim was under the care of the child care center or family day care provider at the time of the alleged maltreatment; or

(b) *For use in any administrative or judicial enforcement proceedings.*

(9)—(11) (text unchanged)

E. (text unchanged)

F. Disclosure by Consent.

(1) (text unchanged)

(2) Employment Background Checks—Indicated Finding.

(a) If an individual [submits a notarized request on a form developed by the Administration stating that the individual] requires a background check for the purposes of working or volunteering with children, a local department may notify a designated person [of] whether the individual has been identified in a final determination as responsible for indicated child abuse or neglect[.] *if the local department receives on a form developed by the Administration:*

(i) *A notarized request from the individual needing the background check stating that the individual will be or is working or volunteering with children;*

(ii) *A request signed by the individual needing the background check with a verification of that individual's identity by the person designated to receive the results of the background check stating that the individual will be or is working or volunteering with children; or*

(iii) *Other reliable verification of the individual's identity from a source approved by the Administration and a statement by the individual needing the background clearance that the individual will be or is working or volunteering with children.*

(b) With the [notarized] request under §F(2)(a) of this regulation or by [notarized] a subsequent request meeting the requirements of §F(2)(a) of this regulation, after a local department has notified a designated party that an individual has been found responsible for indicated child abuse or neglect, the individual may authorize the local department to release to the designated person a brief written summary of the facts resulting in the indicated.

(c)—(d) (text unchanged)

(3) (text unchanged)

G.—I. (text unchanged)

.23 Development of Procedures for Joint Investigations.

A. To facilitate the investigation and prosecution of cases of alleged child abuse or neglect, the local department shall enter into a collaborative written agreement pursuant to Family Law Article, §5-706(f), Annotated Code of Maryland, with:

(1)—(2) (text unchanged)

(3) The Office of Child Care's regional manager; [and]

(4) The local health officer[.]; and

(5) *The local child advocacy center.*

B. Joint Investigation of Child Sexual Abuse Allegations.

(1) To facilitate the investigation of alleged child sexual abuse, the local department shall enter into a collaborative written agreement pursuant to Family Law Article, §5-706(g), Annotated Code of Maryland, with the appropriate law enforcement agencies, *child advocacy center*, and the State's Attorney's office to establish joint investigation procedures.

(2) (text unchanged)

C. (text unchanged)

LOURDES R. PADILLA
Secretary of Human Services

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.11 Out-of-Home Placement Program

Authority: Courts and Judicial Proceedings Article, §§3-801, 3-802, 3-815, 3-816.1, 3-817, 3-819.1, 3-819.2, 3-820, and 3-823; Education Article, §§7-101(b) and 15-106.1; Family Law Article, §§5-501, 5-504, 5-524—5-534, 5-701, and 5-709; Human Services Article, §9-101 et seq.; Annotated Code of Maryland
(Agency Note: Federal Regulatory Reference: 42 U.S.C. §§620 et seq., 670 et seq.; 45 CFR §205.10; 45 CFR §303.72; 45 CFR 1355—1357)

Notice of Proposed Action

[20-047-P]

The Secretary of Human Services proposes to amend Regulation .12 under **COMAR 07.02.11 Out-of-Home Placement Program**.

Statement of Purpose

The purpose of this action is to amend COMAR 07.02.11.12 regarding Education for the Child in Out-Of-Home Placement in order for the Department of Human Services to be in compliance with both amended State (Ch. 369, Acts of 2018) and federal laws (Every Student Succeeds Act (ESSA); Family First Prevention Services Act) which affect education for children in foster care.

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.

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 Davon Gardner, Government Affairs Associate, Maryland Department of Human Services, 311 W. Saratoga Street, Baltimore, MD 21201, or call 410-767-8966, or email to Davon.Gardner@Maryland.com. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.12 Education for the Child in Out-of-Home Placement.

A. (text unchanged)

B. School Stability.

(1) With respect to a child who is *in* the custody of, committed to, or otherwise placed by the local department of social services in out-of-home placement, the local department shall determine whether it is in the child's best interests to continue the child's education at the school the child last attended prior to the most recent change in placement [except for "a child awaiting foster care placement" as set forth in the McKinney-Vento Act of 1987 and defined in COMAR 13A.05.09.02].

(2) In determining the best interests of the child under §B(1) of this regulation, the local department of social services shall, in consultation with the local education agency, consider the following factors, not in order of priority:

(a)—(j) (text unchanged)

(k) Distance[, and time[, and complexity] of commute and the impact it may have on the child's education [and other child-centered, transportation-related factors]; and

(l) (text unchanged)

(3) (text unchanged)

(4) The best interests determination made under this section shall be made[:

(a) Prior to the end of the first school year after the child enters out-of-home placement, and prior to any change in out-of-home placement thereafter, unless there is an unanticipated, emergency change in the child's residential placement; or

(b) If the child's residential placement is changed due to an unanticipated emergency,] as soon as possible after the *child's entrance into out-of-home placement or the child's change in [residential] out-of-home placement*, but no later than 5 business days thereafter.

(5) A child shall continue to be enrolled in and maintain attendance in the school of origin until the local department of social services completes the best interests determination in accordance with this section, *and transportation to the school of origin during that time period shall be provided by the local department*.

(6) *The local department of social services shall immediately provide written notice of the best interests determination made under §B(2) of this regulation to both the local educational agency foster care liaison in the local educational agency serving the school of origin and the local educational agency foster care liaison of the local educational agency serving the local zoned school.*

[(6)] (7) (text unchanged)

C.—F. (text unchanged)

G. When the local department believes that the child may have special educational needs, the local department shall notify the school and request an evaluation of those needs *if no prior evaluation has been completed*.

H. When the local department believes that a child younger than 5 years old is developmentally disabled, the local department shall request an assessment from the Maryland State Department of Education, Maryland Infant and Toddler's Program/Preschool Services Branch *if no prior assessment has been completed*.

I.—J. (text unchanged)

K. Tuition Waiver.

(1) The Maryland tuition waiver provides a waiver of tuition for a Maryland public institution of higher education and is applicable to certain [youth] *individuals* in, or formerly in, out-of-home care. [In order to qualify for the tuition waiver, the youth shall be] *An individual qualifies for the tuition waiver if the individual was placed by [a local department of social services] the Department of Human Services in an out-of-home placement [within the State] and resided in an out-of-home placement:*

(a) [At] *On the individual's 18th birthday or at the time of graduation from high school or successful completion of a General Equivalency Development Examination (GED); or*

(b) [On] *For at least 1 year on or after the [youth's] individual's 13th birthday and the [youth is] individual was placed into guardianship [or], adopted [from out-of-home placement after the youth's 13th birthday], or reunited with at least one of the individual's parents.*

[(c)] (2) [If the youth is the younger sibling] *Younger siblings of [a youth, as] individuals described in §K(1)(b) of this regulation and [is] concurrently placed into the same guardianship or adopted by the same adoptive family from an out-of-home placement [by the same guardianship or adoptive family] also qualify for this waiver.*

[(2)] (3) [The youth] *An individual who qualifies for this waiver shall be exempted from paying any tuition at a Maryland public institution of higher education, regardless of the [youth's]*

individual's receipt of scholarships or grants, if the [youth] individual:

(a) (text unchanged)

(b) Has filed for federal and State financial aid by [March 1] June 30 of each year.

(4) *The waiver is applied to the cost of tuition, registration fees, and all fees that are required as a condition of enrollment. Scholarships and grants that the individual receives may not be used to pay these costs.*

[(3)] (5) Tuition [is] and registration fees are determined by the individual public institution of higher education [and includes the cost of tuition and registration fees as well as all fees that are required as a condition of enrollment]. Tuition does not include the cost of room, board, books, [and] or transportation.

[(4)] (6) The tuition waiver is available to the [recipient] *qualified individual* for up to [5] 10 years after first enrolling as a candidate for either an associate or bachelor's degree in a Maryland public institution of higher education, or until a bachelor's degree is awarded, whichever is earlier.

[(5)] (7) The waiver is applied to the cost of tuition and registration fees as well as all fees that are required as a condition of enrollment. Scholarships and grants that the youth receives may not be used to pay for these costs.]

[(6)] (7) The [youth] *qualified individual* shall inform the financial aid office at the Maryland public institution of higher education of the [youth] individual's potential eligibility for the tuition waiver.

[(7)] (8) The [youth] *qualified individual* is responsible for adherence to all financial aid policies of the Maryland Higher Education Commission and the Maryland public institution of higher education at which the [youth] individual is enrolled.

[(8)] (9) (text unchanged)

L. Federal Education Training Vouchers Program.

(1) [A youth] *An individual who was placed by the Department of Human Services in an out-of-home placement* may request assistance in obtaining funds for [higher education or vocational training] *post-secondary education or training at an institution of higher education*, through the federal Chafee Education and Training Vouchers (ETV) program.

(2) To obtain funds from the ETV program, the [youth] individual:

(a)—(b) (text unchanged)

(c) [May not be in default on any educational loan or owe a refund of an educational grant;] *Shall have filed for federal and State financial assistance by June 30 of each year for the upcoming school year; and*

(d) [Shall have filed for federal and State financial assistance by March 1 of each year for the upcoming school year] *May not be in default on any educational loan or owe a refund of an educational grant.*

(3) [The ETV program is available to] *An individual is eligible for the ETV program if the individual:*

(a) [Youth] *Is eligible for Chafee Independent Living Services according to federal guidelines [who are committed to Maryland];*

(b) [Youth previously living in out-of-home placement and pursuing post-secondary education or training in an institution of higher education or vocational program] *Aged out of out-of-home placement; or*

(c) [Youth who were adopted or enter guardianship from] *Lived in out-of-home placement [after their 16th birthday] at 14 years old or older and was adopted or entered guardianship at 16 years old or older.*

(4) [Youth who are 21 years old or older and are actively participating in the ETV voucher program may remain eligible until

they reach 23 years old] *The ETV program is available to eligible individuals who are pursuing post-secondary education or training in an institution of higher education up to the age of 26 as long as they are [continuously] enrolled [in post-secondary education] before their 21st birthday and making satisfactory progress toward completion of [the] such program, but an individual may not participate in the ETV program for more than 5 years.*

(5) (text unchanged)

(6) [The ETV application] *Applications to the ETV program* shall be forwarded to the Administration for review and approval by the [Independent Living Coordinator] *education specialist.*

LOURDES R. PADILLA
Secretary of Human Services

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-1006.1, Annotated Code of Maryland

Notice of Proposed Action

[20-028-P]

The Secretary of Natural Resources proposes to amend Regulation .12 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to add certain areas that meet the criteria under Natural Resources Article, §4-1006.1, Annotated Code of Maryland, as submerged aquatic vegetation (SAV) protection zones and remove certain areas that no longer meet the criteria to remain as SAV protection zones. Natural Resources Article, §4-1006.1, Annotated Code of Maryland, requires the Department to create SAV protection zones and update those zones every 3 years using data from an annual aerial survey compiled by the Virginia Institute of Marine Sciences (VIMS) for the annual Bay-wide Submerged Aquatic Vegetation Mapping Program.

The areas to be added based on the VIMS data from 2016 and 2019 include areas in Old Colony Cove in Anne Arundel County, areas near Broomes Island and Solomons Island in Calvert County, areas near Cook Point in Dorchester County, areas north of Eastern Neck Island in Kent County, areas in Crab Alley Bay, Prospect Bay, and the Wye River in Queen Anne's County, areas in or near Bloodsworth Island, South Marsh Island, Deal Island, Manokin River, Big Annessex River, Little Annessex River, Janes Island, Cedar Island, Ape Hole Creek, and Gunby Creek in Somerset County, areas downstream of Breton Bay in the Potomac River, areas near Smith Creek, an area near Lake Conoy on the Potomac River and an area near the Webster Field Annex in St. Mary's County, areas in the Miles River, Eastern Bay, Harris Creek, and Black Walnut Cove in Talbot County, and areas in Sinepuxent Bay in Worcester County.

The areas to be removed based on the VIMS data from 2016 and 2019 include areas near Deal Island in Somerset County, areas in the Potomac River near St. George Island in St. Mary's County and areas in Assawoman Bay, Sinepuxent Bay, Rowley Cove, and Parker Bay in Worcester County.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action has an economic impact on the Department due to the cost of buoy placement. The proposed action has a noneconomic impact on the regulated industry or small businesses because very little, if any, of the newly protected area is used for commercial clamming purposes.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:		
Buoy placement	(E+)	\$105,750
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. The average cost to the Department to place a buoy is \$450. At a maximum, it is believed that 235 new buoys will need to be placed to mark the new submerged aquatic vegetation protection zones as required by Natural Resources Article, §4-1006.1, Annotated Code of Maryland. The total maximum cost to the Department would therefore be \$105,750.

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 SAV Regulations, Regulatory Staff, Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue, B-2, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.12 Submerged Aquatic Vegetation (SAV) Protection Zones.

A. (text unchanged)

B. Submerged Aquatic Vegetation (SAV) Protection Zones.

(1) Somerset County.

(a) All of the waters of Fishing Creek [north of a line beginning at a point at or near the shore at the west side of Fishing Creek defined by Lat. 38°08' 54.1" N, Long. 75°53'18.2" W; then running approximately 72° True to a point at or near the shore at the east side of Fishing Creek defined by Lat. 38°08'57.0" N, Long. 75°53'6.8" W.], Manokin River, Broad Creek, and Geanquakin Creek

enclosed by a line beginning at a point at or near the shore at the west side of Fishing Creek defined by Lat. 38°08.280' N, Long. 75°54.370' W; then running approximately 121° True to a point defined by Lat. 38°08.233' N, Long. 75°54.272' W; then running approximately 50° True to a point defined by Lat. 38°08.485' N, Long. 75°53.879' W; then running approximately 352° True to a point defined by Lat. 38°08.692' N, Long. 75°53.914' W; then running approximately 76° True to a point defined by Lat. 38°08.846' N, Long. 75°53.082' W; then running approximately 180° True to a point defined by Lat. 38°08.634' N, Long. 75°53.085' W; then running approximately 258° True to a point defined by Lat. 38°08.567' N, Long. 75°53.506' W; then running approximately 208° True to a point defined by Lat. 38°08.385' N, Long. 75°53.633' W; then running approximately 110° True to a point defined by Lat. 38°07.974' N, Long. 75°52.278' W; then running approximately 80° True to a point defined by Lat. 38°08.069' N, Long. 75°51.574' W; then running approximately 23° True to a point defined by Lat. 38°08.205' N, Long. 75°51.499' W; then running approximately 67° True to a point defined by Lat. 38°08.269' N, Long. 75°51.300' W; then running approximately 28° True to a point defined by Lat. 38°08.429' N, Long. 75°51.187' W; then running approximately 11° True to a point defined by Lat. 38°08.624' N, Long. 75°51.136' W; then running approximately 90° True to a point defined by Lat. 38°08.618' N, Long. 75°50.342' W; then running approximately 28° True to a point defined by Lat. 38°08.975' N, Long. 75°50.091' W; then running approximately 110° True to a point defined by Lat. 38°08.765' N, Long. 75°49.382' W; then running approximately 86° True to a point defined by Lat. 38°08.770' N, Long. 75°49.277' W; then running approximately 62° True to a point defined by Lat. 38°08.837' N, Long. 75°49.114' W; then running approximately 335° True to a point at or near the western shore of Saint Peter's Creek defined by Lat. 38°08.854' N, Long. 75°49.123' W; then running southeasterly along the shore to the point of beginning.

(b) All of the waters of Cow Point Creek [east of a line beginning at a point at or near the shore at the north side of Cow Point Creek defined by Lat. 37°56'18.8" N, Long. 75°53'39.9" W; then running approximately 193° True to a point at or near the shore at the south side of Cow Point Creek defined by Lat. 37°56'7.4" N, Long. 75°53'43.1" W.], Fishing Creek, Pond Creek, Muddy Creek, Cedar Straits, Cedar Island Creek, Green Straits, Crooked Creek, Crooked Creek Gut, the Prong Broad Creek, Daughtery Creek, Little Annemessex River, Pocomoke Sound, and Tangier Sound enclosed by a line beginning at a point at or near the western shore of Broad Creek on Cedar Island defined by Lat. 37°56.568' N, Long. 75°51.534' W; then running approximately 138° True to a point defined by Lat. 37°56.562' N, Long. 75°51.527' W; then running approximately 174° True to a point defined by Lat. 37°56.099' N, Long. 75°51.472' W; then running approximately 143° True to a point defined by Lat. 37°55.996' N, Long. 75°51.376' W; then running approximately 119° True to a point defined by Lat. 37°55.931' N, Long. 75°51.233' W; then running approximately 150° True to a point defined by Lat. 37°55.827' N, Long. 75°51.161' W; then running approximately 184° True to a point defined by Lat. 37°55.456' N, Long. 75°51.196' W; then running approximately 210° True to a point defined by Lat. 37°55.047' N, Long. 75°51.501' W; then running approximately 253° True to a point defined by Lat. 37°54.854' N, Long. 75°52.316' W; then running approximately 185° True to a point at or near the Maryland-Virginia state line defined by Lat. 37°54.690' N, Long. 75°52.336' W; then running approximately 268° True to a point at or near the Maryland-Virginia state line defined by Lat. 37°54.678' N, Long. 75°52.980' W; then running approximately 265° True to a point at or near the Maryland-Virginia state line defined by Lat. 37°54.618' N, Long. 75°53.896' W; then running approximately 29° True to a point defined by Lat. 37°54.853' N, Long. 75°53.726' W; then running approximately 344° True to a

point defined by Lat. 37°55.246' N, Long. 75°53.858' W; then running 30° True to a point at the northern shore of Cedar Island Creek defined by Lat. 37°55.378' N, Long. 75°53.760' W; then running northerly along the western shore of Cedar Island to a point defined by Lat. 37°55.675' N, Long. 75°53.612' W; then running approximately 282° True to a point defined by Lat. 37°55.698' N, Long. 75°53.746' W; then running approximately 16° True to a point defined by Lat. 37°55.976' N, Long. 75°53.641' W; then running approximately 338° True to a point defined by Lat. 37°56.090' N, Long. 75°53.697' W; then running approximately 12° True to a point defined by Lat. 37°56.247' N, Long. 75°53.653' W; then running approximately 49° True to a point at or near the western shore of Cedar Island defined by Lat. 37° 56.311' N, Long. 75°53.557' W; then running northerly along the shore to a point at or near the eastern shore of the entrance to Broad Creek defined by Lat. 37°57.212' N, Long. 75°53.363' W; then running approximately 348° True to a point defined by Lat. 37°57.489' N, Long. 75°53.434' W; then running approximately 77° True to a point defined by Lat. 37°57.562' N, Long. 75°53.002' W; then running approximately 119° True to a point defined by Lat. 37°57.067' N, Long. 75°51.896' W; then running approximately 167° True to a point at or near the eastern shore of the entrance to Broad Creek defined by Lat. 37°57.040' N, Long. 75°51.888' W; then running southeasterly along the shore to the point of beginning.

(c) All of the waters of Tangier Sound, Terrapin Sand Cove, Back Cove, Fog Point Cove, Big Thorofare, Chesapeake Bay, Shanks Creek, [and] Tyler Creek, Indian Creek, Levering Creek, North End Bottom, Barnes Cove, Twitch Cove, Channel Point Gut, Lightning Knot Cove, Rock Creek, and Juggling Creek enclosed by a line beginning at a point at or near the Maryland-Virginia line [at Horse Hammock defined by Lat. 37°57'11.6" N, Long. 75°59'33.9" W; then running approximately 21° True to a point defined by Lat. 37°57'38.4" N, Long. 75°59'20.7" W; then running approximately 22° True to a point defined by Lat. 37°58'15.3" N, Long. 75°59'2.1" W; then running approximately 18° True to a point defined by Lat. 37°59'13.7" N, Long. 75°58'38.4" W; then running approximately 20° True to a point defined by Lat. 38°00'14.8" N, Long. 75°58'10.9" W; then running approximately 331° True to a point defined by Lat. 38°01'25.4" N, Long. 75°58'59.6" W; then running approximately 307° True to a point defined by Lat. 38°02'12.7" N, Long. 76°00'18.3" W; then running approximately 302° True to a point defined by Lat. 38°02' 26.6" N, Long. 76°00' 45.9" W; then running approximately 260° True to a point defined by Lat. 38°02' 11.8" N, Long. 76°02'34.6" W; then running approximately 163° True to a point at or near the shore at Fog Point defined by Lat. 38°01'59.0" N, Long. 76°02'29.8" W; then running southerly along the west shore of Smith Island to a point at or near the shore at the north side of the entrance of Big Thorofare defined by Lat. 38°00'35.1" N, Long. 76°02'57.1" W; then running approximately 194° True to a point defined by Lat. 38°00' 1.9" N, Long. 76°03'7.8" W; then running approximately 175° True to a point defined by Lat. 37°57'13.2" N, Long. 76°02'50.2" W; then running easterly along the Maryland-Virginia state line to the point of beginning.] defined by Lat. 37°57.166' N, Long. 75°59.358' W; then running approximately 280° True to a point at or near the shore at Horse Hammock defined by Lat. 37°57.203' N, Long. 75°59.613' W; then running along the Maryland-Virginia state line approximately 270° True to a point defined by Lat. 37°58.208' N, Long. 76°00.367' W; then running along the Maryland-Virginia state line approximately 270° True to a point at or near the shore defined by Lat. 37°57.212' N, Long. 76°01.050' W; then running along the Maryland-Virginia state line approximately 270° True to a point at or near the shore defined by Lat. 37°57.211' N, Long. 76°01.753' W; then running along the Maryland-Virginia state line approximately 270° True to a point defined by Lat. 37°57.215' N, Long. 76°02.278' W; then running

along the Maryland-Virginia state line approximately 269° True to a point defined by Lat. 37°57.211' N, Long. 76°02.651' W; then running approximately 337° True to a point defined by Lat. 37°58.056' N, Long. 76°03.089' W; then running approximately 359° True to a point defined by Lat. 38°00.117' N, Long. 76°03.108' W; then running approximately 13° True to a point defined by Lat. 38°02.074' N, Long. 76°02.526' W; then running approximately 61° True to a point defined by Lat. 38°02.454' N, Long. 76°01.653' W; then running approximately 90° True to a point defined by Lat. 38°02.443' N, Long. 76°00.765' W; then running approximately 106° True to a point defined by Lat. 38°02.202' N, Long. 75°59.740' W; then running approximately 142° True to a point defined by Lat. 38°01.433' N, Long. 75°58.998' W; then running approximately 160° True to a point defined by Lat. 37°59.332' N, Long. 75°58.075' W; then running approximately 186° True to a point defined by Lat. 37°58.598' N, Long. 75°58.187' W; then running approximately 212° True to the point of beginning.

[(d) All of the waters of Cedar Island Creek, Green Straits, and Pocomoke Sound east and north of a line beginning at a point at or near the shore at the north side of Cedar Island Creek defined by Lat. 37°55'12.5" N, Long. 75°53'44.8" W; then running approximately 144° True to a point defined by Lat. 37°55'4.3" N, Long. 75°53'37.2" W; then running approximately 185° True to a point defined by Lat. 37°54'51.4" N, Long. 75°53'38.6" W; then running approximately 202° True to a point defined by Lat. 37°54'40.2" N, Long. 75°53'44.5" W; then running approximately 239° True to a point at or near the Maryland-Virginia Line defined by Lat. 37°54'37.3" N, Long. 75°53'50.5" W; then running approximately 85° True to a point at or near the Maryland-Virginia boundary corner at Watkins Point defined by Lat. 37°54'40.7" N, Long. 75°52'58.8" W; then running approximately 89° True to a point at or near the Maryland-Virginia Line defined by Lat. 37°54'41.0" N, Long. 75°52'35.7" W; then running approximately 12° True to a point defined by Lat. 37°54'54.6" N, Long. 75°52'32.1" W; then running approximately 79° True to a point defined by Lat. 37°54'59.8" N, Long. 75°51'57.2" W; then running approximately 78° True to a point defined by Lat. 37°55'1.7" N, Long. 75°51'45.9" W; then running approximately 319° True to a point at or near the shore at Cedar Island Marsh defined by Lat. 37°55'5.4" N, Long. 75°51'50.0" W.

(e) All of the waters of Fishing Creek east of a line beginning at a point at or near the shore at Cedar Island Marsh defined by Lat. 37°56'5.4" N, Long. 75°53'41.8" W; then running approximately 159° True to a point defined by Lat. 37°55'57.6" N, Long. 75°53'38.0" W; then running approximately 194° True to a point at or near the shore at Cedar Island Marsh defined by Lat. 37°55'40.5" N, Long. 75°53'43.6" W.

(f) All of the waters of Broad Creek west of a line beginning at a point at or near the shore at Cedar Island Marsh defined by Lat. 37°55'12.2" N, Long. 75°51' 39.8" W; then running approximately 87° True to a point defined by Lat. 37°55'12.6" N, Long. 75°51'29.1" W; then running approximately 62° True to a point defined by Lat. 37°55'16.4" N, Long. 75°51'20.0" W; then running approximately 35° True to a point defined by Lat. 37°55'19.9" N, Long. 75°51'16.9" W; then running approximately 13° True to a point defined by Lat. 37°55'36.8" N, Long. 75°51'11.9" W; then running approximately 7° True to a point defined by Lat. 37°55'50.7" N, Long. 75°51'9.5" W; then running approximately 302° True to a point defined by Lat. 37°55'54.6" N, Long. 75°51'17.5" W; then running approximately 275° True to a point at or near the shore at the west side of Broad Creek defined by Lat. 37°55'54.9" N, Long. 75°51'21.3" W.

(g) All of the waters of Broad Creek northwest of a line beginning at a point at or near the shore at the north entrance to the Prong defined by Lat. 37°56'8.1" N, Long. 75°51'41.0" W; then running approximately 117° True to a point defined by Lat. 37°56'4.6" N, Long. 75°51'32.2" W; then running approximately 88°

True to a point defined by Lat. 37°56'4.7" N, Long. 75°51'28.2" W; then running approximately 356° True to a point defined by Lat. 37°56'18.1" N, Long. 75°51'29.5" W; then running approximately 347° True to a point defined by Lat. 37°56'25.0" N, Long. 75°51'31.5" W; then running approximately 272° True to a point at or near the shore at the west side of Broad Creek defined by Lat. 37°56'25.1" N, Long. 75°51'33.8" W.

(h) All of the waters of Broad Creek north of a line beginning at a point at or near the shore at the east side of Broad Creek defined by Lat. 37°56'25.2" N, Long. 75°51'28.0" W; then running approximately 175° True to a point defined by Lat. 37°56'4.6" N, Long. 75°51'25.7" W; then running approximately 123° True to a point defined by Lat. 37°55'58.9" N, Long. 75°51'14.4" W; then running approximately 133° True to a point defined by Lat. 37°55'53.3" N, Long. 75°51'6.9" W; then running approximately 349° True to a point defined by Lat. 37°55'56.2" N, Long. 75°51'7.6" W; then running approximately 354° True to a point defined by Lat. 37°56'4.3" N, Long. 75°51'8.8" W; then running approximately 337° True to a point at or near the shore at the west side of Fishing Ditch defined by Lat. 37°56'12.2" N, Long. 75°51'13.0" W.

(i) All of the waters of Fishing Ditch north of a line beginning at a point at or near the shore at the north side of Fishing Ditch defined by Lat. 37°56'15.1" N, Long. 75°51'3.6" W; then running approximately 165° True to a point defined by Lat. 37°56'10.6" N, Long. 75°51'2.0" W; then running approximately 130° True to a point defined by Lat. 37°56'8.5" N, Long. 75°50'59.0" W; then running approximately 167° True to a point defined by Lat. 37°56'6.9" N, Long. 75°50'58.5" W; then running approximately 113° True to a point defined by Lat. 37°56'5.2" N, Long. 75°50'53.6" W; then running approximately 20° True to a point defined by Lat. 37°56'6.6" N, Long. 75°50'53.0" W; then running approximately 61° True to a point at or near the shore at the north side of Fishing Ditch defined by Lat. 37°56'9.9" N, Long. 75°50'45.1" W.

(j) All of the waters of Massey Creek north of a line beginning at a point at or near the shore at the southwest entrance of Massey Creek defined by Lat. 37°56'5.0" N, Long. 75°49'53.4" W; then running approximately 26° True to a point at or near the shore at the northeast entrance of Massey Creek defined by Lat. 37°56'15.0" N, Long. 75°49'47.2" W.

(k) All of the waters of Broad Creek Gut and Cow Gap Creek north of a line beginning at a point at or near the shore at Eastward Point defined by Lat. 37°55'25.9" N, Long. 75°50'54.5" W; then running approximately 64° True to a point defined by Lat. 37°55'37.9" N, Long. 75°50'23.9" W; then running approximately 33° True to a point defined by Lat. 37°55'47.2" N, Long. 75°50'16.3" W; then running approximately 79° True to a point at or near the shore at Oystershell Point defined by Lat. 37°55'49.5" N, Long. 75°50'0.8" W.]

[(l)] (d) All of the waters of Broad Creek [east of a line beginning at a point at or near the shore of the east side of Broad Creek defined by Lat. 37°55'53.5" N, Long. 75°50'57.6" W.; then running approximately 294° True to a point defined by Lat. 37°55'53.9" N, Long. 75°50'58.6" W; then running approximately 212° True to a point defined by Lat. 37°55'50.3" N, Long. 75°51'1.5" W.; then running approximately 205° True to a point defined by Lat. 37°55'45.2" N, Long. 75°51'4.4" W; then running approximately 183° True to a point defined by Lat. 37°55'34.6" N, Long. 75°51'5.1" W; then running approximately 143° True to a point at or near the shore at the east side of Broad Creek defined by Lat. 37°55'27.0" N, Long. 75°50'58.0" W.], *Little Ware Point Creek, Massey Creek, Cow Gap Creek, Broad Creek Gut, Fishing Ditch, and Pocomoke Sound enclosed by a line beginning at a point at or near the shore at the east side of Little Ware Point Creek defined by Lat. 37°56'33.6" N, Long. 75°49'24.6" W; then running approximately 249° True to a*

point defined by Lat. 37°56'21.9" N, Long. 75°49'64.6" W; then running approximately 229° True to a point defined by Lat. 37°56'15.1" N, Long. 75°49'74.6" W; then running approximately 191° True to a point defined by Lat. 37°55'8.29" N, Long. 75°49'83.3" W; then running approximately 207° True to a point defined by Lat. 37°55'70.8" N, Long. 75°49'91.4" W; then running approximately 248° True to a point defined by Lat. 37°55'46.1" N, Long. 75°50'73.3" W; then running approximately 259° True to a point defined by Lat. 37°55'42.6" N, Long. 75°50'97.8" W; then running approximately 314° True to a point defined by Lat. 37°55'53.6" N, Long. 75°51'11.8" W; then running approximately 5° True to a point defined by Lat. 37°55'86.4" N, Long. 75°51'08.0" W; then running approximately 320° True to a point defined by Lat. 37°55'99.4" N, Long. 75°51'21.7" W; then running approximately 294° True to a point defined by Lat. 37°56'04.6" N, Long. 75°51'35.6" W; then running approximately 324° True to a point defined by Lat. 37°56'12.6" N, Long. 75°51'42.9" W; then running approximately 354° True to a point at or near the shore at the east side of Broad Creek and south of Landing Gut defined by Lat. 37°56'53.9" N, Long. 75°51'47.4" W then running southeasterly along the shore to the point of beginning.

[(m) All of the waters of Cedar Creek, Pond Creek, Muddy Creek, and the Little Annemessex River south of a line beginning at a point at or near the shore at the east side of the entrance of Cedar Creek defined by Lat. 37°57'1.8" N, Long. 75°52'11.2" W; then running approximately 270° True to a point defined by Lat. 37°57'1.8" N, Long. 75°52'18.1" W; then running approximately 278° True to a point defined by Lat. 37°57'3.8" N, Long. 75°52'35.9" W; then running approximately 347° True to a point defined by Lat. 37°57'20.6" N, Long. 75°52'41.0" W; then running approximately 293° True to a point defined by Lat. 37°57'29.5" N, Long. 75°53'7.0" W; then running approximately 265° True to a point at or near Great Point defined by Lat. 37°57'28.0" N, Long. 75°53'29.3" W.]

[(n)] (e) All of the waters of Jenkins Creek [east of a line beginning at a point at or near the shore of the Little Annemessex River defined by Lat. 37°57'53.9" N, Long. 75°52'0.9" W; then running approximately 162° True to a point defined by Lat. 37°57'39.9" N, Long. 75°51'55.3" W; then running approximately 191° True to a point defined by Lat. 37°57'32.5" N, Long. 75°51'57.2" W; then running approximately 123° True to a point defined by Lat. 37°57'29.7" N, Long. 75°51'51.8" W; then running approximately 177° True to a point at or near the shore at the south side of Jenkins Creek defined by Lat. 37°57'11.8" N, Long. 75°51'50.5" W.] *and Little Annemessex River enclosed by a line beginning at a point at or near the eastern shore of the entrance to Broad Creek defined by Lat. 37°57'15.5" N, Long. 75°51'83.5" W; then running approximately 299° True to a point defined by Lat. 37°57'16.4" N, Long. 75°51'85.6" W; then running approximately 30° True to a point defined by Lat. 37°57'38.7" N, Long. 75°51'69.1" W; then running approximately 301° True to a point defined by Lat. 37°57'49.6" N, Long. 75°51'91.4" W; then running approximately 344° True to a point defined by Lat. 37°57'93.4" N, Long. 75°52'06.8" W; then running approximately 20° True to a point defined by Lat. 37°58'43.3" N, Long. 75°51'83.4" W; then running approximately 27° True to a point at or near the shore on the east side of the entrance to Somers Cove defined by Lat. 37°58'50.1" N, Long. 75°51'78.9" W; then running southerly to the point of beginning.*

[(o) All of the waters of the Little Annemessex River east of a line beginning at a point at or near the shore on the east side of the Little Annemessex River defined by Lat. 37°58'27.7" N, Long. 75°51'47.9" W; then running approximately 171° True to a point defined by Lat. 37°58'24.1" N, Long. 75°51'47.2" W; then running approximately 204° True to a point defined by Lat. 37°58'18.7" N, Long. 75°51'50.2" W; then running approximately 184° True to a point defined by Lat. 37°58'13.2" N, Long. 75°51'50.7" W; then running approximately 215° True to a point defined by Lat.

37°58'1.0" N, Long. 75°52'1.5" W; then running approximately 163° True to a point at or near the shore on the east side of the Little Annemessex River defined by Lat. 37°57'58.8" N, Long. 75°52'0.6" W.]

[(p)] (f) All of the waters of Old House Cove, *Daugherty Creek*, *Back Creek*, *West Creek*, and the Little Annemessex River enclosed by a line beginning at a point at or near the west shore of Old House [Gut defined by Lat. 37°58'28.1" N, Long. 75°53'37.7" W; then running approximately 91° True to a point defined by Lat. 37°58'28.0" N, Long. 75°53'33.4" W; then running approximately 58° True to a point defined by Lat. 37°58'34.4" N, Long. 75°53'20.5" W; then running approximately 7° True to a point defined by Lat. 37°58'43.3" N, Long. 75°53'19.1" W; then running approximately 150° True to a point defined by Lat. 37°58'39.0" N, Long. 75°53'16.0" W; then running approximately 190° True to a point defined by Lat. 37°58'34.8" N, Long. 75°53'16.9" W; then running approximately 208° True to a point defined by Lat. 37°58'27.7" N, Long. 75°53'21.7" W; then running approximately 123° True to a point defined by Lat. 37°58'7.8" N, Long. 75°52'42.2" W; then running approximately 57° True to a point defined by Lat. 37°58'25.7" N, Long. 75°52'7.3" W; then running approximately 8° True to a point defined by Lat. 37°58'33.7" N, Long. 75°52'5.8" W; then running approximately 72° True to a point defined by Lat. 37°58'35.6" N, Long. 75°51'58.9" W; then running approximately 5° True to a point defined by Lat. 37°58'47.3" N, Long. 75°51'57.7" W; then running approximately 92° True to a point at or near the shore at the east side of the Little Annemessex River defined by Lat. 37°58'47.1" N, Long. 75°51'52.6" W.] Cove defined by Lat. 37°58'20.2" N, Long. 75°53'33.8" W; then running approximately 51° True to a point defined by Lat. 37°58'33.9" N, Long. 75°53'11.7" W; then running approximately 122° True to a point defined by Lat. 37°58'10.1" N, Long. 75°52'65.2" W; then running approximately 52° True to a point defined by Lat. 37°58'42.4" N, Long. 75°52'11.4" W; then running approximately 33° True to a point defined by Lat. 37°58'6.24" N, Long. 75°51'94.6" W; then running approximately 0° True to a point defined by Lat. 37°58'7.71" N, Long. 75°51'94.4" W; then running approximately 90° True to a point at or near the shore north of Somers Cove defined by Lat. 37°58'7.71" N, Long. 75°51'87.6" W; then running northeasterly along shore to a point defined by Lat. 38°00'55.0" N, Long. 75°50'92.7" W; then running approximately 279° True to a point defined by Lat. 38°00'55.7" N, Long. 75°50'97.6" W; then running southwesterly to the point of beginning.

[(q)] (g) All of the waters of Rock Hole, *Thru Creek*, *Ward Creek*, *West Creek*, *Daugherty Creek*, and Rock Pond east of a line beginning at a point at or near the shore of James Island [defined by Lat. 38°01'36.2" N, Long. 75°52'28.0" W; then running approximately 163° True to a point defined by Lat. 38°01'29.7" N, Long. 75°52'25.5" W; then running approximately 97° True to a point defined by Lat. 38°01'28.2" N, Long. 75°52'10.5" W; then running approximately 212° True to a point defined by Lat. 38°01'16.8" N, Long. 75°52'19.5" W; then running approximately 160° True to a point at or near the shore of James Island defined by Lat. 38°01'6.3" N, Long. 75°52'14.6" W.] south of Rock Hole defined by Lat. 38°01'06.0" N, Long. 75°52'25.7" W; then running approximately 342° True to a point defined by Lat. 38°01'60.3" N, Long. 75°52'46.7" W; then running approximately 45° True to a point near the shore of Lawson's Marsh south of Flatcap Point defined by Lat. 38°01'63.8" N, Long. 75°52'42.1" W; then running along the shore to a point at or near the north shore of Ward Creek defined by Lat. 38°00'67.7" N, Long. 75°51'57.9" W; then running approximately 204° to a point at or near the south shore of Ward Creek defined by Lat. 38°00'65.3" N, Long. 75°51'59.3" W; then running easterly along shore to the point of beginning.

[(r)] (h) All of the waters of the Big Annemessex River, *Acre Creek*, *Daugherty Creek*, *Jones Creek*, and *Red Hole Creek*

[south of a line beginning at a point at or near the shore at Lawsons Marsh defined by Lat. 38°02'1.7" N, Long. 75°50'48.5" W; then running approximately 346° True to a point defined by Lat. 38°02'12.9" N, Long. 75°50'52.1" W; then running approximately 294° True to a point defined by Lat. 38°02'19.7" N, Long. 75°51'11.3" W; then running approximately 282° True to a point defined by Lat. 38°02'21.8" N, Long. 75°51'23.8" W; then running approximately 249° True to a point at or near the shore at Tenth Point defined by Lat. 38°02'18.2" N, Long. 75°51'36.0" W.] enclosed by a line beginning at a point at or near the south shore of Jones Creek defined by Lat. 38°01'62.6" N, Long. 75°49'38.9" W; then running approximately 87° True to a point defined by Lat. 38°01'62.7" N, Long. 75°49'33.2" W; then running approximately 2° True to a point defined by Lat. 38°01'67.6" N, Long. 75°49'32.9" W; then running approximately 298° True to a point defined by Lat. 38°01'73.3" N, Long. 75°49'46.2" W; then running approximately 282° True to a point defined by Lat. 38°01'75.1" N, Long. 75°49'56.7" W; then running approximately 6° True to a point defined by Lat. 38°01'84.9" N, Long. 75°49'55.1" W; then running approximately 307° True to a point defined by Lat. 38°01'91.5" N, Long. 75°49'66.0" W; then running approximately 349° True to a point defined by Lat. 38°01'98.8" N, Long. 75°49'67.9" W; then running approximately 255° True to a point defined by Lat. 38°01'95.3" N, Long. 75°49'90.8" W; then running approximately 326° True to a point defined by Lat. 38°02'10.6" N, Long. 75°50'03.7" W; then running approximately 303° True to a point defined by Lat. 38°02'15.9" N, Long. 75°50'13.7" W; then running approximately 225° True to a point defined by Lat. 38°02'04.0" N, Long. 75°50'29.3" W; then running approximately 242° True to a point defined by Lat. 38°01'95.1" N, Long. 75°50'50.8" W; then running approximately 205° True to a point defined by Lat. 38°01'80.1" N, Long. 75°50'59.7" W; then running approximately 256° True to a point defined by Lat. 38°01'77.3" N, Long. 75°50'74.5" W; then running approximately 230° True to a point defined by Lat. 38°01'70.3" N, Long. 75°50'85.3" W; then running approximately 216° True to a point defined by Lat. 38°01'55.5" N, Long. 75°50'99.1" W; then running approximately 347° True to a point defined by Lat. 38°01'65.2" N, Long. 75°51'01.9" W; then running approximately 268° True to a point defined by Lat. 38°01'65.2" N, Long. 75°51'08.7" W; then running approximately 335° True to a point defined by Lat. 38°01'70.8" N, Long. 75°51'11.9" W; then running approximately 74° True to a point defined by Lat. 38°01'74.7" N, Long. 75°50'94.0" W; then running approximately 70° True to a point defined by Lat. 38°01'80.1" N, Long. 75°50'75.0" W; then running approximately 49° True to a point defined by Lat. 38°01'86.0" N, Long. 75°50'66.2" W; then running approximately 341° True to a point defined by Lat. 38°02'23.8" N, Long. 75°50'82.4" W; then running approximately 293° True to a point defined by Lat. 38°02'38.9" N, Long. 75°51'26.7" W; then running approximately 254° True to a point defined by Lat. 38°02'31.6" N, Long. 75°51'61.5" W; then running approximately 180° True to a point at or near the shore of Tenth Point defined by Lat. 38°02'28.4" N, Long. 75°51'61.5" W; then running southerly along the shore to a point at the western shore of Daugherty Creek defined by Lat. 38°01'30.4" N, Long. 75°50'63.8" W; then running approximately 97° True to a point at the eastern shore of Daugherty Creek defined by Lat. 38°01'29.8" N, Long. 75°50'58.5" W; then running along shore to the point of beginning.

[(s)] All of the waters of Jones Creek, *Daugherty Creek*, and *Acre Creek* south of a line beginning at a point at or near the south shore of Jones Creek defined by Lat. 38°01'38.0" N, Long. 75°49'25.0" W; then running approximately 358° True to a point defined by Lat. 38°01'43.7" N, Long. 75°49'25.3" W; then running approximately 274° True to a point defined by Lat. 38°01'44.1" N, Long. 75°49'32.8" W; then running approximately 338° True to a point defined by Lat. 38°01'50.4" N, Long. 75°49'35.9" W; then running approximately 307° True to a point defined by Lat.

38°01'56.5" N, Long. 75°49'46.3" W; then running approximately 246° True to a point defined by Lat. 38°01'53.9" N, Long. 75°49'53.7" W; then running approximately 313° True to a point defined by Lat. 38°02'1.8" N, Long. 75°50'4.6" W; then running approximately 246° True to a point defined by Lat. 38°01'53.5" N, Long. 75°50' 28.0" W; then running approximately 213° True to a point defined by Lat. 38°01'49.3" N, Long. 75°50'31.4" W; then running approximately 149° True to a point defined by Lat. 38°01'36.7" N, Long. 75°50'21.8" W; then running approximately 298° True to a point defined by Lat. 38°01'45.4" N, Long. 75°50'42.9" W; then running approximately 227° True to a point defined by Lat. 38°01'37.1" N, Long. 75°50'54.1" W; then running approximately 186° True to a point defined by Lat. 38°01'24.0" N, Long. 75°50'56.0" W; then running approximately 334° True to a point defined by Lat. 38°01'43.1" N, Long. 75°51'7.7" W; then running approximately 79° True to a point defined by Lat. 38°01'44.8" N, Long. 75°50'56.4" W; then running approximately 15° True to a point at or near the shore on the north side of Acre Creek defined by Lat. 38°01'58.5" N, Long. 75°50'51.7" W.

(t) All of the waters of Jones Creek north of a line beginning at a point at or near the north shore of Jones Creek defined by Lat. 38°01'56.5" N, Long. 75°49'32.1" W; then running approximately 167° True to a point defined by Lat. 38°01'45.3" N, Long. 75°49'28.7" W; then running approximately 85° True to a point at or near the north shore of Jones Creek defined by Lat. 38°01'45.9" N, Long. 75°49'21.1" W.]

[(u)] (i) All of the waters of Jones Creek, the Big Annemessex River, and Joes Cove enclosed by a line beginning at a point at or near the [shore at the east side of Joes Cove defined by Lat. 38°02'39.8" N, Long. 75°49'1.9" W; then running approximately 314° True to a point defined by Lat. 38°02' 51.9" N, Long. 75°49'17.8" W; then running approximately 262° True to a point defined by Lat. 38°02'48.0" N, Long. 75°49'50.7" W; then running approximately 223° True to a point defined by Lat. 38°02'20.8" N, Long. 75°50'23.0" W; then running approximately 141° True to a point defined by Lat. 38°02'11.8" N, Long. 75°50'13.6" W; then running approximately 49° True to a point defined by Lat. 38°02'18.1" N, Long. 75°50'4.4" W; then running approximately 112° True to a point defined by Lat. 38°02'15.4" N, Long. 75°49'55.7" W; then running approximately 171° True to a point defined by Lat. 38°02'7.2" N, Long. 75°49'54.1" W; then running approximately 118° True to a point defined by Lat. 38°02'5.5" N, Long. 75°49'50.0" W; then running approximately 65° True to a point defined by Lat. 38°02'7.9" N Long. 75°49'43.4" W; then running approximately 103° True to a point defined by Lat. 38°02'5.8" N, Long. 75°49'31.6" W; then running approximately 118° True to a point defined by Lat. 38°02'3.4" N, Long. 75°49'26.1" W; then running approximately 227° True to a point at or near the shore on the north side of Jones Creek defined by Lat. 38°01'58.5" N, Long. 75°49'32.7" W.] north shore of Jones Creek defined by Lat. 38°01'726' N, Long. 75°49'264' W; then running approximately 228° True to a point defined by Lat. 38°01'699' N, Long. 75°49'303' W; then running approximately 309° True to a point defined by Lat. 38°01'752' N, Long. 75°49'383' W; then running approximately 266° True to a point defined by Lat. 38°01'749' N, Long. 75°49'452' W; then running approximately 282° True to a point defined by Lat. 38°01'762' N, Long. 75°49'525' W; then running approximately 6° True to a point defined by Lat. 38°01'860' N, Long. 75°49'510' W; then running approximately 346° True to a point defined by Lat. 38°01'900' N, Long. 75°49'522' W; then running approximately 328° True to a point defined by Lat. 38°02'003' N, Long. 75°49'601' W; then running approximately 70° True to a point defined by Lat. 38°02'042' N, Long. 75°49'455' W; then running approximately 320° True to a point defined by Lat. 38°02'078' N, Long. 75°49'491' W; then running approximately 286° True to a point defined by Lat.

38°02'132' N, Long. 75°49'723' W; then running approximately 238° True to a point defined by Lat. 38°02'045' N, Long. 75°49'905' W; then running approximately 317° True to a point defined by Lat. 38°02'215' N, Long. 75°50'098' W; then running approximately 251° True to a point defined by Lat. 38°02'103' N, Long. 75°50'537' W; then running approximately 17° True to a point defined by Lat. 38°02'729' N, Long. 75°50'277' W; then running approximately 44° True to a point defined by Lat. 38°03'037' N, Long. 75°49'892' W; then running approximately 87° True to a point defined by Lat. 38°03'053' N, Long. 75°49'425' W; then running approximately 109° True to a point at or near the shore on the southwest side of Long Point defined by Lat. 38°02'842' N, Long. 75°48'666' W; then running southerly along the shore to the point of beginning.

[(v)] All of the waters of Moon Bay north of a line beginning at a point at or near the shore of Moon Bay defined by Lat. 38°04'19.2" N, Long. 75°48'0.7" W; then running approximately 109° True to a point at or near the shore of Moon Bay defined by Lat. 38°04'16.3" N, Long. 75°47'50.3" W.

(w) All of the waters of an unnamed cove of the Big Annemessex River north of a line beginning at a point at or near the shore at Mud Point defined by Lat. 38°04'13.5" N, Long. 75°47'42.8" W; then running approximately 73° True to a point at or near the shore at Horsehead Point defined by Lat. 38°04'15.7" N, Long. 75°47'33.6" W.]

[(x)] (j) All of the waters of Mine Cove, Shirtpond Cove, Flatland Cove, Muddy Creek, Fords Cove, Crane Cove, Moon Bay, Hall Creek, and the Big Annemessex River [north of a line beginning at a point at or near the shore at the west side of Mine Cove defined by Lat. 38°03'33.0" N, Long. 75°51'58.6" W; then running approximately 83° True to a point defined by Lat. 38°03'34.2" N, Long. 75°51'45.8" W; then running approximately 112° True to a point defined by Lat. 38°03'31.2" N, Long. 75°51'36.6" W; then running approximately 46° True to a point defined by Lat. 38°03'37.6" N, Long. 75°51'28.2" W; then running approximately 358° True to a point defined by Lat. 38°03'53.2" N, Long. 75°51'28.8" W; then running approximately 41° True to a point defined by Lat. 38°04'2.2" N, Long. 75°51'18.9" W; then running approximately 94° True to a point defined by Lat. 38°04'0.8" N, Long. 75°50'54.5" W; then running approximately 36° True to a point defined by Lat. 38°04'11.8" N, Long. 75°50'44.3" W; then running approximately 73° True to a point defined by Lat. 38°04'13.5" N, Long. 75°50'37.7" W; then running approximately 119° True to a point defined by Lat. 38°04'9.2" N, Long. 75°50'28.1" W; then running approximately 113° True to a point defined by Lat. 38°04'0.7" N, Long. 75°50'2.6" W; then running approximately 68° True to a point, defined by Lat. 38°04'5.4" N, Long. 75°49'48.2" W; then running approximately 94° True to a point defined by Lat. 38°04'4.7" N, Long. 75°49'34.6" W; then running approximately 90° True to a point defined by Lat. 38°04'4.7" N, Long. 75°49'27.6" W; then running approximately 357° True to a point defined by Lat. 38°04'11.4" N, Long. 75°49'28.1" W; then running approximately 89° True to a point defined by Lat. 38°04' 11.5" N, Long. 75°49'20.7" W; then running approximately 123° True to a point defined by Lat. 38°04'7.5" N, Long. 75°49'12.8" W; then running approximately 69° True to a point defined by Lat. 38°04'8.2" N, Long. 75°49'10.7" W; then running approximately 144° True to a point defined by Lat. 38°04'4.3" N, Long. 75°49'7.2" W; then running approximately 239° True to a point defined by Lat. 38°04'1.5" N, Long. 75°49'13.3" W; then running approximately 139° True to a point defined by Lat. 38°03'47.8" N, Long. 75°48'58.2" W; then running approximately 152° True to a point at or near the shore at Scott Point defined by Lat. 38°03'33.1" N, Long. 75°48'48.2" W.] enclosed by a line beginning at a point at or near the shore at the west side of Mine Cove defined by Lat. 38°03'563' N, Long. 75°52'248' W; then running approximately 106° True to a point defined by Lat. 38°03'469' N,

Long. 75°51.845' W; then running approximately 80° True to a point defined by Lat. 38°03.518' N, Long. 75°51.465' W; then running approximately 11° True to a point defined by Lat. 38°03.899' N, Long. 75°51.364' W; then running approximately 77° True to a point defined by Lat. 38°03.998' N, Long. 75°50.772' W; then running approximately 7° True to a point defined by Lat. 38°04.137' N, Long. 75°50.747' W; then running approximately 81° True to a point defined by Lat. 38°04.151' N, Long. 75°50.627' W; then running approximately 118° True to a point defined by Lat. 38°04.001' N, Long. 75°50.284' W; then running approximately 93° True to a point defined by Lat. 38°03.950' N, Long. 75°49.374' W; then running approximately 132° True to a point defined by Lat. 38°03.506' N, Long. 75°48.761' W; then running approximately 77° True to a point defined by Lat. 38°03.644' N, Long. 75°47.987' W; then running approximately 17° True to a point defined by Lat. 38°03.946' N, Long. 75°47.862' W; then running approximately 318° True to a point defined by Lat. 38°04.349' N, Long. 75°48.316' W; then running approximately 113° True to a point defined by Lat. 38°04.135' N, Long. 75°47.689' W; then running approximately 63° True to a point defined by Lat. 38°04.292' N, Long. 75°47.290' W; then running approximately 26° True to a point defined by Lat. 38°04.458' N, Long. 75°47.182' W; then running approximately 324° True to a point defined by Lat. 38°04.650' N, Long. 75°47.353' W; then running approximately 357° True to a point defined by Lat. 38°05.048' N, Long. 75°47.369' W; then running approximately 339° True to a point defined by Lat. 38°05.196' N, Long. 75°47.439' W; then running approximately 214° True to a point at or near the western shore of Hall Creek defined by Lat. 38°05.125' N, Long. 75°47.501' W; then running southwesterly along the shore to the point of beginning.

(y) All of the waters of Hazard Cove east of a line beginning at a point at or near the shore of Hazard Island defined by Lat. 38°04'7.6" N, Long. 75°52'20.5" W; then running approximately 189° True to a point at or near the shore of Pat Island defined by Lat. 38°03'59.2" N, Long. 75°52'22.2" W.

(z) All of the waters of Hazard Cove north of a line beginning at a point at or near the shore at Hazard Point defined by Lat. 38°04'29.8" N, Long. 75°52'46.7" W; then running approximately 103° True to a point at or near the shore on the north side of Hazard Cove defined by Lat. 38°04'26.0" N, Long. 75°52'25.0" W.

(aa) All of the waters of Mine Creek southeast of a line beginning at a point at or near the shore of Mine Creek defined by Lat. 38°04'39.5" N, Long. 75°51'32.2" W; then running approximately 244° True to a point defined by Lat. 38°04'36.4" N, Long. 75°51'40.2" W; then running approximately 205° True to a point at or near shore on the south side of Mine Creek defined by Lat. 38°04'26.1" N, Long. 75°51'46.4" W.

(bb) All of the waters of Mine Creek north of a line beginning at a point at or near the shore at the north entrance of Mine Creek defined by Lat. 38°05'19.8" N, Long. 75°52'22.2" W; then running approximately 179° True to a point defined by Lat. 38°05'11.6" N, Long. 75°52'22.1" W; then running approximately 159° True to a point defined by Lat. 38°05'8.7" N, Long. 75°52'20.7" W; then running approximately 118° True to a point defined by Lat. 38°05'3.8" N, Long. 75°52'8.9" W; then running approximately 104° True to a point defined by Lat. 38°05'1.8" N, Long. 75°51'58.4" W; then running approximately 140° True to a point defined by Lat. 38°04'59.4" N, Long. 75°51'55.9" W; then running approximately 169° True to a point defined by Lat. 38°04' 53.6" N, Long. 75°51'54.5" W; then running approximately 169° True to a point defined by Lat. 38°04'47.5" N, Long. 75°51'53.0" W; then running approximately 151° True to a point defined by Lat. 38°04'42.1" N, Long. 75°51'49.2" W; then running approximately 114° True to a point defined by Lat. 38°04'40.6" N, Long. 75°51'45.0" W; then

running approximately 90° True to a point defined by Lat. 38°04'40.6" N, Long. 75°51'38.0" W; then running approximately 36° True to a point at or near the shore on the north side of Mine Creek defined by Lat. 38°04'43.8" N, Long. 75°51'35.0" W.

(cc) All of the waters of Goose Creek enclosed of a line beginning at a point at or near the shore on the south side of Goose Creek defined by Lat. 38°05'16.7" N, Long. 75°51'46.7" W; then running approximately 67° True to a point defined by Lat. 38°05'19.4" N, Long. 75°51'38.7" W; then running approximately 307° True to a point defined by Lat. 38°05'28.4" N, Long. 75°51'53.7" W; then running approximately 276° True to a point defined by Lat. 38°05'29.6" N, Long. 75°52'8.3" W; then running approximately 250° True to a point at or near the shore at Prickly Point defined by Lat. 38°05'26.6" N, Long. 75°52'18.7" W.]

[(dd)] (k) All of the waters of Hazard Cove, Mine Creek, Teague Creek, Broad Creek, Drum Point Cove, and Goose Creek enclosed by a line beginning at a point at or near the shore at the [east side of Drum Point Cove defined by Lat. 38°05'55.2" N, Long. 75°51'33.2" W; then running approximately 288° True to a point defined by Lat. 38°06'0.2" N, and Long. 75°51'52.3" W; then running approximately 212° True to a point defined by Lat. 38°05'45.0" N, Long. 75°52'4.2" W; then running approximately 136° True to a point at or near the shore on the north shore of Goose Creek defined by Lat. 38°05'33.0" N, Long. 75°51'49.3" W.] north shore of Pat Island defined by Lat. 38°03.959' N, Long. 75°52.345' W; then running approximately 325° True to a point defined by Lat. 38°04.505' N, Long. 75°52.809' W; then running approximately 17° True to a point defined by Lat. 38°05.576' N, Long. 75°52.367' W; then running approximately 31° True to a point defined by Lat. 38°06.194' N, Long. 75°51.887' W; then running approximately 52° True to a point defined by Lat. 38°06.962' N, Long. 75°50.608' W; then running approximately 14° True to a point defined by Lat. 38°07.568' N, Long. 75°50.412' W; then running approximately 51° True to a point defined by Lat. 38°08.041' N, Long. 75°49.666' W; then running approximately 109° True to a point defined by Lat. 38°08.003' N, Long. 75°49.528' W; then running approximately 149° True to a point defined by Lat. 38°07.660' N, Long. 75°49.270' W; then running approximately 69° True to a point defined by Lat. 38°07.685' N, Long. 75°49.183' W; then running approximately 356° True to a point defined by Lat. 38°07.838' N, Long. 75°49.193' W; then running approximately 45° True to a point defined by Lat. 38°08.114' N, Long. 75°48.839' W; then running approximately 85° True to a point at or near the shore on the western shore of Fishing Point defined by Lat. 38°08.124' N, Long. 75°48.635' W; then running southerly along the shore to the point of beginning.

[(ee)] All of the waters of Saint Peter's Creek north of a line beginning at a point at or near the shore of Saint Peter's Creek defined by Lat. 38°08'51.8" N, Long. 75°49'20.5" W; then running approximately 101° True to a point at or near the shore of Saint Peter's Creek defined by Lat. 38°08'50.3" N, Long. 75°49'10.8" W.

(ff) All of the waters of Geanquakin Creek north of a line beginning at a point at or near the shore of the Manokin River defined by Lat. 38°08'42.0" N, Long. 75°50'30.0" W; then running approximately 52° True to a point defined by Lat. 38°08'53.6" N, Long. 75°50'11.5" W; then running approximately 19° True to a point defined by Lat. 38°08' 57.8" N, Long. 75°50'9.6" W; then running approximately 78° True to a point at or near the shore of the Manokin River defined by Lat. 38°09'0.9" N, Long. 75°49'51.7" W.]

[(gg)] (l) All of the waters of Broad Creek [north and west of a line beginning at a point at or near the shore of the Manokin River defined by Lat. 38°08'26.8" N, Long. 75°51'26.3" W; then running approximately 86° True to a point defined by Lat. 38°08'27.7" N, Long. 75°51'11.4" W; then running approximately 358° True to a point at or near the west shore of Broad Creek defined by Lat. 38°08'42.8" N, Long. 75°51'12.0" W.], Manokin River,

Fishing Creek, and Geanquakin Creek enclosed by a line beginning at a point at or near the shore at the west side of Fishing Creek defined by Lat. 38°08.280' N, Long. 75°54.370' W; then running approximately 121° True to a point defined by Lat. 38°08.233' N, Long. 75°54.272' W; then running approximately 50° True to a point defined by Lat. 38°08.485' N, Long. 75°53.879' W; then running approximately 352° True to a point defined by Lat. 38°08.692' N, Long. 75°53.914' W; then running approximately 76° True to a point defined by Lat. 38°08.846' N, Long. 75°53.082' W; then running approximately 180° True to a point defined by Lat. 38°08.634' N, Long. 75°53.085' W; then running approximately 258° True to a point defined by Lat. 38°08.567' N, Long. 75°53.506' W; then running approximately 208° True to a point defined by Lat. 38°08.385' N, Long. 75°53.633' W; then running approximately 110° True to a point defined by Lat. 38°07.974' N, Long. 75°52.278' W; then running approximately 80° True to a point defined by Lat. 38°08.069' N, Long. 75°51.574' W; then running approximately 23° True to a point defined by Lat. 38°08.205' N, Long. 75°51.499' W; then running approximately 67° True to a point defined by Lat. 38°08.269' N, Long. 75°51.300' W; then running approximately 28° True to a point defined by Lat. 38°08.429' N, Long. 75°51.187' W; then running approximately 11° True to a point defined by Lat. 38°08.624' N, Long. 75°51.136' W; then running approximately 90° True to a point defined by Lat. 38°08.618' N, Long. 75°50.342' W; then running approximately 28° True to a point defined by Lat. 38°08.975' N, Long. 75°50.091' W; then running approximately 110° True to a point defined by Lat. 38°08.765' N, Long. 75°49.382' W; then running approximately 86° True to a point defined by Lat. 38°08.770' N, Long. 75°49.277' W; then running approximately 62° True to a point defined by Lat. 38°08.837' N, Long. 75°49.114' W; then running approximately 335° True to a point at or near the western shore of Saint Peter's Creek defined by Lat. 38°08.854' N, Long. 75°49.123' W; then running southeasterly along the shore to the point of beginning.

[(hh)] All of the waters of Big Sound and Little Sound creeks north of a line beginning at a point at or near the shore of Little Sound Creek defined by Lat. 38°08'54.3" N, Long. 75°54'56.4" W; then running approximately 173° True to a point defined by Lat. 38°08'36.0" N, Long. 75°54'53.5" W; then running approximately 42° True to a point defined by Lat. 38°08'48.7" N, Long. 75°54'38.9" W; then running approximately 112° True to a point at or near the east shore of Big Sound Creek defined by Lat. 38°08'45.9" N, Long. 75°54'29.7" W.]

[(ii)] (m) All of the waters of Big Sound Creek, Little Sound Creek, Laws Thorofare, and Laws Gut [north of a line beginning at a point at or near the entrance of Laws Gut defined by Lat. 38°09'5.2" N, Long. 75°55'28.6" W; then running approximately 220° True to a point defined by Lat. 38°08'59.3" N, Long. 75°55'34.8" W; then running approximately 141° True to a point defined by Lat. 38°08'48.2" N, Long. 75°55'23.4" W; then running approximately 127° True to a point defined by Lat. 38°08'38.1" N, Long. 75°55'6.0" W; then running approximately 22° True to a point at or near the shore of Laws Thorofare defined by Lat. 38°08'47.2" N, Long. 75°55'1.3" W.] enclosed by a line beginning at a point at or near the eastern shore of Little Sound Creek defined by Lat. 38°08.307' N, Long. 75°54.486' W; then running approximately 337° True to a point defined by Lat. 38°08.579' N, Long. 75°54.629' W; then running approximately 3° True to a point defined by Lat. 38°08.767' N, Long. 75°54.615' W; then running approximately 249° True to a point defined by Lat. 38°08.720' N, Long. 75°54.778' W; then running approximately 205° True to a point defined by Lat. 38°08.580' N, Long. 75°54.864' W; then running approximately 295° True to a point defined by Lat. 38°08.683' N, Long. 75°55.130' W; then running approximately 315° True to a point defined by Lat. 38°08.930' N, Long. 75°55.432' W; then running approximately 273°

True to a point defined by Lat. 38°08.934' N, Long. 75°55.525' W; then running approximately 320° True to a point defined by Lat. 38°08.988' N, Long. 75°55.580' W; then running approximately 257° True to a point at or near the shore of Laws Thorofare defined by Lat. 38°08.963' N, Long. 75°55.729' W; then running southeasterly along the shore to the point of beginning.

[(jj)] All of the waters of Laws Thorofare enclosed by a line beginning at a point at or near the west shore of Laws Thorofare defined by Lat. 38°08'40.1" N, Long. 75°55'50.8" W; then running approximately 101° True to a point defined by Lat. 38°08'37.3" N, Long. 75°55'32.4" W; then running approximately 43° True to a point defined by Lat. 38°08'41.6" N, Long. 75°55'27.5" W; then running approximately 311° True to a point defined by Lat. 38°08'58.9" N, Long. 75°55'52.8" W; then running approximately 212° True to a point at or near the west shore of Laws Thorofare defined by Lat. 38°08'47.0" N, Long. 75°56'2.3" W.]

[(kk)] (n) All of the waters of Lower Thorofare and [Man Gut north of a line beginning at a point at or near the west shore of Man Gut defined by Lat. 38°07'58.1" N, Long. 75°56'39.6" W; then running approximately 179° True to a point defined by Lat. 38°07'46.5" N, Long. 75°56'39.4" W; then running approximately 91° True to a point defined by Lat. 38°07'46.2" N, Long. 75°56'25.0" W; then running approximately 360° True to a point at or near the north shore of Lower Thorofare defined by Lat. 38°07'55.6" N, Long. 75°56'25.1" W.] Manokin River enclosed by a line beginning at a point at or near the northern shore of Little Deal Island defined by Lat. 38°07.541' N, Long. 75°56.651' W; then running approximately 42° True to a point defined by Lat. 38°07.660' N, Long. 75°56.512' W; then running approximately 7° True to a point defined by Lat. 38°07.820' N, Long. 75°56.483' W; then running approximately 315° True to a point defined by Lat. 38°07.875' N, Long. 75°56.551' W; then running approximately 256° True to a point defined by Lat. 38°07.853' N, Long. 75°56.665' W; then running approximately 203° True to a point at or near the north shore of Lower Thorofare at the northeastern tip of Little Deal Island defined by Lat. 38°07.683' N, Long. 75°56.758' W; then running southeasterly along the shore to the point of beginning.

[(ll)] All of the waters of the Manokin River north of a line beginning at a point at or near the shore of Little Deal Island defined by Lat. 38°06'50.0" N, Long. 75°56'15.6" W; then running approximately 36° True to a point at or near the shore at Claw Point defined by Lat. 38°07'1.6" N, Long. 75°56'5.1" W.]

[(mm)] (o) All of the waters of Lower Thorofare, Manokin River, and Piney Creek north of a line beginning at a point at or near the shore [at Pin Point defined by Lat. 38°06'42.2" N, Long. 75°56'27.0" W; then running approximately 43° True to a point at or near the shore on the west side of Piney Creek defined by Lat. 38°06'48.5" N, Long. 75°56'19.5" W.] of Little Deal Island at Pin Point defined by Lat. 38°06.747' N, Long. 75°56.552' W; then running approximately 131° True to a point defined by Lat. 38°06.717' N, Long. 75°56.509' W; then running approximately 115° True to a point defined by Lat. 38°06.581' N, Long. 75°56.149' W; then running approximately 28° True to a point defined by Lat. 38°06.966' N, Long. 75°55.883' W; then running approximately 1° True to a point defined by Lat. 38°07.284' N, Long. 75°55.873' W; then running approximately 38° True to a point defined by Lat. 38°07.467' N, Long. 75°55.691' W; then running approximately 69° True to a point defined by Lat. 38°07.522' N, Long. 75°55.503' W; then running approximately 39° True to a point defined by Lat. 38°07.635' N, Long. 75°55.381' W; then running approximately 287° True to a point defined by Lat. 38°07.683' N, Long. 75°55.571' W; then running westerly along the shore to a point defined by Lat. 38°07.710' N, Long. 75°56.058' W; then running approximately 245° True to a point defined by Lat. 38°07.585' N, Long. 75°56.413' W; then running southerly along the shore to the point of beginning.

[(nn)] (p) All of the waters of Muscle Hole Creek [north of a line beginning at a point at or near the west shore of Muscle Hole Creek defined by Lat. 38°04'30.6" N, Long. 76°00'37.2" W; then running approximately 48° True to a point at or near the east shore of Muscle Hole Creek defined by Lat. 38°04'39.0" N, Long. 76°00'25.1" W.] enclosed by a line beginning at a point at or near the west shore of Muscle Hole Creek near Sheepshead Point defined by Lat. 38°04.386' N, Long. 76°00.725' W; then running approximately 42° True to a point at or near the east shore of Muscle Hole Creek near Muscle Hole Point defined by Lat. 38°04.661' N, Long. 76°00.401' W; then running northwesterly along the shore to the point of beginning.

[(oo)] All of the waters of Sheepshead Harbor east of a line beginning at a point at or near the shore at the north side of Sheepshead Harbor defined by Lat. 38°05'0.4" N, Long. 76°01'37.9" W; then running approximately 216° True to a point defined by Lat. 38°04'47.7" N, Long. 76°01'49.5" W; then running approximately 174° True to a point defined by Lat. 38°04'29.2" N, Long. 76°01'47.2" W; then running approximately 104° True to a point at or near the shore at the east entrance of Sheepshead Harbor defined by Lat. 38°04'19.6" N, Long. 76°00'59.4" W.

[(pp)] All of the waters of Pry Cove south of a line beginning at a point at or near the south shore of Pry Cove defined by Lat. 38°05'20.6" N, Long. 76°02'7.0" W; then running approximately 331° True to a point defined by Lat. 38°05'37.3" N, Long. 76°02'18.6" W; then running approximately 297° True to a point defined by Lat. 38°05'43.8" N, Long. 76°02'34.9" W; then running approximately 207° True to a point at or near the south shore of Pry Cove defined by Lat. 38°05'26.5" N, Long. 76°02'46.1" W.]

[(qq)] (q) All of the waters of Sheepshead Harbor, Goose Creek, and Pry Cove [north of a line beginning at a point at or near the north shore of Pry Cove defined by Lat. 38°06'4.7" N, Long. 76°02'23.7" W; then running approximately 134° True to a point defined by Lat. 38°05'59.7" N, Long. 76°02'17.2" W; then running approximately 106° True to a point at or near the north shore of Pry Cove defined by Lat. 38°05'55.3" N, Long. 76°01'58.2" W.] enclosed by a line beginning at a point at or near the eastern shore of Sheepshead Harbor defined by Lat. 38°04.376' N, Long. 76°00.906' W; then running approximately 252° True to a point defined by Lat. 38°04.318' N, Long. 76°01.134' W; then running approximately 285° True to a point defined by Lat. 38°04.500' N, Long. 76°01.929' W; then running approximately 341° True to a point at or near the western shore of Sheepshead Harbor defined by Lat. 38°04.584' N, Long. 76°01.964' W; then running along the shore to a point at or near the shore on the south side of Pry Cove defined by Lat. 38°06.483' N, Long. 76°03.221' W; then running approximately 22° True to a point defined by Lat. 38°06.482' N, Long. 76°02.859' W; then running easterly along the north shore of Pry Cove into Sheepshead Harbor along the shore to the point of beginning.

[(rr)] All of the waters of Johnson Cove and Little Pungers Creek east of a line beginning at a point at or near the north entrance of Johnson Cove defined by Lat. 38°07'3.9" N, Long. 76°02'37.2" W; then running approximately 207° True to a point defined by Lat. 38°06'56.4" N, Long. 76°02'42.2" W; then running approximately 189° True to a point defined by Lat. 38°06'42.0" N, Long. 76°02'45.0" W; then running approximately 135° True to a point at or near the south shore of Johnson Cove defined by Lat. 38°06'34.7" N, Long. 76°02'35.7" W.

[(ss)] All of the waters of Pungers Creek south of a line beginning at a point at or near the shore at the east side of Pungers Creek defined by Lat. 38°07'28.3" N, Long. 76°02'1.7" W; then running approximately 254° True to a point at or near the shore at the west side of Pungers Creek defined by Lat. 38°07'27.4" N, Long. 76°02'5.7" W.

[(tt)] All of the waters of Gunbarrel Cove south of a line beginning at a point at or near the shore at the east side of Gunbarrel Cove defined by Lat. 38°07'23.7" N, Long. 76°01'45.4" W; then running approximately 306° True to a point at or near the shore at the west side of Gunbarrel Cove defined by Lat. 38°07'31.8" N, Long. 76°01'59.6" W.]

[(uu)] (r) All of the waters of Johnson Cove, Little Pungers Creek, Gunbarrel Cove, Holland Strait, Tangier Sound, Pungers Creek, Pungers Cove, and Sound Gut [west of a line beginning at a point at or near the shore on the east side of South Marsh Island defined by Lat. 38°06'13.6" N, Long. 76°01'2.7" W; then running approximately 14° True to a point defined by Lat. 38°06'20.2" N, Long. 76°01'0.7" W; then running approximately 345° True to a point defined by Lat. 38°06'30.4" N, Long. 76°01'4.2" W; then running approximately 16° True to a point at or near the shore on the east side of Old Ground Marsh defined by Lat. 38°07'18.4" N, Long. 76°00'47.1" W.] enclosed by a line beginning at a point at or near the south shore of Johnson Cove defined by Lat. 38°06.539' N, Long. 76°02.692' W; then running approximately 334° True to a point defined by Lat. 38°06.690' N, Long. 76°02.781' W; then running approximately 6° True to a point defined by Lat. 38°06.969' N, Long. 76°02.741' W; then running approximately 40° True to a point defined by Lat. 38°07.505' N, Long. 76°02.159' W; then running approximately 60° True to a point at or near the north shore of Gunbarrel Cove defined by Lat. 38°07.917' N, Long. 76°01.235' W; then running along the north shore of South Marsh Island to a point at or near the shore on the east side of South Marsh Island defined by Lat. 38°07.474' N, Long. 76°00.786' W; then running approximately 153° True to a point defined by Lat. 38°07.104' N, Long. 76°00.548' W; then running approximately 178° True to a point defined by Lat. 38°06.105' N, Long. 76°00.526' W; then running approximately 286° True to a point at or near the Long Point on the south side of Pungers Cove defined by Lat. 38°06.227' N, Long. 76°01.045' W; then running westerly along the south shore of Pungers Creek to the point of beginning.

[(s)] All of the waters of Saint Peter's Creek and Manokin River enclosed by a line beginning at a point at or near the north shore of Champ Point defined by Lat. 38°08.727' N, Long. 75°49.162' W; then running approximately 17° True to a point defined by Lat. 38°08.751' N, Long. 75°49.152' W; then running approximately 44° True to a point at or near the shore defined by Lat. 38°08.972' N, Long. 75°48.873' W; then running southeasterly along the shore to the point of beginning.

[(t)] All of the waters of Manokin River enclosed by a line beginning at a point at or near the shore defined by Lat. 38°08.425' N, Long. 75°48.492' W; then running approximately 285° True to a point at or near the south shore of Champ Point defined by Lat. 38°08.587' N, Long. 75°49.242' W; then running westerly along the shore to the point of beginning.

[(u)] All of the waters of Manokin River surrounding Saint Pierre's Island enclosed by a line beginning at a point defined by Lat. 38°07.770' N, Long. 75°51.269' W; then running approximately 318° True to a point defined by Lat. 38°07.976' N, Long. 75°51.496' W; then running approximately 46° True to a point defined by Lat. 38°08.159' N, Long. 75°51.253' W; then running approximately 149° True to a point defined by Lat. 38°07.900' N, Long. 75°51.064' W; then running approximately 230° True to the point of beginning.

[(v)] All of the waters of Laws Thorofare and Manokin River enclosed by a line beginning at a point at or near the shore of Shark Point defined by Lat. 38°07.930' N, Long. 75°55.229' W; then running approximately 14° True to a point defined by Lat. 38°08.032' N, Long. 75°55.195' W; then running approximately 341° True to a point defined by Lat. 38°08.213' N, Long. 75°55.272' W; then running approximately 272° True to a point at or near the eastern

shore of Deal Island defined by Lat. 38°08.215' N, Long. 75°55.339' W; then running southerly along the shore to the point of beginning.

(w) All of the waters of Manokin River enclosed by a line beginning at a point at or near the shore defined by Lat. 38°07.849' N, Long. 75°55.420' W; then running approximately 67° True to a point at or near the southern shore of Shark Point defined by Lat. 38°07.889' N, Long. 75°55.294' W; then running northwesterly along the shore to the point of beginning.

(x) All of the waters of Lower Thorofare and Manokin River enclosed by a line beginning at a point at or near the southern shore of Deal Island defined by Lat. 38°07.907' N, Long. 75°56.043' W; then running approximately 205° True to a point defined by Lat. 38°07.722' N, Long. 75°56.159' W; then running approximately 268° True to a point defined by Lat. 38°07.720' N, Long. 75°56.265' W; then running approximately 323° True to a point at or near the south shore of Deal Island defined by Lat. 38°07.913' N, Long. 75°56.441' W; then running easterly along the shore to the point of beginning.

(y) All of the waters of Lower Thorofare and Tangier Sound enclosed by a line beginning at a point at or near the southern shore of Deal Island defined by Lat. 38°07.623' N, Long. 75°56.989' W; then running approximately 218° True to a point defined by Lat. 38°07.529' N, Long. 75°57.083' W; then running approximately 82° True to a point defined by Lat. 38°07.554' N, Long. 75°56.828' W; then running approximately 7° True to a point defined by Lat. 38°07.658' N, Long. 75°56.810' W; then running approximately 265° True to a point at or near the eastern shore of the Lower Thorofare inlet defined by Lat. 38°07.656' N, Long. 75°56.836' W; then running westerly along the shore to the point of beginning.

(z) All of the waters of Lower Thorofare and Tangier Sound enclosed by a line beginning at a point at or near the western shore of Little Deal Island defined by Lat. 38°07.119' N, Long. 75°56.811' W; then running approximately 318° True to a point defined by Lat. 38°07.144' N, Long. 75°56.839' W; then running approximately 2° True to a point defined by Lat. 38°07.517' N, Long. 75°56.816' W; then running approximately 41° True to a point defined by Lat. 38°07.556' N, Long. 75°56.772' W; then running approximately 352° True to a point defined by Lat. 38°07.659' N, Long. 75°56.787' W; then running approximately 327° True to a point at or near the western shore of the Lower Thorofare inlet defined by Lat. 38°07.694' N, Long. 75°56.816' W; then running southerly along the shore to the point of beginning.

(aa) All of the waters of Hall Creek and Big Annemessex River enclosed by a line beginning at a point at or near Myrtle Point defined by Lat. 38°05.174' N, Long. 75°47.295' W; then running approximately 268° True to a point defined by Lat. 38°05.173' N, Long. 75° 47.331' W; then running approximately 334° True to a point defined by Lat. 38°05.258' N, Long. 75°47.381' W; then running approximately 265° True to a point defined by Lat. 38°05.249' N, Long. 75°47.539' W; then running approximately 333° True to a point at or near the shore defined by Lat. 38°05.262' N, Long. 75°47.546' W; then running easterly along the shore to the point of beginning.

(bb) All of the waters of Gales Creek and Big Annemessex River enclosed by a line beginning at a point at or near the shore defined by Lat. 38°04.601' N, Long. 75°45.966' W; then running approximately 275° True to a point defined by Lat. 38°04.628' N, Long. 75° 46.333' W; then running approximately 245° True to a point defined by Lat. 38°04.597' N, Long. 75°46.424' W; then running approximately 300° True to a point defined by Lat. 38°04.694' N, Long. 75°46.629' W; then running approximately 254° True to a point defined by Lat. 38°04.667' N, Long. 75°46.752' W; then running approximately 289° True to a point defined by Lat. 38°04.725' N, Long. 75°46.955' W; then running approximately 62° True to a point at or near the shore of Persimmon Point defined by

Lat. 38°04.745' N, Long. 75°46.906' W; then running easterly along the shore to the point of beginning.

(cc) All of the waters of Gales Creek, Ipsenancy Creek, Coulbourn Creek, and Big Annemessex River enclosed by a line beginning at a point at or near the Coulbourn Creek Boat Ramp defined by Lat. 38°02.988' N, Long. 75°48.246' W; then running approximately 20° True to a point defined by Lat. 38°03.187' N, Long. 75°48.150' W; then running approximately 70° True to a point defined by Lat. 38°03.249' N, Long. 75°47.923' W; then running approximately 41° True to a point defined by Lat. 38°03.718' N, Long. 75°47.401' W; then running approximately 57° True to a point defined by Lat. 38°03.943' N, Long. 75°46.947' W; then running approximately 26° True to a point defined by Lat. 38°04.408' N, Long. 75°46.657' W; then running approximately 359° True to a point defined by Lat. 38°04.531' N, Long. 75°46.658' W; then running approximately 102° True to a point defined by Lat. 38°04.481' N, Long. 75°46.372' W; then running approximately 22° True to a point defined by Lat. 38°04.552' N, Long. 75°46.334' W; then running approximately 82° True to a point defined by Lat. 38°04.576' N, Long. 75°46.088' W; then running approximately 132° True to a point at or near the shore on the southern shore of Gales Creek defined by Lat. 38°04.514' N, Long. 75°46.001' W; then running southeasterly along the shore to the point of beginning.

(dd) All of the waters of Coulbourn Creek and Big Annemessex River enclosed by a line beginning at a point at or near the shore west of Long Point defined by Lat. 38°02.938' N, Long. 75°48.581' W; then running approximately 18° True to a point defined by Lat. 38°03.404' N, Long. 75° 48.386' W; then running approximately 91° True to a point defined by Lat. 38° 03.399' N, Long. 75° 48.209' W; then running approximately 157° True to a point defined by Lat. 38°03.323' N, Long. 75°48.170' W; then running approximately 203° True to a point at or near the western shore of Long Point defined by Lat. 38°03.074' N, Long. 75°48.306' W; then running westerly along the shore to the point of beginning.

(ee) All of the waters of Coulbourn Creek enclosed by a line beginning at a point at or near the south shore of Coulbourn Creek defined by Lat. 38°02.594' N, Long. 75°47.748' W; then running approximately 295° True to a point defined by Lat. 38°02.752' N, Long. 75° 48.164' W; then running approximately 279° True to a point defined by Lat. 38° 02.774' N, Long. 75° 48.321' W; then running approximately 356° True to a point at or near the eastern side of Long Point defined by Lat. 38°03.015' N, Long. 75°48.339' W; then running easterly along the shore to the point of beginning.

(ff) All of the waters of Gunby Creek, Whitewood Gut, and Pocomoke Sound enclosed by a line beginning at a point at or near the eastern shore of Andy Point defined by Lat. 37°58.249' N, Long. 75°47.085' W; then running approximately 64° True to a point defined by Lat. 37°58.272' N, Long. 75°47.024' W; then running along the shore to a point defined by Lat. 37°58.278' N, Long. 75°47.014' W; then running approximately 81° True to a point at or near the shore defined by Lat. 37°58.322' N, Long. 75°46.640' W; then running approximately 61° True to a point at or near the shore defined by Lat. 37°58.375' N, Long. 75°46.515' W; then running approximately 21° True to a point at or near the eastern shore of the entrance to Gunby Creek defined by Lat. 37°58.410' N, Long. 75°46.498' W; then running westerly to the point of beginning.

(gg) All of the waters of Ware Point Creek enclosed by a line beginning at a point at or near the shore at the west side of the entrance of Ware Point Creek defined by Lat. 37°56.342' N, Long. 75°49.235' W; then running approximately 39° True to a point at or near the shore at the east side of the entrance to Ware Point Creek defined by Lat. 37°56.452' N, Long. 75°49.121' W; then running northwesterly along shore to the point of beginning.

(hh) All of the waters of Pocomoke Sound and Ape Hole Creek enclosed by a line beginning at a point at or near the north

shore of Big Island defined by Lat. 37°56.555' N, Long. 75°49.120' W; then running approximately 33° True to a point defined by Lat. 37°56.596' N, Long. 75°49.086' W; then running approximately 350° True to a point defined by Lat. 37°56.895' N, Long. 75°49.146' W; then running approximately 302° True to a point defined by Lat. 37°56.942' N, Long. 75°49.237' W; then running approximately 273° True to a point defined by Lat. 37°56.947' N, Long. 75°49.361' W; then running approximately 315° True to a point defined by Lat. 37°57.107' N, Long. 75°49.557' W; then running approximately 11° True to a point defined by Lat. 37°57.318' N, Long. 75°49.500' W; then running approximately 25° True to a point defined by Lat. 37°57.746' N, Long. 75°49.234' W; then running approximately 72° True to a point defined by Lat. 37°57.800' N, Long. 75°49.016' W; then running approximately 21° True to a point at or near the western shore of the entrance to Johnson Creek defined by Lat. 37°58.074' N, Long. 75°48.875' W then running southerly along the shore to the point of beginning.

(2) Dorchester County.

(a) [All of the waters of Okahanikan Cove, Pone Cove, Holland Straits, and Northeast Cove enclosed by a line beginning at a point at or near the shore of Okahanikan Cove defined by Lat. 38°11'32.2" N, Long. 76°03'31.6" W; then running approximately 273° True to a point defined by Lat. 38°11'37.1" N, Long. 76°05'23.8" W; then running approximately 182° True to a point defined by Lat. 38°10'18.4" N, Long. 76°05'27.3" W; then running approximately 181° True to a point defined by Lat. 38°09'39.1" N, Long. 76°05'27.8" W; then running approximately 181° True to a point defined by Lat. 38°09'9.1" N, Long. 76°05'28.4" W; then running approximately 180° True to a point defined by Lat. 38°08'41.1" N, Long. 76°05'28.5" W; then running approximately 180° True to a point defined by Lat. 38°08' 8.6" N, Long. 76°05'28.3" W; then running approximately 111° True to a point defined by Lat. 38°07'58.0" N, Long. 76°04'52.5" W; then running approximately 143° True to a point defined by Lat. 38°07'49.6" N, Long. 76°04'44.5" W; then running approximately 20° True to a point defined by Lat. 38°08'57.4" N, Long. 76°04'13.2" W; then running approximately 96° True to a point at or near the shore at Cove Point on Bloodsworth Island defined by Lat. 38°08'51.7" N, Long. 76°03'7.6" W.] *All of the waters of Northeast Cove, Muddy Creek, Swan Pond, Swan Pond Creek, Long Creek, Okahanikan Cove, Pone Cove, Holland Straits, Hooper Strait, and Chesapeake Bay enclosed by a line beginning at a point at or near the shore of Cove Point defined by Lat. 38°08.883' N, Long. 76°03.073' W; then running approximately 274° True to a point on the shore of Northeast Island defined by Lat. 38°08.956' N, Long. 76°04.219' W; then running approximately 199° True to a point defined by Lat. 38°7.826' N, Long. 76°04.742' W; then running approximately 323° True to a point defined by Lat. 38°07.966' N, Long. 76°04.875' W; then running approximately 290° True to a point defined by Lat. 38°08.142' N, Long. 76°05.471' W; then running approximately 359° True to a point defined by Lat. 38°09.151' N, Long. 76°05.473' W; then running approximately 0° True to a point defined by Lat. 38°09.652' N, Long. 76°05.462' W; then running approximately 0° True to a point defined by Lat. 38°10.307' N, Long. 76°05.454' W; then running approximately 3° True to a point defined by Lat. 38°11.596' N, Long. 76°05.365' W; then running approximately 60° True to a point at or near the shore of Kits Point defined by Lat. 38°12.171' N, Long. 76°03.527' W; then running southerly along the shore to the point of beginning.*

(b) [All of the waters of Piney Island Cove west of a line beginning at a point at or near the shore of Bloodsworth Island on the south side of Piney Island Cove defined by Lat. 38°11'2.2" N, Long. 76°01'49.0" W; then running approximately 330° True to a point at or near the shore of Bloodsworth Island on the north side of Piney Island Cove defined by Lat. 38°11'33.7" N, Long. 76°02'11.8" W.]

All of the waters of Great Cove, Piney Island Cove, Long Creek, Holland Straits, and Tangier Sound enclosed by a line beginning at a point at or near the shore of Cove Point defined by Lat. 38°08.883' N, Long. 76°03.073' W; then running approximately 214° True to a point defined by Lat. 38°08.370' N, Long. 76°03.484' W; then running approximately 105° True to a point defined by Lat. 38°08.185' N, Long. 76°02.624' W; then running approximately 48° True to a point defined by Lat. 38°08.820' N, Long. 76°01.725' W; then running approximately 22° True to a point defined by Lat. 38°10.252' N, Long. 76°00.958' W; then running approximately 329° True to a point defined by Lat. 38°12.134' N, Long. 76°02.367' W; then running approximately 281° True to a point at or near the entrance to Fin Creek defined by Lat. 38°12.229' N, Long. 76°02.962' W; then running southerly along the shore to the point of beginning.

(c) [All of the waters of Brannock Bay east of a line beginning at a point at or near the south side of Cook's Point defined by Lat. 38°36'35.9" N, Long. 76°16'38.6" W; then running approximately 185° True to a point defined by Lat. 38°35'51.4" N, Long. 76°16'43.2" W; then running approximately 201° True to a point defined by Lat. 38°35'7.5" N, Long. 76°17'5.0" W; then running approximately 249° True to a point at or near Mills Point defined by Lat. 38°34'59.5" N, Long. 76°17'31.5" W.] *All of the waters of Trippe Bay, Brannock Bay, and Covey Creek enclosed by a line beginning at a point at or near Mills Point defined by Lat. 38°34.447' N, Long. 76°18.177' W; then running approximately 343° True to a point defined by Lat. 38°34.869' N, Long. 76°18.341' W; then running approximately 48° True to a point defined by Lat. 38°35.622' N, Long. 76°17.273' W; then running approximately 2° True to a point defined by Lat. 38°37.082' N, Long. 76°17.201' W; then running approximately 35° True to a point at or near the south side of Cook's Point defined by Lat. 38°37.389' N, Long. 76°16.925' W; then running southerly along the shore to the point of beginning.*

(d) All of the waters of Cook's Point Cove south of a line beginning at a point at or near the shore at the east side of Cooks Point Cove defined by Lat. 38°37'2.2" N, Long. 76°15'39.4" W; then running approximately 268° True to a point defined by Lat. 38°37'1.5" N, Long. 76°16'4.3" W; then running approximately 296° True to a point at or near the east shore of Cook's Point defined by Lat. 38°37'9.4" N, Long. 76°16'25.2" W.]

(e) (d) All of the waters of Cook's Point Cove [east of a line beginning at a point at or near the shore of the west side of Todd's Point defined by Lat. 38°37'16.7" N, Long. 76°15'12.6" W; then running approximately 227° True to a point defined by Lat. 38°37'7.5" N, Long. 76°15'25.1" W; then running approximately 179° True to a point at or near the shore defined by Lat. 38°36'52.5" N, Long. 76°15'24.8" W.] *enclosed by a line beginning at a point at or near the shore of Cook's Point defined by Lat. 38°37.402' N, Long. 76°16.833' W; then running approximately 78° True to a point defined by Lat. 38°37.725' N, Long. 76°14.757' W; then running approximately 104° True to a point at or near the east shore of Todds Point defined by Lat. 38°37.591' N, Long. 76°14.111' W; then running westerly along the shore to the point of beginning.*

(f) All of the waters of Todd's Point Cove west of a line beginning at a point at or near the shore at the south side of Todd's Point Cove defined by Lat. 38°36'46.8" N, Long. 76°13'46.6" W; then running approximately 19° True to a point defined by Lat. 38°36'58.1" N, Long. 76°13'41.7" W; then running approximately 339° True to a point defined by Lat. 38°37'15.0" N, Long. 76°13'50.1" W; then running approximately 339° True to a point defined by Lat. 38°37'31.3" N, Long. 76°13'58.3" W; then running approximately 255° True to a point at or near the east shore of Todds Point defined by Lat. 38°37'29.7" N, Long. 76°14'5.8" W.]

(e) *All of the waters of Chapel Creek and Choptank River enclosed by a line beginning at a point at or near the shore at the west side of Castle Haven Point defined by Lat. 38°37.564' N, Long.*

76°10.691' W; then running approximately 306° True to a point defined by Lat. 38°37.679' N, Long. 76°10.890' W; then running approximately 238° True to a point defined by Lat. 38°36.786' N, Long. 76°12.769' W; then running approximately 307° True to a point at or near the east shore of Todds Point defined by Lat. 38°37.591' N, Long. 76°14.111' W; then running easterly along the shore to the point of beginning.

(3) Talbot County.

(a) All of the waters of Blackwalnut Cove enclosed by a line beginning at a point at or near the west shore of Blackwalnut Cove defined by [Lat. 38°40'47.3" N, Long. 76°20' 21.0" W; then running approximately 32° True to a point defined by Lat. 38°40'55.1" N, Long. 76°20'14.7" W; then running approximately 123° True to a point defined by Lat. 38°40'53.2" N, Long. 76°20'10.9" W; then running approximately 153° True to a point defined by Lat. 38°40'49.5" N, Long. 76°20'8.5" W; then running approximately 168° True to a point defined by Lat. 38°40'43.8" N, Long. 76°20'6.9" W; then running approximately 262° True to a point at or near the west shore of Blackwalnut Cove defined by Lat. 38°40'42.5" N, Long. 76°20'18.4" W.] Lat. 38°40.361' N, Long. 76°20.301' W; then running approximately 50° True to a point at or near the east shore of Blackwalnut Cove defined by Lat. 38°40.755' N, Long. 76°19.683' W; then running westerly along the shore to the point of beginning.

[(b) All of the waters of Blackwalnut Cove enclosed by a line beginning at a point at or near the east shore of Blackwalnut Cove defined by Lat. 38°40'46.8" N, Long. 76°19'56.2" W; then running approximately 252° True to a point defined by Lat. 38°40'46.0" N, Long. 76°19'59.5" W; then running approximately 327° True to a point defined by Lat. 38°40'51.4" N, Long. 76°20'4.0" W; then running approximately 360° True to a point defined by Lat. 38°40'54.8" N, Long. 76°20'4.0" W; then running approximately 359° True to a point defined by Lat. 38°40'58.3" N, Long. 76°20'4.0" W; then running approximately 20° True to a point defined by Lat. 38°41'3.9" N, Long. 76°20'1.5" W; then running approximately 100° True to a point at or near the east shore of Blackwalnut Cove defined by Lat. 38°41'3.0" N, Long. 76°19'54.8" W.

(c) All of the waters of the Choptank River west of a line beginning at a point at or near the shore at Upper Bar Neck Point defined by Lat. 38°41'19.9" N, Long. 76°19'18.8" W; then running approximately 166° True to a point defined by Lat. 38°40'55.0" N, Long. 76°19'10.9" W; then running approximately 260° True to a point at or near the shore of Bar Neck defined by Lat. 38°40'53.4" N, Long. 76°19'22.8" W.

(d) All of the waters of the Choptank River southwest of a line beginning at a point at or near the shore of Tilghman Island defined by Lat. 38°41'38.1" N, Long. 76°19'39.7" W; then running approximately 87° True to a point defined by Lat. 38°41'38.5" N, Long. 76°19'28.2" W; then running approximately 164° True to a point at or near the shore of Tilghman Island, north of Upper Bar Neck Point defined by Lat. 38°41'27.7" N, Long. 76°19'24.1" W.

(e) All of the waters of the Choptank River southwest of a line beginning at a point at or near the shore of Tilghman Island defined by Lat. 38°42'1.3" N, Long. 76°19'56.5" W; then running approximately 129° True to a point defined by Lat. 38°41'52.3" N, Long. 76°19'42.6" W; then running approximately 183° True to a point at or near the shore of Tilghman Island defined by Lat. 38°41'45.3" N, Long. 76°19'43.1" W.]

(b) All of the waters of the Harris Creek and Choptank River enclosed by a line beginning at a point at or near the shore at Lower Bar Neck Point defined by Lat. 38°40.839' N, Long. 76°19.406' W; then running approximately 61° True to a point defined by Lat. 38°40.909' N, Long. 76°19.244' W; then running approximately 0° True to a point defined by Lat. 38°41.622' N, Long. 76°19.239' W; then running approximately 309° True to a point at or near the shore

of Dogwood Harbor defined by Lat. 38°42.062' N, Long. 76°19.926' W; then running southerly along the shore to the point of beginning.

(c) All of the waters of Shaw Bay and Wye East River enclosed by a line beginning at a point on the shore southeast of Bruffs Island defined by Lat. 38°51.043' N, Long. 76°11.204' W; then running approximately 51° True to a point defined by Lat. 38°51.429' N, Long. 76°10.586' W; then running approximately 2° True to a point at or near the shore defined by Lat. 38°51.651' N, Long. 76°10.574' W; then running southwesterly along the shore to the point of beginning.

(d) All of the waters of Tilghman Creek and Eastern Bay enclosed by a line beginning at a point on the eastern shore of Rich Neck defined by Lat. 38°50.642' N, Long. 76°15.951' W; then running approximately 76° True to a point defined by Lat. 38°50.671' N, Long. 76°15.803' W; then running approximately 350° True to a point defined by Lat. 38°51.043' N, Long. 76°15.884' W; then running approximately 106° True to a point defined by Lat. 38°51.017' N, Long. 76°15.772' W; then running approximately 53° True to a point defined by Lat. 38°51.192' N, Long. 76°15.466' W; then running approximately 37° True to a point defined by Lat. 38°51.361' N, Long. 76°15.297' W; then running approximately 74° True to a point at or near the shore on the eastern shore of Tilghman Point defined by Lat. 38°51.387' N, Long. 76°15.180' W; then running southwesterly along the shore to the point of beginning.

(e) All of the waters of Miles River, Tilghman Creek, and Porter Creek enclosed by a line beginning at a point defined by Lat. 38°49.202' N, Long. 76°14.289' W; then running approximately 317° True to a point defined by Lat. 38°49.416' N, Long. 76°14.538' W; then running approximately 310° True to a point defined by Lat. 38°49.620' N, Long. 76°14.845' W; then running approximately 333° True to a point defined by Lat. 38°49.927' N, Long. 76°15.040' W; then running approximately 349° True to a point defined by Lat. 38°50.278' N, Long. 76°15.126' W; then running approximately 293° True to a point at or near the shore southeast of Seth Point defined by Lat. 38°50.380' N, Long. 76°15.427' W; then running southeasterly along the shore to the point of beginning.

(f) All of the waters of Miles River, Woodland Creek, and Leeds Creek enclosed by a line beginning at a point defined by Lat. 38°48.151' N, Long. 76°11.986' W; then running approximately 332° True to a point defined by Lat. 38°48.455' N, Long. 76°12.185' W; then running approximately 15° True to a point defined by Lat. 38°49.834' N, Long. 76°11.700' W; then running approximately 26° True to a point defined by Lat. 38°50.013' N, Long. 76°11.584' W; then running approximately 72° True to a point at or near the eastern shore of the mouth of Woodland Creek defined by Lat. 38°50.057' N, Long. 76°11.408' W; then running southerly along the shore to the point of beginning.

(g) All of the water of Eastern Bay enclosed by a line beginning at a point at Wades Point defined by Lat. 38°49.686' N, Long. 76°17.768' W; then running approximately 55° True to a point defined by Lat. 38°50.056' N, Long. 76°17.093' W; then running approximately 8° True to a point at or near the shore at the end of the Claiborne Jetty defined by Lat. 38°50.216' N, Long. 76°17.064' W; then running southwesterly along the shore to the point of beginning.

(h) All of the waters of Leeds Creek enclosed by a line beginning at a point on the northern shore of Leeds Creek defined by Lat. 38°48.430' N, Long. 76°11.778' W; then running approximately 130° True to a point defined by Lat. 38°48.353' N, Long. 76°11.667' W; then running approximately 105° True to a point defined by Lat. 38°48.324' N, Long. 76°11.538' W; then running approximately 54° True to a point defined by Lat. 38°48.457' N, Long. 76°11.297' W; then running approximately 47° True to a point defined by Lat. 38°48.324' N, Long. 76°11.538' W; then running approximately 318° True to a point at or near the northern shore of Leeds Creek defined

by Lat. 38°48.430' N, Long. 76°11.778' W; then running southeasterly along the shore to the point of beginning.

(i) All of the waters of Leeds Creek and Miles River enclosed by a line beginning at a point on the northern shore of Hunting Creek defined by Lat. 38°46.949' N, Long. 76°10.753' W; then running approximately 286° True to a point defined by Lat. 38°47.062' N, Long. 76°11.248' W; then running approximately 348° True to a point defined by Lat. 38°47.431' N, Long. 76°11.344' W; then running approximately 300° True to a point defined by Lat. 38°47.519' N, Long. 76°11.532' W; then running approximately 343° True to a point defined by Lat. 38°47.718' N, Long. 76°11.607' W; then running approximately 18° True to a point defined by Lat. 38°48.091' N, Long. 76°11.449' W; then running approximately 41° True to a point defined by Lat. 38°48.386' N, Long. 76°11.120' W; then running approximately 123° True to a point at or near the southern shore of Leeds Creek defined by Lat. 38°48.357' N, Long. 76°11.064' W; then running southerly along the shore to the point of beginning.

(j) All of the waters of Hunting Creek and Miles River enclosed by a line beginning at a point on the northern shore of Miles River defined by Lat. 38°46.513' N, Long. 76°09.539' W; then running approximately 172° True to a point defined by Lat. 38°46.496' N, Long. 76°09.536' W; then running approximately 256° True to a point defined by Lat. 38°46.433' N, Long. 76°09.865' W; then running approximately 287° True to a point defined by Lat. 38°46.528' N, Long. 76°10.249' W; then running approximately 351° True to a point defined by Lat. 38°46.563' N, Long. 76°10.256' W; then running approximately 35° True to a point defined by Lat. 38°46.744' N, Long. 76°10.093' W; then running approximately 53° True to a point defined by Lat. 38°46.799' N, Long. 76°09.998' W; then running approximately 69° True to a point defined by Lat. 38°46.821' N, Long. 76°09.921' W; then running approximately 137° True to a point at or near the shore defined by Lat. 38°46.810' N, Long. 76°09.908' W; then running southerly along the shore to the point of beginning.

(k) All of the waters of Hunting Creek and Miles River enclosed by a line that surrounds Long Point Island beginning at a point defined by Lat. 38°46.172' N, Long. 76°10.430' W; then running approximately 321° True to a point defined by Lat. 38°46.582' N, Long. 76°10.850' W; then running approximately 14° True to a point defined by Lat. 38°46.814' N, Long. 76°10.774' W; then running approximately 66° True to a point defined by Lat. 38°46.884' N, Long. 76°10.565' W; then running approximately 146° True to a point defined by Lat. 38°46.646' N, Long. 76°10.365' W; then running approximately 161° True to a point defined by Lat. 38°46.262' N, Long. 76°10.198' W; then running approximately 243° True to the point of beginning.

(l) All of the waters of Ferry Cove, Cabin Cove, Harbor Cove, and Eastern Bay enclosed by a line beginning at or near a point on the shore of Punch Point defined by Lat. 38°45.639' N, Long. 76°20.234' W; then running approximately 353° True to a point defined by Lat. 38°46.484' N, Long. 76°20.357' W; then running approximately 37° True to a point defined by Lat. 38°47.941' N, Long. 76°18.939' W; then running approximately 12° True to a point defined by Lat. 38°48.813' N, Long. 76°18.695' W; then running approximately 32° True to a point at or near the shore of the southern tip of Wades Point defined by Lat. 38°49.497' N, Long. 76°18.139' W; then running southerly along the shore to the point of beginning.

(m) All of the waters of Spencer Creek and Miles River enclosed by a line beginning at or near a point on the shore of Maiden Point defined by Lat. 38°46.543' N, Long. 76°11.943' W; then running approximately 309° True to a point defined by Lat. 38°46.771' N, Long. 76°12.289' W; then running approximately 229° True to a point at or near the shore defined by Lat. 38°46.711' N,

Long. 76°12.379' W; then running southeasterly along the shore to the point of beginning.

(n) All of the waters of Oak Creek, Newcomb Creek, and Miles River enclosed by a line beginning at a point at or near the eastern shore of Oak Creek defined by Lat. 38°45.209' N, Long. 76°10.353' W; then running approximately 286° True to a point defined by Lat. 38°45.211' N, Long. 76°10.362' W; then running approximately 10° True to a point defined by Lat. 38°45.419' N, Long. 76°10.312' W; then running approximately 32° True to a point defined by Lat. 38°46.025' N, Long. 76°09.813' W; then running approximately 67° True to a point defined by Lat. 38°46.098' N, Long. 76°09.592' W; then running approximately 38° True to a point defined by Lat. 38°46.300' N, Long. 76°09.387' W; then running approximately 90° True to a point at or near the western shore of Peach Orchard Point defined by Lat. 38°46.299' N, Long. 76°09.330' W; then running southerly along the shore to the point of beginning.

(o) All of the waters of Miles River enclosed by a line beginning at a point at or near the shore defined by Lat. 38°45.320' N, Long. 76°10.701' W; then running approximately 318° True to a point defined by Lat. 38°45.550' N, Long. 76°10.960' W; then running approximately 2° True to a point defined by Lat. 38°45.798' N, Long. 76°10.945' W; then running approximately 327° True to a point defined by Lat. 38°46.083' N, Long. 76°11.173' W; then running approximately 307° True to a point at or near the eastern shore of Maiden Point defined by Lat. 38°46.482' N, Long. 76°11.847' W; then running southeasterly along the shore to the point of beginning.

(p) All of the waters of Oak Creek and Miles River enclosed by a line beginning at a point at or near the eastern shore of Oak Creek defined by Lat. 38°45.212' N, Long. 76°10.426' W; then running approximately 31° True to a point defined by Lat. 38°45.243' N, Long. 76°10.402' W; then running approximately 314° True to a point defined by Lat. 38°45.330' N, Long. 76°10.515' W; then running approximately 265° True to a point at or near the shore defined by Lat. 38°45.320' N, Long. 76°10.701' W; then running southeasterly along the shore to the point of beginning.

(q) All of the waters of Back Creek enclosed by a line beginning at a point defined by Lat. 38°45.090' N, Long. 76°10.444' W; then running approximately 319° True to a point defined by Lat. 38°45.121' N, Long. 76°10.479' W; then running approximately 51° True to a point at or near the eastern shore of Oak Creek defined by Lat. 38°45.199' N, Long. 76°10.356' W; then running southerly along the shore to the point of beginning.

(r) All of the waters of Back Creek enclosed by a line beginning at a point at or near the eastern shore of Anne Arundel Island defined by Lat. 38°43.382' N, Long. 76°20.170' W; then running northwest along the shore of Anne Arundel Island to a point defined by Lat. 38°43.453' N, Long. 76°20.315' W; then running approximately 356° True to a point at or near the southern tip of Amy's Marsh Point defined by Lat. 38°43.624' N, Long. 76°20.330' W; then running along the shore of Back Creek to a point defined by Lat. 38°43.413' N, Long. 76°20.095' W; then running approximately 241° True to the point of beginning.

(s) All of the waters of River Cove, Harris Creek, and Choptank River enclosed by a line beginning at a point at or near the tip of Nelson Point defined by Lat. 38°42.550' N, Long. 76°16.286' W; then running approximately 288° True to a point defined by Lat. 38°42.757' N, Long. 76°17.077' W; then running approximately 265° True to a point defined by Lat. 38°42.691' N, Long. 76°18.230' W; then running approximately 12° True to a point at or near the shore of Turkey Neck Point defined by Lat. 38°43.616' N, Long. 76°17.965' W; then running southeasterly along the shore to the point of beginning.

(4) Saint Mary's County.

(a) All of the waters of Calvert Bay and Calvert Creek northeast of a line beginning at a point at or near the shore of Calvert Bay defined by [Lat. 38°05'57.2" N, Long. 76°23'25.0" W; then running approximately 300° True to a point defined by Lat. 38°06'3.1" N, Long. 76°23'37.7" W; then running approximately 319° True to a point at or near the shore of Tick Neck defined by Lat. 38°06'15.6" N, Long. 76°23'51.7" W.] Lat. 38°05.746' N, Long. 76°23.418' W; then running approximately 310° True to a point defined by Lat. 38°06.011' N, Long. 76°23.808' W; then running approximately 282° True to a point defined by Lat. 38°06.088' N, Long. 76°24.260' W; then running approximately 347° True to a point defined by Lat. 38°06.400' N, Long. 76°24.351' W; then running approximately 38° True to a point at or near the shore of Tick Neck defined by Lat. 38°06.431' N, Long. 76°24.320' W; then running southeasterly along the shore to the point of beginning.

(b) All of the waters of Saint Mary's River enclosed by a line beginning at a point at or near the shore at Windmill Point defined by [Lat. 38°09'31.3" N, Long. 76°26'59.6" W; then running approximately 34° True to a point defined by Lat. 38°09'43.3" N, Long. 76°26'49.5" W; then running approximately 167° True to a point defined by Lat. 38°09'30.9" N, Long. 76°26'45.8" W; then running approximately 195° True to a point defined by Lat. 38°09'19.2" N, Long. 76°26'49.8" W; then running approximately 325° True to a point at or near the shore at Windmill Point defined by Lat. 38°09'31.2" N, Long. 76°27'0.3" W.] Lat. 38°09.500' N, Long. 76°27.099' W; then running approximately 97° True to a point defined by Lat. 38°09.470' N, Long. 76°26.822' W; then running approximately 27° True to a point defined by Lat. 38°09.528' N, Long. 76°26.785' W; then running approximately 320° True to a point defined by Lat. 38°09.642' N, Long. 76°26.906' W; then running approximately 301° True to a point defined by Lat. 38°09.772' N, Long. 76°27.180' W; then running approximately 214° True to a point at or near the shore north of Windmill Point defined by Lat. 38° 09.772' N, Long. 76° 27.180' W; then running southerly along the shore to the point of beginning.

(c) All of the waters of Saint Mary's River [west of a line beginning at a point at or near the shore at Edmund Point defined by Lat. 38°08'22.2" N, Long. 76°27'40.3" W; then running approximately 89° True to a point defined by Lat. 38°08'22.3" N, Long. 76°27'35.6" W; then running approximately 173° True to a point defined by Lat. 38°07'58.2" N, Long. 76°27'32.1" W; then running approximately 219° True to a point at or near the shore at Cherryfield Point defined by Lat. 38°07'41.1" N, Long. 76°27'49.9" W.] enclosed by a line beginning at a point at or near the eastern shore of Cherryfield Point defined by Lat. 38°07.768' N, Long. 76°27.946' W; then running approximately 142° True to a point defined by Lat. 38°07.686' N, Long. 76°27.864' W; then running approximately 91° True to a point defined by Lat. 38°07.679' N, Long. 76°27.579' W; then running approximately 40° True to a point defined by Lat. 38°07.847' N, Long. 76°27.399' W; then running approximately 336° True to a point at or near the shore north of Cherryfield Point defined by Lat. 38°08.369' N, Long. 76°27.688' W; then running southerly along the shore to the point of beginning.

(d) All of the waters of Saint Mary's River and Saint George's Creek [west of a line beginning at a point at or near the shore at Indigo Point of Saint Georges Island defined by Lat. 38°06'34.6" N, Long. 76°28'1.9" W; then running approximately 53° True to a point defined by Lat. 38°06'42.4" N, Long. 76°27'49.0" W; then running approximately 359° True to a point at or near the shore at Cherryfield Point defined by Lat. 38°07'41.6" N, Long. 76°27'50.2" W; and south of a line beginning at a point at or near the east shore of Price Cove defined by Lat. 38°08'22.8" N, Long. 76°28'18.3" W; then running approximately 234° True to a point at or near a point at or near the west shore of Price Cove defined by Lat.

38°08'15.8" N, Long. 76°28'30.4" W; and east of a line beginning at a point at or near the shore at Taylor Point defined by Lat. 38°08'32.7" N, Long. 76°29'37.5" W; then running approximately 145° True to a point at or near the shore on an unnamed island defined by Lat. 38°08'31.7" N, Long. 76°29'36.6" W; and east of a line beginning at a point at or near the shore of an unnamed island defined by Lat. 38°08'29.8" N, Long. 76°29'39.1" W; then running approximately 227° True to a point defined by Lat. 38°08'12.9" N, Long. 76°30'1.7" W; then running approximately 132° True to a point at or near the north tip of Saint George's Island defined by Lat. 38°08'9.3" N, Long. 76°29'56.7" W.] enclosed by a line beginning at a point at or near the shore at Indigo Point of Saint George's Island defined by Lat. 38°06.550' N, Long. 76°28.014' W; then running approximately 48° True to a point defined by Lat. 38°06.706' N, Long. 76°27.793' W; then running approximately 321° True to a point defined by Lat. 38°06.892' N, Long. 76°27.982' W; then running approximately 6° True to a point defined by Lat. 38°07.085' N, Long. 76°27.955' W; then running approximately 302° True to a point at or near the north tip of Saint George's Island defined by Lat. 38°07.973' N, Long. 76°29.714' W; then running southeasterly along the shore to the point of beginning.

(e) All of the waters of Potomac River enclosed by a line beginning at a point at or near the shore defined by Lat. 38°13.721' N, Long. 76°39.512' W; then running approximately 312° True to a point defined by Lat. 38°13.863' N, Long. 76°39.711' W; then running approximately 293° True to a point defined by Lat. 38°13.957' N, Long. 76°39.996' W; then running approximately 342° True to a point at or near the shore defined by Lat. 38°14.002' N, Long. 76°40.014' W; then running southeasterly along the shore to the point of beginning.

(f) All of the waters of St Inigoe's Creek enclosed by a line beginning at a point at or near the shore south of Windmill Point defined by Lat. 38°09.386' N, Long. 76°25.802' W; then running approximately 287° True to a point defined by Lat. 38°09.406' N, Long. 76°25.881' W; then running approximately 36° True to a point defined by Lat. 38°09.479' N, Long. 76°25.813' W; then running approximately 62° True to a point defined by Lat. 38°09.526' N, Long. 76°25.699' W; then running approximately 157° True to a point at or near the shore defined by Lat. 38°09.519' N, Long. 76°25.696' W; then running southeasterly along the shore to the point of beginning.

(g) All of the waters of Saint Mary's River enclosed by a line beginning at a point at or near the shore on the western shore of Kitts Point defined by Lat. 38°06.367' N, Long. 76°25.278' W; then running approximately 259° True to a point defined by Lat. 38°06.323' N, Long. 76°25.591' W; then running approximately 354° True to a point at or near the shore south of Sage Point defined by Lat. 38°07.024' N, Long. 76°25.675' W; then running southeasterly along the shore to the point of beginning.

(h) All of the waters of Jutland Creek and Saint Mary's River enclosed by a line beginning at a point at or near the shore on Kitts Point defined by Lat. 38°06.336' N, Long. 76°25.037' W; then running approximately 185° True to a point defined by Lat. 38°05.970' N, Long. 76°25.084' W; then running approximately 88° True to a point defined by Lat. 38°05.983' N, Long. 76°24.419' W; then running approximately 297° True to a point defined by Lat. 38°06.109' N, Long. 76°24.727' W; then running approximately 347° True to a point at or near the eastern shore of Kitts Point defined by Lat. 38°06.417' N, Long. 76°24.817' W; then running southeasterly along the shore to the point of beginning.

(i) All of the waters of Cornfield Harbor and Potomac River enclosed by a line beginning at a point at or near the shore on the north side of Lake Conoy Inlet defined by Lat. 38°03.046' N, Long. 76°19.776' W; then running approximately 220° True to a point defined by Lat. 38°03.006' N, Long. 76°19.819' W; then running

approximately 293° True to a point defined by Lat. 38°03.173' N, Long. 76°20.305' W; then running approximately 306° True to a point at or near the shore east of Cornfield Point defined by Lat. 38°03.229' N, Long. 76°20.399' W; then running southeasterly along the shore to the point of beginning.

(5) Worcester County.

[(a)] All of the waters of Parker Bay enclosed by a line beginning at a point at or near the north side of Purnell Point defined by Lat. 38°01.960' N, Long. 75°21.443' W; then running northwesterly along the shore to a point defined by Lat. 38°02.157' N, Long. 75°21.793' W; then running approximately 29° True to a point at or near the shore defined by Lat. 38°02.169' N, and Long. 75°21.785' W; then running northerly along the shore to a point at or near the north side of Georges Island Landing defined by Lat. 38°02.487' N, Long. 75°21.684' W; then running approximately 34° to a point defined by Lat. 38°03.024' N, Long. 75°21.220' W; then running approximately 59° True to a point at or near the northwest tip of Mills Island defined by Lat. 38°03.223' N, Long. 75°20.799' W; then running easterly along the shore of Mills Island to a point defined by Lat. 38°03.236' N, Long. 75°20.630' W; then running approximately 115° True to a point at or near the west shore of Mills Island defined by Lat. 38°03.226' N, Long. 75°20.603' W; then running southwesterly along the west shore of Mills Island to a point at or near the southwest tip of Mills Island defined by Lat. 38°02.228' N, Long. 75°21.337' W; then running approximately 197° True to the point of beginning.]

[(b)] (a) All of the waters of Chincoteague Bay enclosed by a line beginning at a point at or near the shore of a cove on the east side of Mills Island defined by [Lat. 38°02.713' N, Long. 75°19.987' W; then running approximately 41° True to a point at or near the shore of a cove on the east side of Mills Island defined by Lat. 38°02.998' N, Long. 75°19.670' W; then running southwesterly along the shore of Mills Island to the point of beginning.] *Lat. 38°02.717' N, Long. 75°19.983' W; then running approximately 40° True to a point defined by Lat. 38°02.998' N, Long. 75°19.670' W; then running approximately 297° True to a point at or near the shore of a cove on the east side of Mills Island defined by Lat. 38°03.014' N, Long. 75°19.708' W; then running southwesterly along the shore of Mills Island to the point of beginning.*

[(c)] All of the waters of Johnson Bay enclosed by a line beginning at a point at or near the shore of a cove on the north side of Mills Island defined by Lat. 38°03.212' N, Long. 75°20.589' W; then running approximately 91° True to a point at or near the shore of a cove on the north side of Mills Island defined by Lat. 38°03.206' N, Long. 75°19.742' W; then running westerly along the shore of Mills Island to the point of beginning.]

[(d)] (b) All of the waters of Johnson Bay [enclosed by a line beginning at a point defined by Lat. 38°04.196' N, and Long. 75°19.748' W; then running approximately 294° True to a point defined by Lat. 38°04.514' N, and Long. 75°20.662' W; then running approximately 34° True to a point at or near the south shore of Tizzard Island defined by Lat. 38°04.609' N, Long. 75°20.582' W; then running southeasterly along the shore of Tizzard Island to a point defined by Lat. 38°04.302' N, Long. 75°19.695' W; then running approximately 201° True to the point of beginning.] *and Rowley Cove enclosed by a line beginning at a point defined by Lat. 38°04.308' N, Long. 75°19.703' W; then running approximately 262° True to a point defined by Lat. 38°04.290' N, Long. 75°19.885' W; then running approximately 292° True to a point defined by Lat. 38°04.427' N, Long. 75°20.293' W; then running approximately 278° to a point defined by Lat. 38°04.458' N, Long. 75°20.548' W; then running approximately 318° True to a point defined by Lat. 38°04.615' N, Long. 75°20.718' W; then running approximately 61° True to a point at or near the south shore of Tizzard Island defined by*

Lat. 38°04.729' N, Long. 75°20.451' W; then running southerly along the shore of Tizzard Island to the point of beginning.

[(e)] All of the waters of Rowley Bay enclosed by a line beginning at a point defined by Lat. 38°04.954' N, and Long. 75°20.991' W; then running approximately 347° True to a point at or near the shore defined by Lat. 38°05.008' N, and Long. 75°21.007' W; then running easterly along the shore to a point defined by Lat. 38°05.145' N, Long. 75°20.736' W; then running approximately 126° True to a point defined by Lat. 38°05.091' N, Long. 75°20.644' W; then running approximately 213° True to a point defined by Lat. 38°04.975' N, Long. 75°20.740' W; then running approximately 264° True to the point of beginning.]

[(f)] (c) All of the waters of Chincoteague Bay [enclosed by a line beginning at a point at or near the west side of Assateague Island near the Maryland-Virginia state line defined by Lat. 38°01.598' N, Long. 75°15.023' W; then running approximately 264° True to a point defined by Lat. 38°01.409' N, Long. 75°17.131' W; then running approximately 30° True to a point defined by Lat. 38°02.031' N, Long. 75°16.676' W; then running approximately 72° True to a point defined by Lat. 38°02.102' N, Long. 75°16.398' W; then running approximately 31° to a point defined by Lat. 38°02.859' N, Long. 75°15.815' W; then running approximately 348° True to a point defined by Lat. 38°04.103' N, Long. 75°16.150' W; then running approximately 37° True to a point defined by Lat. 38°06.194' N, Long. 75°14.132' W; then running approximately 75° True to a point defined by Lat. 38°06.374' N, Long. 75°13.297' W; then running approximately 40° True to a point defined by Lat. 38°07.492' N, Long. 75°12.089' W; then running approximately 350° True to a point defined by Lat. 38°11.081' N, Long. 75°12.915' W; then running approximately 45° True to a point defined by Lat. 38°12.131' N, Long. 75°11.571' W; then running approximately 62° True to a point defined by Lat. 38°12.640' N, Long. 75°10.331' W; then running approximately 357° True to a point defined by Lat. 38°13.262' N, Long. 75°10.374' W; then running approximately 37° True to a point defined by Lat. 38°14.220' N, Long. 75°09.473' W; then running approximately 48° True to a point defined by Lat. 38°14.660' N, Long. 75°08.862' W; then running southerly along the west shore of Assateague Island to the point of beginning.] *and Sinepuxent Bay enclosed by a line beginning at a point at or near the west side of Assateague Island near the Maryland-Virginia state line defined by Lat. 38°01.590' N, Long. 75°15.164' W; then running approximately 262° True to a point defined by Lat. 38°01.414' N, Long. 75°17.128' W; then running approximately 29° True to a point defined by Lat. 38°02.053' N, Long. 75°16.666' W; then running approximately 70° True to a point defined by Lat. 38°02.129' N, Long. 75°16.381' W; then running approximately 28° to a point defined by Lat. 38°02.847' N, Long. 75°15.868' W; then running approximately 349° True to a point defined by Lat. 38°04.108' N, Long. 75°16.146' W; then running approximately 19° True to a point defined by Lat. 38°05.231' N, Long. 75°15.632' W; then running approximately 47° True to a point defined by Lat. 38°06.213' N, Long. 75°14.234' W; then running approximately 77° True to a point defined by Lat. 38°06.374' N, Long. 75°13.297' W; then running approximately 40° True to a point defined by Lat. 38°07.144' N, Long. 75°12.449' W; then running approximately 354° True to a point defined by Lat. 38°10.961' N, Long. 75°12.903' W; then running approximately 39° True to a point defined by Lat. 38°11.805' N, Long. 75°11.991' W; then running approximately 56° True to a point defined by Lat. 38°12.640' N, Long. 75°10.331' W; then running approximately 7° True to a point defined by Lat. 38°13.538' N, Long. 75°10.159' W; then running approximately 38° True to a point defined by Lat. 38°14.457' N, Long. 75°09.211' W; then running approximately 53° True to a point defined by Lat. 38°14.656' N, Long. 75°08.864' W; then running southerly along the west shore of Assateague Island to the point of beginning.*

[(g)] (d) All of the waters of Sinepuxent Bay west of a line beginning at a point at or near Green Point defined by [Lat. 38°13.868' N, and Long. 75°10.241' W; then running approximately 41° True to a point defined by Lat. 38°14.237' N, Long. 75°09.829' W; then running approximately 46° True to a point defined by Lat. 38°14.768' N, Long. 75°09.125' W; then running approximately 316° True to a point at or near the shore of Sinepuxent Neck defined by Lat. 38°14.807' N, Long. 75°09.174' W; then running southwesterly along the shore of Sinepuxent Neck to the point of beginning.] Lat. 38°13.865' N, Long. 75°10.253' W; then running approximately 48° True to a point defined by Lat. 38°14.158' N, Long. 75°09.822' W; then running approximately 38° True to a point defined by Lat. 38°14.442' N, Long. 75°09.523' W; then running approximately 48° True to a point defined by Lat. 38°14.682' N, Long. 75°09.173' W; then running approximately 35° True to a point defined by Lat. 38°14.794' N, Long. 75°09.071' W; then running approximately 309° True to a point at or near the shore of Sandy Point at the MD Route 611 causeway defined by Lat. 38°14.826' N, Long. 75°09.118' W; then running southwesterly along the shore of Sinepuxent Neck to the point of beginning.

[(h)] (e) All of the waters of Newport Bay enclosed by a line beginning at a point at or near South Point defined by [Lat. 38°12.467' N, Long. 75°11.563' W; then running approximately 211° True to a point defined by Lat. 38°12.423' N, Long. 75°11.597' W; then running approximately 263° True to a point defined by Lat. 38°12.401' N, Long. 75°11.814' W; then running approximately 332° True to a point defined by Lat. 38°12.900' N, Long. 75°12.154' W; then running approximately 77° True to a point at or near Island Point defined by Lat. 38°12.921' N, Long. 75°12.038' W; then running southeasterly along the shore of Lower Sinepuxent Neck to the point of beginning.] Lat. 38°12.500' N, Long. 75°11.550' W; then running approximately 180° True to a point defined by Lat. 38°12.428' N, Long. 75°11.551' W; then running approximately 262° True to a point defined by Lat. 38°12.401' N, Long. 75°11.814' W; then running approximately 331° True to a point defined by Lat. 38°12.776' N, Long. 75°12.070' W; then running approximately 356° True to a point defined by Lat. 38°12.969' N, Long. 75°12.082' W; then running approximately 14° True to a point at or near the western shore of Lower Sinepuxent Neck defined by Lat. 38°13.165' N, Long. 75°12.013' W; then running southeasterly along the shore of Lower Sinepuxent Neck to the point of beginning.

[(i)] (f) All of the waters of Sinepuxent Bay enclosed by a line beginning at a point at or near the shore of the MD Route 611 causeway defined by [Lat. 38°14.583' N, Long. 75°08.739' W; then running approximately 40° True to a point defined by Latitude 38°15.073' North and Longitude 75°08.219' West; then running approximately 22° True to a point defined by Lat. 38°15.633' N, Long. 75°07.929' W; then running approximately 97° True to a point at or near the west shore of Assateague Island defined by Lat. 38°15.613' N, Long. 75°07.712' W; then running southerly along the shore to the point of beginning.] Lat. 38°14.590' N, Long. 75°08.731' W; then running approximately 45° True to a point defined by Lat. 38°14.887' N, Long. 75°08.336' W; then running approximately 11° True to a point defined by Lat. 38°15.380' N, Long. 75°08.202' W; then running approximately 40° True to a point defined by Lat. 38°15.617' N, Long. 75°07.937' W; then running approximately 86° True to a point at or near the west shore of Assateague Island defined by Lat. 38°15.621' N, Long. 75°07.801' W; then running southerly along the shore to the point of beginning.

[(j)] (g) All of the waters of Sinepuxent Bay enclosed by a line beginning at a point at or near the shore at Sandy Point defined by [Lat. 38°14.807' N, Long. 75°09.103' W; then running approximately 24° True to a point defined by Lat. 38°15.126' N, Long. 75°08.919' W; then running approximately 343° True to a point at or near the shore of Lower Sinepuxent Neck defined by Lat.

38°15.647' N, Long. 75°09.117' W; then running southerly along the shore to the point of beginning.] Lat. 38°14.872' N, Long. 75°09.081' W; then running approximately 25° True to a point defined by Lat. 38°15.126' N, Long. 75°08.919' W; then running approximately 342° True to a point at or near the shore of Sandy Cove defined by Lat. 38°15.616' N, Long. 75°09.108' W; then running southerly along the shore to the point of beginning.

[(k)] (h) All of the waters of Sinepuxent Bay enclosed by a line beginning at a point at or near the shore at Sandy Cove defined by [Lat. 38°15.773' N, Long. 75°08.941' W; then running approximately 69° True to a point defined by Lat. 38°15.941' N, Long. 75°08.402' W; then running approximately 16° True to a point at or near the shore at Grays Point defined by Lat. 38°16.576' N, Long. 75°08.171' W; then running southerly along the shore to the point of beginning.] Lat. 38°15.785' N, Long. 75°08.934' W; then running approximately 68° True to a point defined by Lat. 38°15.941' N, Long. 75°08.402' W; then running approximately 14° True to a point at or near the shore at Grays Point defined by Lat. 38°16.582' N, Long. 75°08.177' W; then running southerly along the shore to the point of beginning.

[(l)] (i) All of the waters of Sinepuxent Bay enclosed by a line beginning at a point at or near the west shore of Assateague Island [defined by Lat. 38°16.331' N, Long. 75°07.358' W; then running approximately 325° True to a point defined by Lat. 38°16.796' N, Long. 75°07.778' W; then running approximately 5° True to a point defined by Lat. 38°17.377' N, Long. 75°07.709' W; then running approximately 29° True to a point defined by Lat. 38°17.533' N, Long. 75°07.598' W; then running approximately 41° True to a point defined by Lat. 38°17.929' N, Long. 75°07.157' W; then running approximately 91° True to a point at or near the west shore of Assateague Island defined by Lat. 38°17.923' N, and Long. 75°06.754' W; then running southerly along the shore to the point of beginning.] National Seashore defined by Lat. 38°16.378' N, Long. 75°07.410' W; then running approximately 274° True to a point defined by Lat. 38°16.417' N, Long. 75°07.905' W; then running approximately 1° True to a point defined by Lat. 38°16.808' N, Long. 75°07.886' W; then running approximately 12° True to a point defined by Lat. 38°17.255' N, Long. 75°07.751' W; then running approximately 31° True to a point defined by Lat. 38°17.707' N, Long. 75°07.391' W; then running approximately 95° True to a point at or near the west shore of Assateague Island defined by Lat. 38°17.667' N, Long. 75°06.908' W; then running southerly along the shore to the point of beginning.

[(m)] All of the waters of Isle of Wight Bay and Assawoman Bay enclosed by a line beginning at a point at or near the shore defined by Lat. 38°22.195' N, Long. 75°04.430' W; then running approximately 336° True to a point defined by Lat. 38°23.262' N, Long. 75°05.038' W; then running approximately 19° True to a point defined by Lat. 38°24.152' N, Long. 75°04.644' W; then running approximately 355° True to a point defined by Lat. 38°24.659' N, Long. 75°04.698' W; then running approximately 51° True to a point at or near the shore defined by Lat. 38°25.017' N, Long. 75°04.127' W; then running southerly along the shore to the point of beginning.

(n) All of the waters of Assawoman Bay enclosed by a line beginning at a point defined by Lat. 38°25.160' N, Long. 75°04.639' W; then running approximately 360° True to a point defined by Lat. 38°25.342' N, Long. 75°04.639' W; then running approximately 90° True to a point defined by Lat. 38°25.342' N, Long. 75°04.417' W; then running approximately 180° True to a point defined by Lat. 38°25.160' N, Long. 75°04.417' W; then running approximately 270° True to the point of beginning.]

(j) All of the waters of Sinepuxent Bay enclosed by a line beginning at a point at or near the western shore of Assateague Island National Seashore defined by Lat. 38°18.623' N, Long. 75°06.548' W; then running approximately 9° True to a point defined by

Lat. 38°18.864' N, Long. 75°06.492' W; then running approximately 76° True to a point defined by Lat. 38°18.870' N, Long. 75° 06.459' W; then running approximately 112° True to a point at or near the western shore of Assateague Island National Seashore defined by Lat. 38° 18.829' N, Long. 75° 06.336' W; then running southerly along the shore to the point of beginning.

(k) All of the waters of Sinepuxent Bay enclosed by a line beginning at a point at or near the shore adjacent to Ocean City Municipal Airport defined by Lat. 38°18.201' N, Long. 75° 07.014' W; then running approximately 32° True to a point defined by Lat. 38°18.329' N, Long. 75°06.909' W; then running approximately 22° True to a point defined by Lat. 38°18.530' N, Long. 75° 06.797' W; then running approximately 9° True to a point defined by Lat. 38°18.697' N, Long. 75°06.758' W; then running approximately 281° True to a point at or near the shore north of Coffins Point defined by Lat. 38° 18.700' N, Long. 75° 06.776' W; then running southerly along the shore to the point of beginning.

(l) All of the waters of Snug Harbor and Sinepuxent Bay enclosed by a line beginning at a point at or near the shore south of Snug Harbor defined by Lat. 38°17.961' N, Long. 75° 07.415' W; then running approximately 66° True to a point defined by Lat. 38°17.998' N, Long. 75°07.161' W; then running approximately 2° True to a point at or near the shore south of Coffins Point defined by Lat. 38° 18.069' N, Long. 75° 07.156' W; then running southwestward along the shore to the point of beginning.

(m) All of the waters of Sinepuxent Bay enclosed by a line beginning at a point at or near the western shore of Assateague Island National Seashore defined by Lat. 38°17.824' N, Long. 75° 06.887' W; then running approximately 14° True to a point defined by Lat. 38°18.247' N, Long. 75°06.737' W; then running approximately 86° True to a point at or near the shore defined by Lat. 38° 18.248' N, Long. 75° 06.715' W; then running southerly along the shore to the point of beginning.

(n) All of the waters of Grays Cove and Sinepuxent Bay enclosed by a line beginning at a point at or near Grays Cove Landing defined by Lat. 38°17.160' N, Long. 75° 08.241' W; then running approximately 171° True to a point defined by Lat. 38°16.847' N, Long. 75°08.184' W; then running approximately 134° True to a point defined by Lat. 38°16.816' N, Long. 75° 08.145' W; then running approximately 18° True to a point defined by Lat. 38°17.284' N, Long. 75°07.934' W; then running approximately 276° True to a point at or near the shore on the north side of Grays Cove defined by Lat. 38° 17.296' N, Long. 75° 08.052' W; then running southerly along the shore to the point of beginning.

(o) All of the waters of Chincoteague Bay enclosed by a line beginning at a point at or near the shore of a cove on the east side of Mills Island defined by Lat. 38°02.155' N, Long. 75°21.032' W; then running approximately 143° True to a point defined by Lat. 38°02.138' N, Long. 75°21.017' W; then running approximately 63° True to a point defined by Lat. 38°02.217' N, Long. 75°20.813' W; then running approximately 45° True to a point at or near the shore of a cove on the east side of Mills Island defined by Lat. 38°02.467' N, Long. 75°20.490' W; then running southwestward along the shore of Mills Island to the point of beginning.

(6) Anne Arundel County. All of the waters of Old Colony Cove and Herring Bay enclosed by a line beginning at a point at or near the shore of Old Colony Cove along the shore at the entrance to Herrington Harbour defined by Lat. 38°43.709' N, Long. 76°32.510' W; then running approximately 309° True to a point at or near the shore of Old Colony Cove defined by Lat. 38°44.126' N, Long. 76°33.160' W; then running southeasterly along the shore to the point of beginning.

(7) Calvert County.

(a) All of the waters of Nan Cove and Patuxent River enclosed by a line beginning at a point at or near the eastern shore of

the mouth of Rock Creek defined by Lat. 38°25.301' N, Long. 76°33.484' W; then running approximately 180° True to a point defined by Lat. 38°25.268' N, Long. 76°33.485' W; then running approximately 102° True to a point defined by Lat. 38°25.234' N, Long. 76°33.287' W; then running approximately 62° True to a point defined by Lat. 38°25.282' N, Long. 76°33.169' W; then running approximately 18° True to a point defined by Lat. 38°25.331' N, Long. 76°33.149' W; then running approximately 272° True to a point at or near the eastern shore at the entrance of Nan Cove defined by Lat. 38°25.332' N, Long. 76°33.180' W; then running westerly along the shore to the point of beginning.

(b) All of the waters of Grapevine Cove, Nan Cove, and Patuxent River enclosed by a line beginning at a point at or near the western shore of Broomes Island defined by Lat. 38°24.702' N, Long. 76°33.153' W; then running approximately 13° True to a point defined by Lat. 38°25.007' N, Long. 76°33.060' W; then running approximately 319° True to a point defined by Lat. 38°25.125' N, Long. 76°33.186' W; then running approximately 13° True to a point at or near the western shore at the entrance of Nan Cove defined by Lat. 38°25.342' N, Long. 76°33.119' W; then running southerly along the shore to the point of beginning.

(c) All of the waters of Grammers Cove and Patuxent River enclosed by a line beginning at a point at or near the shore defined by Lat. 38°24.527' N, Long. 76°31.274' W; then running approximately 310° True to a point defined by Lat. 38°24.709' N, Long. 76°31.552' W; then running approximately 259° True to a point defined by Lat. 38°24.674' N, Long. 76°31.779' W; then running approximately 351° True to a point at or near the shore defined by Lat. 38°24.750' N, Long. 76°31.794' W; then running easterly along the shore to the point of beginning.

(d) All of the waters of Patuxent River enclosed by a line beginning at a point at or near the western shore of Hungerford Creek defined by Lat. 38°20.967' N, Long. 76°28.259' W; then running approximately 237° True to a point defined by Lat. 38°20.941' N, Long. 76°28.311' W; then running approximately 311° True to a point defined by Lat. 38°21.046' N, Long. 76°28.464' W; then running approximately 26° True to a point at or near the western shore of Coster Cove defined by Lat. 38°21.090' N, Long. 76°28.435' W; then running southeasterly along the shore to the point of beginning.

(e) All of the waters of Patuxent River enclosed by a line beginning at a point at or near the southern tip of the western shore of Solomons Island at Sandy Point defined by Lat. 38°18.987' N, Long. 76°27.329' W; then running approximately 133° True to a point defined by Lat. 38°18.908' N, Long. 76°27.224' W; then running approximately 46° True to a point defined by Lat. 38°19.038' N, Long. 76°27.052' W; then running approximately 358° True to a point defined by Lat. 38°19.209' N, Long. 76°27.059' W; then running approximately 321° True to a point at or near the northern shore of Solomons Island defined by Lat. 38°19.264' N, Long. 76°27.114' W; then running southwestward along the shore to the point of beginning.

(f) All of the waters of Patuxent River enclosed by a line beginning at a point north of Drum Point defined by Lat. 38°19.334' N, Long. 76°25.538' W; then running approximately 231° True to a point defined by Lat. 38°19.309' N, Long. 76°25.579' W; then running approximately 288° True to a point defined by Lat. 38°19.473' N, and Long. 76°26.211' W; then running approximately 254° True to a point defined by Lat. 38°19.333' N, Long. 76°26.853' W; then running approximately 275° True to a point defined by Lat. 38°19.347' N, Long. 76°27.054' W; then running approximately 315° True to a point at or near the southern shore of Ship Point defined by Lat. 38°19.383' N, Long. 76°27.009' W; then running easterly along the shore to the point of beginning.

(8) Kent County.

(a) All of the waters of Huntingfield Creek, Rock Hall Harbor, and Chesapeake Bay enclosed by a line beginning at a point at or near the shore south of Windmill Point defined by Lat. 39°07.129' N, Long. 76°14.839' W; then running approximately 355° True to a point at or near the shore at the northern tip of Huntingfield Point defined by Lat. 39°07.832' N, Long. 76°14.917' W; then running southerly along the shore to the point of beginning.

(b) All of the waters of Chester River enclosed by a line beginning at a point at or near the shore north of Wilson Point defined by Lat. 39°03.358' N, Long. 76°13.719' W; then running approximately 241° True to a point defined by Lat. 39°03.075' N, Long. 76°14.379' W; then running approximately 19° True to a point defined by Lat. 39°03.622' N, Long. 76°14.127' W; then running approximately 7° True to a point at or near the shore at the defined by Lat. 39°04.996' N, Long. 76°13.892' W; then running southerly along the shore to the point of beginning.

(c) All of the waters of Long Cove, Wilson Pond, Short Cove, and Chester River enclosed by a line beginning at a point at or near the shore on the east side of Wilson Point defined by Lat. 39°03.168' N, Long. 76°13.580' W; then running approximately 79° True to a point defined by Lat. 39°03.174' N, Long. 76°13.543' W; then running approximately 26° True to a point defined by Lat. 39°03.306' N, Long. 76°13.459' W; then running approximately 71° True to a point at or near the shore north of the Eastern Neck Island Road Bridge defined by Lat. 39°03.341' N, Long. 76°13.322' W; then running northwesterly along the shore to the point of beginning.

(d) All of the waters of Frying Pan Cove and Chester River enclosed by a line beginning at a point at or near the shore at Boxes Point defined by Lat. 39°02.971' N, Long. 76°12.741' W; then running approximately 32° True to a point defined by Lat. 39°03.036' N, Long. 76°12.688' W; then running approximately 295° True to a point defined by Lat. 39°03.056' N, Long. 76°12.742' W; then running approximately 331° True to a point defined by Lat. 39°03.202' N, Long. 76°12.842' W; then running approximately 290° True to a point defined by Lat. 39°03.310' N, Long. 76°13.220' W; then running approximately 271° True to a point defined by Lat. 39°03.312' N, Long. 76°13.329' W; then running approximately 191° True to a point at or near the shore south of the Eastern Neck Island Road Bridge defined by Lat. 39°03.297' N, Long. 76°13.333' W; then running southeasterly along the shore to the point of beginning.

(e) All of the waters of Calfpasture Cove, Tubby Cove, and Chester River enclosed by a line beginning at a point at or near the shore on the west side of Ingleside defined by Lat. 39°02.753' N, Long. 76°14.149' W; then running approximately 303° True to a point defined by Lat. 39°02.801' N, Long. 76°14.240' W; then running approximately 48° True to a point defined by Lat. 39°02.999' N, Long. 76°13.954' W; then running approximately 80° True to a point defined by Lat. 39°03.029' N, Long. 76°13.728' W; then running approximately 58° True to a point defined by Lat. 39°03.154' N, Long. 76°13.464' W; then running approximately 19° True to a point defined by Lat. 39°03.285' N, Long. 76°13.406' W; then running approximately 78° True to a point at or near the shore south of the Eastern Neck Island Road Bridge defined by Lat. 39°03.296' N, Long. 76°13.337' W; then running southwesterly along the shore to the point of beginning.

(9) Queen Anne's County.

(a) All of the waters of Crab Alley Bay enclosed by a line beginning at a point at or near the shore east of Normans Point defined by Lat. 38°55.204' N, Long. 76°15.700' W; then running approximately 304° True to a point defined by Lat. 38°55.292' N, Long. 76°15.866' W; then running approximately 333° True to a point defined by Lat. 38°56.108' N, Long. 76°16.392' W; then running approximately 270° True to a point at or near the shore on the southeast side of Little Creek defined by Lat. 38°56.119' N, Long.

76°17.047' W then running southeasterly along the shore to the point of beginning.

(b) All of the waters of Eastern Bay enclosed by a line beginning at a point at or near the western shore of Normans Point defined by Lat. 38°55.157' N, Long. 76°15.479' W; then running approximately 297° True to a point at or near the shore defined by Lat. 38°55.219' N, Long. 76°15.633' W; then running northeasterly along the shore to the point of beginning.

(c) All of the waters of Hoghole Creek and Prospect Bay enclosed by a line beginning at a point at or near the western shore of Piney Neck defined by Lat. 38°54.964' N, Long. 76°12.254' W; then running approximately 337° True to a point defined by Lat. 38°55.975' N, Long. 76°12.802' W; then running approximately 352° True to a point at or near the south shore of Brian Point defined by Lat. 38°56.074' N, Long. 76°12.817' W; then running southeasterly along the shore to the point of beginning.

(d) All of the waters of Wye River enclosed by a line beginning at a point at or near the eastern shore of Wye Island east of Drum Point defined by Lat. 38°52.807' N, Long. 76°10.756' W; then running approximately 40° True to a point at or near the shore defined by Lat. 38°53.136' N, Long. 76°10.396' W; then running southwesterly along the shore to the point of beginning.

JEANNIE HADDAWAY-RICCIO

Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.15 Wildlife Damage Control Permits

Authority: Natural Resources Article, §10-205, Annotated Code of Maryland

Notice of Proposed Action

[20-038-P]

The Secretary of Natural Resources proposes to amend Regulation .03 under **COMAR 08.03.15 Wildlife Damage Control Permits**.

Statement of Purpose

The purpose of this action is to amend Regulation .03 under COMAR 08.03.15 Wildlife Damage Control Permits to allow a landowner experiencing problems with migratory birds to address the problem solely under the authority of a federal depredation permit issued by the U.S. Fish and Wildlife Service. Existing State regulation requires a landowner to obtain a landowner wildlife damage control permit from the Department in order to address damage or loss caused by wildlife. In the case of migratory birds, a federal depredation permit issued by the U.S. Fish and Wildlife Service is required as well. The Department currently meets its regulatory obligation by cosigning federal depredation permits issued by the U.S. Fish and Wildlife Service; however, the U.S. Fish and Wildlife Service recently announced that it is discontinuing the cosigning practice. Rather than requiring a landowner to redundantly obtain both a permit from the Department and the U.S. Fish and Wildlife Service, the Department is proposing to require only a federal depredation permit.

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.

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 Glenn Therres, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 580 Taylor Avenue, E-1, Annapolis, MD 21404, or call 410-260-8572, or email to glenn.therres@maryland.gov, or fax to 410-260-8596. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.03 Landowner Wildlife Damage Control Permit.

A. Except as provided in §B of this regulation, a landowner who wishes to control wildlife on the landowner's property may do so only after obtaining a landowner wildlife damage control permit from USDA or a federal depredation permit for migratory birds from the U.S. Fish and Wildlife Service.

B.—G. (text unchanged)

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

Title 09**MARYLAND DEPARTMENT
OF LABOR****Subtitle 10 RACING COMMISSION****09.10.01 Thoroughbred Rules**

Authority: Business Regulation Article, §11-210, Annotated Code of Maryland

Notice of Proposed Action

[20-057-P]

The Maryland Racing Commission proposes to amend Regulation .17 under **COMAR 09.10.01 Thoroughbred Rules**.

Statement of Purpose

The purpose of this action is to further enhance the safety and welfare of the competing thoroughbred horse by mandating a specific amount of time a horse is not eligible to compete after a certain medical treatment is administered.

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 J. Michael Hopkins, Executive Director, Maryland Racing Commission, 300 East Towsontown Blvd., Towson, MD 21286, or call 410-296-9682, or email to mike.hopkins@maryland.gov, or fax to 410-296-9687. Comments will be accepted through April 20, 2020. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland Racing Commission during a public meeting to be held on April 23, 2020, at Laurel Park, Laurel, MD.

.17 Entries, Declarations and Scratches.

A.—GG. (text unchanged)

HH. A horse that has been administered any intra-articular injections may not start for 14 days. In counting the number of days, the day the horse is injected shall be the first day.

[HH.] II.—[XX.] YY. (text unchanged)

MICHAEL J. ALGEO

Chairman

Maryland Racing Commission

Subtitle 10 RACING COMMISSION**09.10.03 Prohibited Acts**

Authority: Business Regulation Article, §11-210, Annotated Code of Maryland

Notice of Proposed Action

[20-058-P]

The Maryland Racing Commission proposes to amend Regulations .01 and .01-1 under **COMAR 09.10.03 Prohibited Acts**.

Statement of Purpose

The purpose of this action is to reduce the permissive threshold of two non-steroidal anti-inflammatory medications (phenylbutazone and flunixin); delete the permitted threshold for firocoxib and diclofenac; and make the combination of two or more non-steroidal anti-inflammatory medications in a post-race sample a violation.

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 J. Michael Hopkins, Executive Director, Maryland Racing Commission, 300 East Towsontown Blvd., Towson, MD 21286, or call 410-296-9682, or email to mike.hopkins@maryland.gov, or fax to 410-296-9687. Comments will be accepted through April 20, 2020. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland Racing Commission during a public meeting to be held on April 23, 2020, at 12:30 p.m., at Laurel Park, Laurel, MD.

.01 Definitions.

A. (text unchanged)

B. In addition, the following terms have the meanings indicated.

(1) (text unchanged)

(2) [Drug.

(a)] "Drug" means a substance which may have a pharmacological effect on a horse, and:

[(i)] (a)—[(iii)] (c) (text unchanged)

[iv] (d) Other than food, is intended to affect the structure or a function of the body of a human or other animal; [or]

[v] (e) Is intended for use as a component of an item specified in §B(1)(a)(i) (a) —[(iv)] (d) of this regulation; or

(f) Includes the detection of two or more non-steroidal anti-inflammatory drugs in blood plasma or urine or both.

[(b) “Drug” includes any combination of phenylbutazone, flunixin, or ketoprofen if:

(i) Phenylbutazone is quantitated at more than 0.3 micrograms per milliliter of blood plasma or serum;

(ii) Flunixin is quantitated at more than 3.0 nanograms per milliliter of blood plasma or serum; and

(iii) Ketoprofen is quantitated at more than 1.0 nanogram per milliliter of blood plasma or serum.]

(3)—(5) (text unchanged)

.01-1 Restricted Use of Medications and Other Substances.

A.—H. (text unchanged)

[I. Diclofenac quantitated at not more than 5 nanograms per milliliter of blood plasma or serum;]

[J.] I. (text unchanged)

[K. Firocoxib quantitated at not more than 20 nanograms per milliliter of blood plasma or serum;]

[L.] J. Flunixin quantitated at not more than [20] 5 nanograms per milliliter of blood plasma or serum;

[M.] K.—[T.] U. (text unchanged)

[U.] V. Phenylbutazone quantitated at not more than [2] 0.3 micrograms per milliliter of the blood plasma or serum;

[V.] W.—[CC.] EE. (text unchanged)

MICHAEL J. ALGEO

Chairman

Maryland Racing Commission

Subtitle 12 MARYLAND BUILDING REHABILITATION CODE

09.12.58 Maryland Building Rehabilitation Code Regulations

Authority: Public Safety Article, §§12-1004 and 12-1007(a), Annotated Code of Maryland

Notice of Proposed Action

[20-053-P-I]

The Commissioner of Labor and Industry proposes to amend Regulation .03 under **COMAR 09.12.58 Maryland Building Rehabilitation Code Regulations**. This action was considered at an open meeting held on November 20, 2019, notice of which was posted on the Department’s website, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to remove duplicative definitions in regulation that reside in statute and to update incorporated by reference titles to the first edition of the 2018 edition of the International Existing Building Code.

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 Mischelle F. Vanreusel, Regulations and Grants Coordinator, Department of Labor, 1100 N. Eutaw Street, Room 600, Baltimore, MD 21202, or call 410-767-2225, or email to Mischelle.vanreusel@maryland.gov, or fax to 410-767-2986. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

Editor’s Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the 2018 International Existing Building Code (International Code Council) has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 47:1 Md. R. 9 (January 3, 2020), and is available online at www.dsd.state.md.us. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.03 Incorporation by Reference.

A. The [2015] 2018 International Existing Building Code (International Code Council), 500 New Jersey Avenue, N.W., 6th Floor, Washington, DC 20001], as described in this chapter, is incorporated by reference.

B. The [2015] 2018 International Existing Building Code, as described in this chapter, shall constitute the Maryland Building Rehabilitation Code.

C. Modifications to the [2015] 2018 International Existing Building Code.

(1)—(2) (text unchanged)

(3) Chapter 2. Delete the definition of “Addition” in Section 202 and replace with the following: “Addition” [means an increase in:

(a) a building or a structure area;

(b) aggregate floor area of a building or a structure;

(c) height of a building or a structure; or

(d) number of stories of a building or a structure.] *has the meaning stated in Public Safety Article, §12-1001(b), Annotated Code of Maryland.*

(4) Chapter 2. Delete the definition of “Change of Occupancy” in Section 202 and replace with the following: “Change of Occupancy” [means a change in the purpose or level of activity in a building or structure that involves a change in application of the local building code requirements.] *has the meaning stated in Public Safety Article, §12-1001(c), Annotated Code of Maryland.*

(5) Chapter 2. Delete the definition of “Existing Building” in Section 202 and replace with the following: “Existing Building” [means a building or structure that was erected and occupied, or was issued a certificate of occupancy, at least 1 year before a construction permit application for the building or structure was made to a local jurisdiction, the Maryland National Capital Park and Planning Commission, or the Washington Suburban Sanitary Commission.] *has the meaning stated in Public Safety Article, §12-1001(f), Annotated Code of Maryland.*

(6) Chapter [4] 3. Delete Section [410.1] 305.1 Scope and replace with the following: [410.1] 305.1 Scope. The provisions of Sections [410.1] 305.1 through [410.9] 305.9 apply to maintenance,

change of occupancy, additions and alterations to existing buildings including those identified as historic buildings. For additions, alterations, or change of use of existing buildings of four or more dwelling units, the alteration, change of use or addition to an existing residential building of four or more units shall comply as follows:

(a)—(b) (text unchanged)

(7) Chapter [4] 3. Delete Exception to Section [410.4] 305.4 Change of Occupancy.

(8) Chapter [4] 3. Delete Exception 3 and Exception 4 to Section [410.6] 305.6 Alterations.

(9) Chapter [4] 3. Delete Section [410.8.8] 305.8.8 Type B dwelling or sleeping units.

MATTHEW HELMINIAK
Commissioner of Labor and Industry

Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.56 Home and Community-Based Services Waiver for Children with Autism Spectrum Disorder

Authority: Health-General, Article, §§2-104(b), 15-103, 15-105, and 15-130,
Annotated Code of Maryland

Notice of Proposed Action [20-039-P]

The Secretary of Health proposes to amend Regulations .01—.03, .11, and .21 under **COMAR 10.09.56 Home and Community-Based Services Waiver for Children with Autism Spectrum Disorder**.

Statement of Purpose

The purpose of this action is to update regulations governing the Home and Community-Based Services Waiver for Children with Autism Spectrum Disorder to align with the CMS-approved waiver conditions. Specifically, the proposed action clarifies requirements for participant eligibility, plans of care, and determining residential habitation intensity levels. Additionally, it updates the range of therapeutic integration service hours for which the Program may reimburse.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. In order to align with the CMS-approved 1915(c) Home and Community-Based Services Waiver for Children with Autism Spectrum Disorder renewal application, the proposed action amends the range of 30-minute units of therapeutic integration (TI) or intensive therapeutic integration (ITI) services for which the Program may reimburse on a given date of service. The purpose of this change is to provide flexibility for participants.

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

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

A. The proposed action reduces the minimum number of 30-minute units of therapeutic integration (TI) or intensive therapeutic integration (ITI) services the provider must render in order to receive reimbursement and increases the maximum number of units for which the Program may reimburse on a given date of service. The proposed action enables participants to receive, and providers to be reimbursed for, services in as little as 1-hour increments (two units) and up to 6 hours (12 units) per day. Presently, participants may not receive services in fewer than 2-hour (four units) increments or more than 4 hours (eight units) of service per day.

The proposed action provides flexibility for participants who may only require or have time in their schedules for 1 hour of service or who may require up to 2 additional hours of service. The Program is unable to predict the utilization of services within the amended range but does not anticipate significant economic impact.

D. See A. above.

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 Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(15) (text unchanged)

(16) “Intermediate care facility for [the intellectually disabled and persons with related conditions (ICF-ID)] *individuals with intellectual disabilities (ICF-IID)*” means an institution licensed by the Department under COMAR 10.07.20 that:

(a) Is primarily for the diagnosis, treatment, or rehabilitation of [the intellectually disabled] *individuals with intellectual disabilities* or persons with related conditions; and

(b) (text unchanged)

(17)—(38) (text unchanged)

C. (text unchanged)

.02 Participant Eligibility.

A. Medical Eligibility for the Autism Waiver.

(1) To be medically eligible for the services covered under the chapter, an applicant shall be certified by the licensed psychologist or certified school psychologist, who is a member of the participant’s multidisciplinary team and is employed by the local Infants and Toddlers Program, the local school system, the Program, or the Program’s designee, to need [ICF-ID] *ICF-IID* level of care using the standardized process for determination of eligibility for level of care in an [ICF-ID] *ICF-IID*.

(2) Every 12 months, or more frequently if determined necessary by the service coordinator or multidisciplinary team due to a significant change in the participant’s condition or needs, a participant’s medical need for [ICF-ID] *ICF-IID* level of care shall be reevaluated by the licensed psychologist or certified school psychologist on the multidisciplinary team, as part of the multidisciplinary team process and using the form for determination of eligibility for level of care in an [ICF-ID] *ICF-IID*.

(3) The form certifying [ICF-ID] *ICF-IID* level of care shall be signed by the:

(a)—(b) (text unchanged)

B. Technical Eligibility for the Autism Waiver. An applicant or participant shall be determined by the multidisciplinary team to meet the waiver’s technical eligibility-criteria if the individual:

(1)—(2) (text unchanged)

[(3) Is receiving early intervention services or is in a public, nonpublic, or State-operated/State-supported special education setting;]

[(4)] (3)—[(8)] (7) (text unchanged)

[(9)] (8) Chooses, or the parent or parents of a minor child chooses on the child’s behalf, to receive Autism Waiver services as an alternative to services in an [ICF-ID] *(ICF-IID)*, and documents that choice on the consent form for Autism Waiver services; and

[(10)] (9) Is not enrolled in:

(a) (text unchanged)

(b) [Home and] Community Based Services for Developmentally Disabled Individuals Pursuant to a [§]1915(c) Waiver, in accordance with COMAR 10.09.26; or

(c) (text unchanged)

C.—D. (text unchanged)

.03 Care Planning Process.

A.—A-1. (text unchanged)

B. A participant’s Autism Waiver plan of care or plan of care addendum:

(1) Identifies the specific Autism Waiver services to be provided to the participant, as covered under this chapter; [and]

(2) Specifies for each identified Autism Waiver service the:

(a)—(d) (text unchanged)

(e) Provider[.]; and

(3) *Identifies medical conditions that require a written, signed emergency protocol.*

.11 Covered Services—Residential Habilitation Services.

A.—D. (text unchanged)

E. Intensity Levels.

(1) (text unchanged)

(2) To be approved by the multidisciplinary team for the intensive level of residential habilitation services, the participant must need:

(a) (text unchanged)

(b) [One-on-one] *At minimum, 4 hours of one-on-one staffing.*

F.—H. (text unchanged)

.21 Limitations.

A.—D. (text unchanged)

E. Therapeutic integration and intensive therapeutic integration services may include transportation time when at least [4] 2 units of service have been provided on-site, and the maximum units of service billed may not exceed [8] 12 units.

F.—G. (text unchanged)

H. The Program may reimburse for a participant not more than:

(1)—(3) (text unchanged)

(4) [Eight] 12 units or [less] *fewer than [four] two units of therapeutic integration or intensive therapeutic integration services for a date of service;*

(5)—(14) (text unchanged)

I.—L. (text unchanged)

ROBERT R. NEALL
Secretary of Health

Subtitle 14 CANCER CONTROL

10.14.08 Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program

Authority: Health-General Article, §§13-4001—13-4007, Annotated Code of Maryland

Notice of Proposed Action

[20-043-P]

The Secretary of Health proposes to adopt new Regulations .01—.08 under a new chapter, **COMAR 10.14.08 Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program.**

Statement of Purpose

The purpose of this action is to adopt regulations for the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program, which was established by Ch. 219 (S.B. 727), Acts of 2019, to provide grants to fire departments to procure innovative cancer screening tests to reduce cancer mortality among professional and volunteer firefighters.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Ch. 219 (S.B. 727), Acts of 2019, Health—Professional and Volunteer Firefighter Innovative Cancer Screening Program, requires the Governor to include in the budget at least \$100,000 for the Professional and Volunteer Firefighter Innovative Cancer Screening Program in fiscal year (FY) 2021 and each year thereafter. In FY 2021, the Department intends to consider awarding the entire amount of \$100,000 to at least one qualified applicant.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(E+)	\$100,00
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	
		Magnitude
D. On regulated industries or trade groups:	(+)	\$100,000
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

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

A. Ch. 219 (S.B. 727), Acts of 2019, Health—Professional and Volunteer Firefighter Innovative Cancer Screening Program, requires the Governor to include in the budget at least \$100,000 for the program in fiscal year (FY) 2021 and each year thereafter. The Department expects \$100,000 to be appropriated annually for the program.

D. The Department intends to consider awarding the entire amount of \$100,000 to at least one qualified applicant.

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 Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 800-735-2258. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.01 Purpose and Scope.

This chapter sets forth the:

A. Responsibilities of the Maryland Department of Health for the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program established by Health-General Article, §§13-4001—13-4007, Annotated Code of Maryland;

B. Responsibilities of a grantee that receives funds under the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program;

C. Application process for a grant under the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program; and

D. Reporting requirements for the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program.

.02 Definitions.

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

B. Terms Defined.

(1) “Applicant” means an entity that applies to receive a grant under the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program.

(2) Cancer Screening Test.

(a) “Cancer screening test” means a test that is designed to find cancer in an individual who does not present cancer symptoms.

(b) “Cancer screening test” includes, but is not limited to:

(i) A laboratory test;

(ii) An imaging procedure;

(iii) A medical procedure; and

(iv) A genetic test.

(3) “Cost effectiveness” means a comparison between cost and expected health outcomes of a cancer test or intervention.

(4) “Department” means the Maryland Department of Health.

(5) “Grant” means funds distributed to a grantee under the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program.

(6) “Grantee” means a local fire department, volunteer fire department, or volunteer fire company approved to receive funds under the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program.

(7) “Health care provider” means a doctor of medicine or osteopathy, dentist, nurse practitioner, or physician assistant who is authorized to practice medicine, surgery, or dentistry by the state in which the doctor practices.

(8) “Local fire department” means a county fire department or the Baltimore City Fire Department.

(9) “Program” means the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program.

(10) “Qualifications” means the education, experience, skills, and licensing of an individual associated with a Program grant application.

(11) “Volunteer fire company” means a volunteer fire company operating in a county or Baltimore City.

(12) “Volunteer fire department” means a volunteer fire department operating in a county or Baltimore City.

.03 Responsibilities of the Department.

The Department shall:

A. Administer the Program;

B. Provide one or more grants to local fire departments, volunteer fire companies, or volunteer fire departments to procure innovative cancer screening tests according to Health-General Article, §13-4003(a), Annotated Code of Maryland;

C. Develop and distribute an application for Program grants at the start of each fiscal year;

D. Maintain a record of information submitted by a grantee to the Department; and

E. Monitor the activities of a grantee to ensure compliance with the requirements of the Program.

.04 Entities Eligible for Grants.

The following entities are eligible to apply for and receive a grant from the Department under the Program:

A. A local fire department;

B. A volunteer fire company;

C. A volunteer fire department; and

D. If authorized by a local fire department, volunteer fire company, or volunteer fire department, a county.

.05 Use of Grant Funds.

A. A grantee may use awarded funds to:

(1) Procure and administer innovative cancer screening tests that are not otherwise conducted during routine physical examinations or covered by insurance to professional firefighters

employed by a local fire department and volunteer firefighters who serve in a volunteer fire company or department; and

(2) Pay for activities directly associated with the grant that are approved by the Department.

B. A grantee may not use awarded funds to pay for an activity that is not included in the approved grant application.

.06 Application for Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program Grants.

A. An applicant:

(1) Shall submit a completed application to the Department by the due date listed in the request for applications;

(2) Shall include in the application all required information listed in the request for applications, including:

(a) The names and qualifications of the health care providers that will advise the applicant on the selection and administration of cancer screening tests;

(b) The number of firefighters to be screened;

(c) The criteria used to select firefighters determined to be at the highest cancer risk based on the latest scientific and medical research reports to be screened; and

(d) A description of each test to be procured by the applicant, including:

(i) The claimed accuracy and reliability of the test;

(ii) The scientific and clinical evidence supporting the claimed accuracy and reliability of the test;

(iii) Whether the test employs innovative or novel technologies, such as DNA sequencing, genomics, proteomics, metabolomics, machine learning, artificial intelligence, big data analytics, or other state-of-the-art technology;

(iv) Whether the test has the ability to simultaneously screen for two or more cancer types for which firefighters have a higher incidence or death rate;

(v) The cost of the test; and

(vi) Whether the test is developed, manufactured, or commercialized by a business entity located in the State; and

(3) May voluntarily withdraw an application at any time.

B. The county in which a volunteer fire company or department is located shall assist a volunteer fire company or a volunteer fire department in submitting an application.

.07 Application Review, Selection of Grantees, and Grant Period.

A. The Department shall:

(1) Determine the amount of money available for grants under the Program in each fiscal year;

(2) Develop a weighting formula to rate each application received by the Program;

(3) Make available the weighting formula on the Program website and include the weighting formula in the request for applications;

(4) Request additional information or changes to the application if necessary; and

(5) Reject an application that does not meet the application requirements.

B. The Department shall review and prioritize applications based on the quality of the application received and the degree to which the tests listed on the application meet the following criteria:

(1) The scientific and clinical evidence supporting the claimed accuracy and reliability of test;

(2) Whether the test employs innovative or novel technologies;

(3) The ability of the test to simultaneously screen for two or more cancers types;

(4) The cost effectiveness of the test; and

(5) Whether the test is developed, manufactured, or commercialized by a business entity located in the State.

C. The Department may review an application in consultation with one or more experts in cancer screening.

D. If the Department receives applications for grant funds totaling more than the amount of funds appropriated for the Program, the Department shall award the funds based on the rating given to each application using the weighting formula.

E. Funds shall be awarded under the Program for a maximum of 1 year.

.08 Payments, Terms and Conditions of Grant Awards, and Terminations.

A. Payments.

(1) The Department may not pay grantees more frequently than on a quarterly basis during the grant period.

(2) The Department may approve an advance payment before the first payment is scheduled for the grant based on financial need.

(3) If a financial or progress report required by §B or C of this regulation is overdue, the Department may withhold payment of funds to a grantee until the financial or progress report is submitted.

B. Financial Reports and Records.

(1) A grantee shall:

(a) Establish a separate account to track expenditures under the grant;

(b) Maintain accurate records, including documentation of each transaction associated with the grant; and

(c) Submit to the Department:

(i) Quarterly invoices for payment of grant funds; and

(ii) An annual financial expenditure report containing the signature of the financial officer of the grantee.

(2) The Department may audit the accounts referenced in §B(1) of this regulation at any time.

(3) Within 90 days after the date the grant period ends, a grantee shall submit to the Department:

(a) A final report listing grant expenditures; and

(b) A refund of any unexpended funds.

(4) A grantee shall retain all records pertaining to a grant for 3 years from the date the final report is submitted under §B(3) of this regulation.

(5) In the case of an audit or litigation, the Department may extend the time period under §B(3) or (4) of this regulation until the completion of the audit or litigation.

C. Progress Reports. A grantee shall submit to the Program electronically:

(1) An interim report describing the progress of the grant 6 months after the date of award of the grant; and

(2) A comprehensive final report that provides a summary of all activities conducted under the grant no later than 60 days after the date the grant period ends, including the:

(a) Number of individuals screened;

(b) Tests used;

(c) Cost of the tests; and

(d) Cancers detected by the tests.

D. Publications.

(1) A grantee who publishes results from activities supported by a grant approved under this chapter shall include in the publication the following acknowledgement: "Supported in part with funds from the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program of the Maryland Department of Health."

(2) A grantee shall provide the Department with one electronic copy of any published article associated with an activity conducted under a grant.

E. Ownership of Cancer Screening Tests. A grantee:

(1) Shall ensure that a cancer screening test purchased under a Program grant is used for the sole purpose of the grant;

(2) Shall keep an inventory of cancer screening tests purchased; and

(3) May not transfer a cancer screening test to another entity without written permission from the Department.

F. Termination.

(1) The Department may terminate a grant:

(a) If a grantee fails to comply with:

(i) The requirements of this chapter; or

(ii) State, federal, and municipal laws applicable to the grant;

(b) If a grantee fails to carry out the purposes for which the grant was awarded;

(c) In compliance with a court order; or

(d) At the request of the grantee.

(2) The Department may not be held responsible for any expenses incurred by a grantee after cancellation of a grant.

(3) The grantee shall return all unexpended funds to the Department within 60 days of termination of a grant.

G. Liability.

(1) A grantee shall be solely responsible for its actions related to the:

(a) Program application process; and

(b) Activities conducted under a grant.

(2) The Department may not be held liable for any claims, losses, liabilities, expenses, or damages arising from activities related to the:

(a) Program application process; or

(b) Activities conducted under a grant.

ROBERT R. NEALL
Secretary of Health

Subtitle 15 FOOD

10.15.03 Food Service Facilities

Authority: Health-General Article, §§18-102, 21-101, 21-102, 21-211, 21-234, 21-301, 21-304, 21-308, and 21-330.1, Annotated Code of Maryland

Notice of Proposed Action

[20-044-P]

The Secretary of Health proposes to amend Regulations .02, .06, .09, .11, .15, .24—.28, and .30 and adopt new Regulation .40 under COMAR 10.15.03 Food Service Facilities.

At this time the Secretary of Health is also withdrawing the proposal to amend Regulations .02, .06, .09, .15, .25, and .27 and adopt new Regulation .40 under COMAR 10.15.03 Food Service Facilities that was published in 46:12 Md. R. 559—561 (June 7, 2019).

Statement of Purpose

The purpose of this action is to conform regulations to changes made to food safety laws by legislation passed during the 2018 and 2019 General Assembly sessions (Chs. 338, 339, and 491, Acts of 2018, and Chs. 230, 370, and 371, Acts of 2019). The proposed action:

(1) Amends definitions related to cottage foods, micro markets, excluded organizations, and temporary food service facilities;

(2) Makes several corrections, clarifications, and deletions of obsolete text;

(3) Promulgates a new regulation related to the requirements of micro markets;

(4) Adds new methods for the sale of cottage foods;

(5) Conforms storage temperature requirements for crab meat to COMAR 10.15.02;

(6) Specifies food disposal or reconditioning procedures;

(7) Modifies the requirements for a base of operations for mobile food service facilities; and

(8) Clarifies thawing procedures for potentially hazardous foods.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This proposal will increase the opportunities for cottage food businesses to sell their products, lengthen the duration of licenses for temporary food service facilities, and establish requirements for the operation of micro markets. These changes will likely benefit businesses, although the Department is unable to estimate the extent or magnitude of these benefits. There is no economic impact to State or local governments, other industries, or the public.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	
		Magnitude

D. On regulated industries or trade groups: (+) Indeterminable

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

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

D. The proposed action will strengthen cottage food businesses' ability to sell their products by allowing the sale of cottage foods by personal delivery, by mail order, and through a retail food store. Cottage food businesses will still be limited by a \$25,000 cap on annual revenues from the sale of cottage food products, but expanding the ways that sales can be made will positively affect cottage food businesses. The Department is unable to estimate the magnitude of this effect.

The proposal will also increase the time a temporary food service facility may operate from 14 to 30 consecutive days. This will likely lead to a cost savings for temporary food service facilities that operate for longer than 14 calendar days (e.g., food stands that operate on weekends during the summer) and would result in these facilities reapplying for licenses less frequently. This would save the temporary food service facility the licensing fee as well as the time and effort needed to reapply. Licensing fees are set by local health departments and range from \$0—\$250. The Department cannot estimate the number of temporary food service facilities that would be affected, and the Department is unable to estimate the magnitude of this effect.

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 Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)–(7) (text unchanged)

(7-1) “Base of operations” means a licensed food service facility [in Maryland] that is used by the owner or operator of a mobile food service facility for food storage, potable water, safe disposal of waste and sewage, and, if necessary, utensil washing.

(8)–(17-1) (text unchanged)

(17-2) “Cottage food product” means:

(a) A non-potentially hazardous food as specified in Regulation .27 of this chapter that is offered for sale [only at a farmer’s market or public event; and]:

(i) Directly to a consumer from a residence, by personal delivery, by mail delivery, at a farmer’s market, or at a public event; or

(ii) To a retail food store if the cottage food product remains in the original packaging; and

(b) A food that is not offered for sale through [Internet sales or] interstate commerce.

(17-3)–(27) (text unchanged)

(28) “Excluded organization” means a:

(a) Bona] volunteer fire company or bona fide nonprofit fraternal, civic, war veterans’, religious, or charitable organization or corporation that does not serve food to the public more often than 4 days per week, except that once a year an organization may serve food to the public for up to [14] 30 consecutive days; or

(b) Volunteer fire company that does not serve food to the public more often than 4 days per week, except that once a year a volunteer fire company may serve food to the public for up to 30 consecutive days].

(29)–(33) (text unchanged)

(34) Food Service Facility.

(a) (text unchanged)

(b) “Food service facility” includes:

(i)–(ii) (text unchanged)

[(iii) An excluded organization either with or without a license that serves potentially hazardous foods.]

(iii) A micro market licensed under Business Regulation Article, Title 17, Subtitle 17, Annotated Code of Maryland, and meeting the requirements of this chapter as a food service facility.

(c) “Food service facility” does not include a:

(i)–(ii) (text unchanged)

(iii) Food preparation or serving area where [only non-potentially hazardous] food is prepared or served only by an excluded organization;

(iv)–(vii) (text unchanged)

(35)–(37) (text unchanged)

(38) Health Care Facility.

(a) “Health care facility” means:

(i)–(vi) (text unchanged)

(vii) Another health institution, service, or program for which Health-General Article, [§19-114(d)(1)(viii),] §19-114(d)(1)(ix), Annotated Code of Maryland, requires a certificate of need.

(b) (text unchanged)

(39)–(44) (text unchanged)

(44-1) “Micro market” means an unstaffed, self-checkout retail food service facility that:

(a) Includes one or more micro market displays;

(b) Has an automated payment kiosk or other device designed to accept electronic payments that is operated by the consumer;

(c) Is located indoors and within a separate business; and

(d) Is generally accessible only to individuals within the building in which the food service facility is located.

(44-2) “Micro market display” means the place where the food being sold by a micro market is displayed, including:

(a) An open rack;

(b) A refrigerator or a refrigerated cooler;

(c) A freezer;

(d) A vending machine;

(e) A beverage dispenser; or

(f) A single-serve coffee brewer.

(45)–(62) (text unchanged)

(62-1) “Reconditioned” means reprocessing a food using an approved method that results in a food that is safe, wholesome, and free from contamination.

(63)–(68) (text unchanged)

(68-1) Retail Food Store.

(a) “Retail food store” means a licensed food service facility that sells prepackaged food items either fresh, refrigerated, frozen, or shelf-stable.

(b) “Retail food store” includes a grocery store, convenience store, retail market, retail bakery, or food cooperative.

(c) “Retail food store” does not include a restaurant, mobile food service facility, coffee shop, cafeteria, short order café, luncheonette, tavern sandwich shop, produce stand that only offers whole, uncut fresh fruits and vegetables, or establishment that offers only pre-packaged non-potentially hazardous foods.

(69)–(79) (text unchanged)

(80) “Temporary food service facility” means a food service facility that operates:

(a) In one of the following ways:

(i) Except for a volunteer fire company, at a fixed location for not more than 14 consecutive days; or

(ii) For up to 30 consecutive days if the temporary food service facility is a volunteer fire company; and

(b) In] at a fixed location for up to 30 consecutive days in conjunction with a:

[(i)] (a)–[(vii)] (g) (text unchanged)

(81)–(86) (text unchanged)

.06 Food Protection During Storage, Service, and Transport.

The person-in-charge shall ensure that:

A. (text unchanged)

B. When storing and holding food:

(1)–(6) (text unchanged)

(7) Except as provided in [§B(8)–(14)] §B(8)–(13) of this regulation, the internal temperature of a potentially hazardous food is kept at 41°F or less or 135°F or greater;

[(8) In existing refrigeration that can cool the food and maintain the food’s internal temperature between 42°F and 45°F, the potentially hazardous food’s internal temperature, except as provided in §B(9)–(14) of this regulation, is kept at 45°F or less pending equipment upgrade as set forth in Regulation .15A(6) of this chapter;]

[(9)] (8) If pasteurized crab meat, the crab meat’s internal temperature is maintained at [38°F] 41°F or less;

[(10)] (9)–[(13)] (12) (text unchanged)

[(14)] (13) Using holding temperatures and times other than those specified in this section, the holding temperatures and times are:

(a)—(b) (text unchanged)

(c) Submitted to and approved by the Department based on a review that indicates compliance with [§B(14)(a) and (b)] §B(13)(a) and (b) of this regulation;

C. While displaying and serving food:

(1) Except as provided in [§§B(8) and C(3)] §C(3) of this regulation, a potentially hazardous cold food that is placed on display is:

(a)—(c) (text unchanged)

(2) Except as provided in [§§B(13) and (14)] §§B(12) and (13) and C(3) of this regulation, a potentially hazardous hot food that is placed on display is:

(a)—(c) (text unchanged)

(3)—(9) (text unchanged)

(10) Except for drinking cups reused by self-service consumers in a manner to prevent cross-contamination, employees and self-service customers do not reuse soiled tableware, including single service articles to:

(a) (text unchanged)

(b) Obtain additional food from display and serving equipment; [and]

D. During the transportation of food:

(1) Except as provided in [§B(8)—(14)] §B(8)—(13) of this regulation, the internal temperature of a potentially hazardous food is maintained at 41°F or below or 135°F or above;

(2)—(3) (text unchanged)

(4) Food is in covered containers or completely wrapped or packaged to protect against contamination[.]; and

E. During the preparation, storage, or service of food:

(1) Unsafe or adulterated food is discarded or reconditioned according to an approved procedure by the approving authority;

(2) Food that is not from an approved source as specified under Regulation .04 of this chapter is discarded;

(3) Ready-to-eat food that may have been contaminated by an employee who has been restricted or excluded as specified under Regulation .14A or B of this chapter is discarded; and

(4) Food shall be discarded if it is contaminated by employees, consumers, or other persons through:

(a) Contact with their hands;

(b) Bodily discharges, such as nasal or oral discharges; or

(c) Other means.

.09 Food Preparation—Temperature and Cross-Contamination Control.

The person-in-charge shall ensure that:

A.—C. (text unchanged)

D. Potentially hazardous food is thawed:

(1) In refrigerated units so that the temperature of the food does not exceed 41°F [except as provided for in Regulation .06B(8)];

(2)—(3) (text unchanged)

(4) If a potentially hazardous reduced oxygen packaged food:

(a) In the food's airtight package at or below 41°F; [and]

(b) At [or below 38°F;] a lower temperature if specified by the manufacturer; or

(c) If fish or seafood, completely removed from the reduced oxygen environment or package prior to thawing;

(5)—(6) (text unchanged)

E.—F. (text unchanged)

.11 Food Preparation—Cooling and Reheating of Potentially Hazardous Foods.

The person-in-charge shall ensure that:

A. [Except as specified in Regulation .06B(8) of this chapter, a:

(1) Potentially] A potentially hazardous cooked food's internal temperature is cooled from 135°F to 70°F within 2 hours and from 70°F to 41°F or less within an additional 4 hours; [and]

[(2)] B. [Ready-to-eat] A potentially hazardous food for cold service, such as a reconstituted [foods, salads, and canned meat, are] food, salad, or canned meat, is cooled to an internal temperature of 41°F within 4 hours;

[B.] C.—[C.] D. (text unchanged)

.15 Food Equipment and Utensils.

A. The person-in-charge shall ensure that:

(1) Except as provided in [§§A(2), (6), and (15)] §A(2) and (14) and B of this regulation, food equipment meets one or more of the following design standards:

(a)—(e) (text unchanged)

(2)—(5) (text unchanged)

[(6)] Existing refrigeration equipment used to maintain potentially hazardous foods that is incapable of maintaining the potentially hazardous food at 41°F or less is upgraded or replaced by December 17, 2012;]

[(7)] (6)—[(12)] (11) (text unchanged)

[(13)] (12) Aisles or working spaces between equipment and between equipment and walls are:

(a) (text unchanged)

(b) In a new facility or a facility that is remodeled, a minimum width of:

(i)—(iii) (text unchanged)

(iv) Another width approved by the approving authority based on a review that indicates compliance with [§A(13)(a)] §A(12)(a) of this regulation;

[(14)] (13) (text unchanged)

[(15)] (14) When an existing piece of equipment ceases to operate:

(a) Equipment intended for temporary use is:

(i) (text unchanged)

(ii) [Complies] In compliance with [§A(3)—(9)] §A(3)—(8) of this regulation;

(b) Equipment is replaced:

(i) (text unchanged)

(ii) Within 30 working days from the date the permanent replacement plan required in [§A(15)(c)] §A(14)(c) of this regulation is accepted by the approving authority; and

(c) (text unchanged)

[(16)] (15) (text unchanged)

B. The approving authority may allow the use of equipment that meets [§A(3)—(11)] §A(3)—(10) of this regulation but fails to comply with §A(1) of this regulation if a review indicates the equipment and its use are:

(1)—(2) (text unchanged)

.24 Food Manufacturing in Food Service Facilities.

A. (text unchanged)

B. The person-in-charge shall ensure that before a food is manufactured in a food service facility:

(1) Plans for the manufacturing:

(a)—(b) (text unchanged)

(c) Include:

(i)—(v) (text unchanged)

(vi) Procedures for maintaining potentially hazardous food as set forth in Regulation [.06B(7)—(14)] .06B(7)—(13) of this chapter; and

(vii) (text unchanged)

- (2) (text unchanged)
- C.—E. (text unchanged)

.25 Special Food Service Facility.

A. For a special food service facility that handles only potentially hazardous food that remains in the original container or wrapping and that does not prepare, wrap, or package the food at the facility, the person-in-charge shall ensure that:

- (1) Compliance is maintained with Regulations .01—.06, .08, .12—.14, [.15A(3)—(6),] .15A(3)—(5), .19—.23, .25, .28—.33, and .35—.39 of this chapter; and

(2) (text unchanged)

B. For a special food service facility that handles food that is removed from the original package or that prepares, packages, or wraps food at the facility, the person-in-charge shall ensure that:

- (1) Compliance is maintained with Regulations .01—.06, .08—.14, [.15A(3)—(11),] .15A(3)—(10), .16—.25, and .28—.39 of this chapter;

(2)—(5) (text unchanged)

C. For a special food service facility that is a mobile unit, the person-in-charge shall ensure that:

(1)—(5) (text unchanged)

(6) Subject to [§C(7) and (8)] §C(8) and (9) of this regulation, a base of operations is established that provides:

(a)—(e) (text unchanged)

(7) *The base of operation is located within 90 miles of the licensing county;*

[(7)] (8) For a mobile food service facility not seeking a mobile reciprocity license, a base of operations as set forth in §C(6) and (7) of this regulation is established by May 1, 2020;

[(8)] (9)—[(10)] (11) (text unchanged)

D.—H. (text unchanged)

.26 Excluded Organizations.

A. Pursuant to Health-General Article, §21-304(a)(2), Annotated Code of Maryland, [an excluded organization shall] *a volunteer fire company or bona fide nonprofit fraternal, civic, war veterans', religious, or charitable organization or corporation that does not serve food to the public more often than 4 days per week, except that once a year an organization may serve food to the public for up to 30 consecutive days, may make:*

(1) A [non-rescindable] *rescindable* decision to operate [with a license] *as a licensed food service facility* and in full compliance with this chapter; or

(2) A decision to operate without a license and in compliance with §§B—E of this regulation, which establish the minimum requirements to ensure food safety at a food [service facility] *preparation or serving area* operated by an excluded organization without a license.

B. The person-in-charge shall ensure that a food [service facility] *preparation or service area* operated by an excluded organization without a license[:

(1) Complies] *complies* with Regulations [.01 —.15A(3)—(11),] .01—.15A(3)—(10), .16—.23, .26—.27, and .29—.39 of this chapter[; and

(2) When serving potentially hazardous food, serves only potentially hazardous food:

(a) Prepared at the excluded organization; or

(b) In a licensed food establishment[.

C. During the operation of a special food service facility, the person-in-charge of an unlicensed excluded organization shall ensure compliance with:

(1) Regulations .01—.06, .08, .12—.14, [.15A(3)—(6),] .15A(3)—(5), .19—.20, .22B—D, .23, .26, .29—.33, and .35—.39 of this chapter, if the unlicensed excluded organization is a special food service facility that:

(a)—(b) (text unchanged)

(2) Regulations .01—.06, .08—.14, [.15A(3)—(11),] .15A(3)—(10), .16—.20, .22B—D, .23, .26, and .29—.39 of this chapter, if the unlicensed excluded organization is a special food service facility that:

(a)—(b) (text unchanged)

D.—E. (text unchanged)

F. The person-in-charge shall ensure that when an unlicensed excluded organization [that is a volunteer fire company] plans to serve food to the public for up to 30 consecutive days, a written notice is provided to the Department that includes the:

(1)—(3) (text unchanged)

G. (text unchanged)

.27 Farmer's Market, Bake Sales, and Cottage Food Business.

A. The approving authority shall accept as being from an approved source the [homemade] foods specified in §B of this regulation when the foods are:

(1) (text unchanged)

(2) Offered or sold only [at a farmer's market, bake sale, or public event.] *in the State:*

(a) *Subject to the requirements of §§C(5) and (6) of this regulation, at a retail food store; or*

(b) *Directly to a consumer:*

(i) *At a farmer's market;*

(ii) *At a bake sale;*

(iii) *At a public event;*

(iv) *By personal delivery; or*

(v) *By mail order.*

B. (text unchanged)

C. Cottage Food Business.

(1) The approving authority shall allow the owner of a cottage food business to sell only cottage food products processed and packaged in Maryland that are:

(a)—(b) (text unchanged)

(c) Prepackaged with a label that contains the following information:

(i)—(v) (text unchanged)

(vi) Nutritional information as specified by federal labeling requirements, if any nutritional information claim is made; [and]

(vii) Printed in 10 point or larger type in a color that provides a clear contrast to the background of the label: "Made by a cottage food business that is not subject to Maryland's food safety regulations."; and

(viii) *For a cottage food product offered for sale at a retail food store, the phone number and email address of the cottage food business and the date the cottage food product was made.*

(2)—(4) (text unchanged)

(5) *Before the owner of a cottage food business may sell a cottage food product to a retail food store, the owner shall submit to the Department for review:*

(a) *The label that will be affixed to the cottage food product in accordance with §C(1)(c) of this regulation; and*

(b) *Documentation of the owner's successful completion of a food safety course in the past 3 years that is approved by the Department and the American National Standards Institute and includes, at a minimum, the following subjects:*

(i) *Basic food safety;*

(ii) *Cleaning and sanitizing;*

(iii) *Personal hygiene;*

(iv) *Pest control and prevention; and*

(v) *Receiving, storing, preparing, and serving food.*

(6) *The owner of a cottage food business may not sell or offer for sale a cottage food product to a retail food store until notified by*

the Department, in writing, that the requirements stated in §C(5) of this regulation are satisfactorily met.

D. If the approving authority finds a person to be in violation of any provision of this regulation, the approving authority:

(1) Shall take action against a misbranded or adulterated food [at a farmer's market, bake sale, or public event] offered or sold under this regulation in accordance with Health-General Article, §§21-211, 21-253, and 21-254, Annotated Code of Maryland; and

(2) May determine that [homemade] food produced in a private home kitchen by the person is not from an approved source.

.28 Licenses.

A.—F. (text unchanged)

G. The approving authority may not require a caterer licensed in Maryland to obtain a separate license for each catered event, including events across jurisdictional lines within the State, when the:

(1) (text unchanged)

(2) Event is at a location other than the caterer's food service facility if the caterer and location comply with Regulations .01—.06, .08—.14, [.15A(3)—(9),] .15A(3)—(8), and .18I and L of this chapter.

H.—I. (text unchanged)

J. A local health department:

(1) Shall issue a mobile reciprocity license:

(a) (text unchanged)

(b) To a mobile food service facility that:

(i)—(ii) (text unchanged)

(iii) Is operating within 90 miles of its base of operations, which shall be located in Maryland.

(2)—(6) (text unchanged)

K. (text unchanged)

.30 Food Service Facility Inspections—Types and Frequencies.

The approving authority shall ensure that:

A. (text unchanged)

B. The person-in-charge is in compliance with critical items when the person-in-charge:

(1)—(3) (text unchanged)

(4) Cools potentially hazardous food:

(a) As set forth in Regulation [.11A and B] .11A—C of this chapter; and

(b) (text unchanged)

(5) (text unchanged)

(6) Cooks and reheats potentially hazardous food:

(a) As set forth in Regulations .10 and [.11C] .11D of this chapter; and

(b) (text unchanged)

(7)—(8) (text unchanged)

C.—D. (text unchanged)

.40 Micro Markets.

A. The owner or operator of a micro market may not be required to have a person-in-charge present during the hours of operation of the micro market if the micro market meets the requirements of this regulation.

B. Food sold at a micro market shall:

(1) Be commercially prepackaged food or ready-to-eat food;

(2) Be prepackaged in tamper-evident packaging; and

(3) Contain all the following information on the packaging label:

(a) Nutrition information required by the federal Food, Drug, and Cosmetic Act;

(b) A freshness or expiration date; and

(c) Any other information required by Maryland law.

C. Refrigerated or frozen food sold at a micro market shall be stored and displayed in a refrigerator, refrigerated cooler, or freezer that:

(1) Maintains an internal temperature of 41°F or lower;

(2) Has self-closing doors;

(3) Has doors that allow the food on display to be viewed without opening the door to the refrigerator, refrigerated cooler, or freezer; and

(4) Has an automated self-locking feature that prevents a consumer from accessing the food on the occurrence of any condition that results in the failure of the refrigerator, refrigerated cooler, or freezer to maintain the internal temperature required under Regulation .06 of this chapter.

D. Signage and Notice. The owner or operator of a micro market shall post a sign that is clearly visible to the consumer near the micro market entryway or while using the electronic payment device that includes the following information:

(1) The name of the owner or operator of the micro market to whom complaints and comments regarding the micro market may be addressed;

(2) The business mailing address of the owner or operator;

(3) The business telephone number of the owner or operator; and

(4) The email address and website address of the owner or operator, if applicable.

E. Security. The owner or operator of a micro market:

(1) May secure the products and premises of a micro market by the use of video surveillance that:

(a) Operates 24 hours per day, 7 days per week;

(b) Records consumers viewing, selecting, handling, and purchasing products from the micro market; and

(c) Provides sufficient resolution to identify consumers described in §E(1)(b) of this regulation; and

(2) Shall ensure that video surveillance recordings made under §E(1) of this regulation are:

(a) Maintained by the owner for 14 days after the date of the video recording; and

(b) Made available for inspection by the appropriate health or law enforcement agency on the request of the agency within 24 hours from the time the request is received by the owner or operator.

F. Record Keeping. The owner or operator of a micro market shall ensure that:

(1) In the event of a failure of an automated self-locking unit, records are kept for:

(a) The repair or replacement of the failed unit in the form of receipts or a completed service order; and

(b) All products in the unit at the time of the failure and include:

(i) Product description; and

(ii) Quantity of products discarded or destroyed;

(2) Service receipts for the repair or replacement of the failed unit and product destruction shall be kept for a minimum of 90 days; and

(3) All records are available for review upon request.

ROBERT R. NEALL
Secretary of Health

Subtitle 18 HUMAN IMMUNODEFICIENCY VIRUS (HIV) INFECTION AND ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS)

10.18.02 HIV and CD4+ Investigations and Case Reporting

Authority: Health-General Article, §§18-102, 18-103, 18-201.1, 18-202.1, 18-205, and 18-207, Annotated Code of Maryland

Notice of Proposed Action

[20-045-P]

The Secretary of Health proposes to amend Regulations .01—.03 and .06—.09 under COMAR 10.18.02 HIV and CD4+ Investigations and Case Reporting.

Statement of Purpose

The purpose of this action is to amend the chapter regarding HIV and CD4+ investigations and reporting. These changes are the result of a Regulatory Review and Evaluation Act (RREA) review of the chapter, in which the Department found that these regulations require:

- (1) Clarifications about which tests shall be reported to the Department for HIV surveillance activities; and
- (2) Updates to be consistent with technology developed since the adoption of the regulations in 2002.

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 Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.01 Scope.

A. This chapter establishes the requirements for:

- (1)—(2) (text unchanged)
- [(3) Laboratory reporting of a test result for HIV infection or CD4+ count; and]
- (3) *Laboratory reporting of a test result for:*
 - (a) *HIV detection;*
 - (b) *HIV viral load;*
 - (c) *CD4+ cell count or percentage; or*
 - (d) *HIV genotype sequence; and*
- (4) Follow-up of:
 - (a)—(c) (text unchanged)
 - [(d) A laboratory's report of HIV infection or CD4+ count.]
 - (d) *A laboratory's report of a test result for:*
 - (i) *HIV detection;*

- (ii) *HIV viral load;*
- (iii) *CD4+ cell count or percentage; or*
- (iv) *HIV genotype sequence infection or CD4+ count.*

B. Except as noted in §C [or D] of this regulation, this chapter applies to all instances of laboratory testing of specimens from a human body for [HIV infection or CD4+ count.]:

- (1) *HIV detection;*
- (2) *HIV viral load;*
- (3) *CD4+ cell count or percentage; or*
- (4) *HIV genotype sequence.*

C. This chapter does not apply if the specimen from a human body is:

[(1) Not tested for HIV infection or CD4+ count;]

(1) *Not tested for:*

- (a) *HIV detection;*
- (b) *HIV viral load;*
- (c) *CD4+ cell count or percentage; or*
- (d) *HIV genotype sequence;*

(2) Tested for HIV [infection] *detection* solely for the purpose of determining the suitability of the source individual as a prospective donor of blood, semen, or tissue;

(3) (text unchanged)

(4) Tested for HIV [or CD4+ count] *detection* as part of research conducted by an institution within Maryland under the following conditions:

(a)—(d) (text unchanged)

(5) Tested for HIV [or CD4+ count] *detection* as part of research conducted under a research protocol approved by an institutional review board of an institution located outside of Maryland;

(6) (text unchanged)

(7) Tested for HIV [or CD4+ count] *detection* as part of a research project that has been approved under Regulation .02 of this chapter for an exemption.

[D. If the director of a medical laboratory has submitted one report of HIV infection from a patient as required under Regulation .06 of this chapter and another specimen from the same patient shows evidence of HIV infection, it is not necessary for the director to submit another report of HIV infection for the patient.]

.02 Exemptions.

A.—B. (text unchanged)

C. Approval.

(1) (text unchanged)

(2) If the application is complete and the research protocol meets the specified criteria, the Director shall grant an exemption from the requirements set forth in Regulation .06 of this chapter for any specimen tested for HIV [infection or CD4+ lymphocyte count] *detection* under the research project approved for exemption.

(3) (text unchanged)

D. Responsibilities of the Principal Investigator. If a research project is granted an exemption under §C of this regulation, the principal investigator of the research project shall send to each laboratory to which specimens collected under the research protocol will be sent to be tested for HIV [or CD4+ count] *detection* a copy of the notification from the Director issued pursuant to §C(3)(a) of this regulation to verify that the project has been exempted from the reporting requirements of Regulation .06 of this chapter.

E. Scope of Exemption.

(1) (text unchanged)

(2) A principal investigator, laboratory director, or other individual is not required to report [positive] HIV *detection* test results[, CD4+ counts less than 200 per cubic millimeter, or both,] if the test is done as part of the research project and the individual tested:

(a)—(b) (text unchanged)

.03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(4) (text unchanged)

(5) “Clinical material” means:

(a)—(b) (text unchanged)

(c) If neither [§B(6)(a) or (b)] §B(5)(a) nor §B(5)(b) of this regulation is available, material from an individual already held by the medical laboratory, in the following order of preference:

(i)—(iii) (text unchanged)

(6)—(18) (text unchanged)

.06 Responsibilities of Laboratory Directors.

A. Except as provided in Regulations .01C and .02 of this chapter, the director of a medical laboratory shall:

(1) Submit a report to the health officer for the jurisdiction where the laboratory is located, within 48 hours after an examination of a specimen from a human body shows one of the following:

[(a) A positive result on a test designed to confirm in a sample the presence of HIV infection in accordance with Health-General Article, §18-207(b)(1), Annotated Code of Maryland;

(b) A test result showing a level of HIV viral load in an individual not known to be HIV negative; or

(c) A CD4+ count in an individual not known to be HIV negative;]

(a) A result on a test designed to detect in a sample the presence of HIV in accordance with Health-General Article, §18-207(b)(1), Annotated Code of Maryland, including negative results;

(b) A quantitative or qualitative HIV viral load test result, including undetectable;

(c) A CD4+ cell test result, count, or percentage in an individual not known to be HIV negative; or

(d) An HIV genotype sequence test result;

(2) (text unchanged)

(3) Include all of the following information in the report required under §A(1) of this regulation:

(a)—(b) (text unchanged)

[(c) Type and result of laboratory test, that is, HIV infection, HIV viral load, or CD4+ count;]

(c) Type and result of laboratory test, that is, HIV detection, HIV viral load, CD4+ cell count or percentage, or HIV genotype sequence;

(d)—(g) (text unchanged)

(4) (text unchanged)

B.—D. (text unchanged)

.07 Out-of-State Laboratories.

An out-of-State laboratory that holds a permit to operate issued by Maryland and performs HIV [or CD4+] *detection, HIV viral load, CD4+ cell count or percentage, or HIV genotype sequence* tests shall submit the report required under Regulation .06 of this chapter to the Secretary.

.08 Responsibility of Health Officer.

A. This regulation establishes requirements for follow-up by the health officer of a report of HIV or AIDS or newborn HIV exposure or laboratory report of HIV [infection or CD4+ count] *detection, HIV viral load, CD4+ cell count or percentage, or HIV genotype sequence*.

B. This regulation does not supplant or otherwise modify the:

(1)—(2) (text unchanged)

(3) Laboratory director’s obligation to report a test result of HIV [infection or CD4+ count] *detection, HIV viral load, CD4+ cell count or percentage, or HIV genotype sequence* under Health-General Article, §18-205, Annotated Code of Maryland, and Regulation .06 of this chapter.

C. Upon receipt of a report from a physician pursuant to Regulation .04 of this chapter, a clinical or infection control practitioner pursuant to Regulation .05 of this chapter, [or a laboratory director pursuant to Regulation .06 of this chapter,] the health officer shall:

(1) (text unchanged)

(2) Complete the case investigation if the patient has HIV or AIDS or is a newborn HIV exposure and the case of HIV or the case of AIDS or the newborn HIV exposure has not been reported previously; and

(3) Submit the HIV/AIDS case report as set forth in Health-General Article, 18-207, Annotated Code of Maryland, to the Department if the case of HIV or the case of AIDS or the newborn HIV exposure has not been reported previously[; and

(4) Take action as specified in COMAR 10.18.04].

D. Upon receipt of a test result report from a laboratory director pursuant to Regulation .06 of this chapter, the health officer shall:

(1) Determine whether the report matches to a case of HIV, a case of AIDS, or a newborn HIV exposure that has been reported previously, and submit the report to the Department if the report matches;

(2) Complete a case investigation if the report indicates the patient has HIV or AIDS or is a newborn HIV exposure and the case of HIV or the case of AIDS or the newborn HIV exposure has not been reported previously;

(3) Submit the case report, as set forth in Health-General Article, §18-207, Annotated Code of Maryland, to the Department if the case of HIV or the case of AIDS or the newborn HIV exposure has not been reported previously; and

(4) Retain a nonmatching report for up to 4 years, rematching the report, not less than annually, to test result reports and to cases of HIV or cases of AIDS or newborn HIV exposures that had not been reported previously, to identify new matches, and submit the report to the Department if the report matches.

[D.] E. (text unchanged)

.09 Record Maintenance and Confidentiality.

A. (text unchanged)

B. Except for a designated anonymous HIV test site, a person that ordered the laboratory examination shall make available to the health officer or the Secretary the information necessary to compile an HIV/AIDS case report, according to Regulations .04 and .05 of this chapter, upon receipt of one of the following:

(1) A [positive result on a test designed to confirm] *result on a test designed to detect* in a sample the presence of HIV [infection] in accordance with Health-General Article, §18-207(b)(1), Annotated Code of Maryland, *including negative results*;

(2) [The report that an] A *qualitative or quantitative* HIV viral load test [was performed on an individual not known to be HIV negative; or] *result, including undetectable*;

(3) A *CD4+ cell test result, count, or percentage* [on] in an individual not known to be HIV negative[.]; or

(4) An *HIV genotype sequence test result*.

C. (text unchanged)

ROBERT R. NEALL
Secretary of Health

Subtitle 18 HUMAN IMMUNODEFICIENCY VIRUS (HIV) INFECTION AND ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS)

10.18.03 AIDS Investigations and Case Reporting

Authority: Health-General Article, §§2-104(b), 4-101, 4-102, 18-102, 18-103, 18-201.1, 18-205, and 18-207, Annotated Code of Maryland

Notice of Proposed Action

[20-046-P]

The Secretary of Health proposes to repeal in their entirety Regulations .01—.05 under **COMAR 10.18.03 AIDS Investigations and Case Reporting**.

Statement of Purpose

The purpose of this action is to repeal the chapter regarding AIDS investigations and reporting in its entirety because the provisions of the chapter have been incorporated into COMAR 10.18.02 HIV and CD4+ Investigations and Case Reporting.

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 Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

ROBERT R. NEALL
Secretary of Health

Subtitle 54 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

Notice of Proposed Action

[20-040-P]

The Secretary of Health proposes to amend:

- (1) Regulations .02, .04—.20, and .22 under **COMAR 10.54.01 Eligibility, Participation, and Benefits**; and
- (2) Regulations .02, .04—.08, .10, .11, .14, and .17 under **COMAR 10.54.02 Local Agency**.

Statement of Purpose

The purpose of this action is to update certification periods from 6 months to 1 year, to change the term “check” to “food instrument,” a term that includes EBT cards, and to add 1 year certification options for eligible infants, children, and breastfeeding women. These chapters were reviewed as part of the Regulatory Review and Evaluation Act (RREA) process.

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.

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 Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

10.54.01 Eligibility, Participation, and Benefits

Authority: Health-General Article, §18-107(a), Annotated Code of Maryland

.02 Purpose.

A. The WIC Program provides supplemental foods and nutrition education, *including breastfeeding promotion and support*:

(1) (text unchanged)

(2) To pregnant women, postpartum women, breastfeeding women, infants, and children, who are from families with income below a certain established amount and who are determined by a competent professional authority *or a competent paraprofessional authority* to be at risk with respect to their physical and mental health by reason of inadequate nutrition or health care, or both.

B. (text unchanged)

.04 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) “Benefits” means the foods prescribed and services provided to a participant by the Program.

[(2)] (3)—[(3)] (4) (text unchanged)

[(4)] (5) [“Case load”] “Caseload” means the participation level that is assigned to a local agency by the State agency.

[(5)] (6)—[(8)] (9) (text unchanged)

(10) “Competent paraprofessional authority” means an individual who:

(a) Does not meet the definition of a competent professional authority;

(b) Successfully completes a WIC training program approved by the State agency; and

(c) Performs certifications under the supervision of a competent professional authority.

[(9)] (11) (text unchanged)

(12) “Complementary feeding process” means a nutrition risk that applies to an infant or a child from 4 through 23 months old who has begun to or is expected to begin to:

(a) Consume foods or beverages complementary to breast feeding;

(b) Eat independently;

(c) Be weaned from breast milk or infant formula; or

(d) Transition from a diet specifically intended for infants or toddlers to one based on the Dietary Guidelines for Americans, as updated every 5 years by the United States Department of Agriculture with the United States Department of Health and Human Services under Title III of Public Law 101-445 of the National Nutrition Monitoring and Related Research Act of 1990.

[(10)] (13) (text unchanged)

[(11)] “Department” means the Maryland Department of Health.]

[(12)] (14)—[(15)] (17) (text unchanged)

[(16)] (18) “Food instrument” means [a voucher, check,] an electronic benefits transfer (EBT) card[, coupon,] or other document that is used by a participant to obtain supplemental foods.

[(17)] (19) (text unchanged)

(20) “HHS” means the United States Department of Health and Human Services.

[(18)] (21)—[(25)] (28) (text unchanged)

[(26)] (29) “Participant” means a pregnant woman, breastfeeding woman, postpartum woman, infant, or child who is receiving [supplemental foods or food instruments] *benefits* under the Program, and the breastfed infant of a breastfeeding woman participant.

[(27)] (30) “Participation” means receiving [supplemental foods or food instruments] *benefits* under the Program.

[(28)] (31) “Participation data” means information concerning the number of:

(a) Individuals who received [supplemental foods or food instruments] *benefits* during a reporting period;

(b) Infants who received no [supplemental foods or food instruments] *benefits* during a reporting period, but who were breastfed by participant breastfeeding women; and

(c) Breastfeeding women who did not receive [supplemental foods or food instruments] *benefits* but whose infant received [supplemental foods or food instruments] *benefits* during the reporting period.

[(29)] (32) (text unchanged)

[(30)] (33) “Poverty income guidelines” means the poverty income guidelines prescribed and adjusted annually by [the United States Department of Health and Human Services (USDHHS)] *HHS*.

[(31)] (34)—[(32)] (35) (text unchanged)

[(33)] (36) “Proxy” means an individual who is designated by a participant or a child or infant participant’s parent, guardian, or caretaker to receive food instruments and to redeem food [instruments] *benefits* for the participant and whose name is on file at the local agency.

[(34)] (37)—[(37)] (40) (text unchanged)

[(38)] “USDHHS” means the United States Department of Health and Human Services.]

[(39)] (41) “Verification of certification [card]” means [the card] a document that provides proof of Program eligibility for the participant who is transferring from one WIC agency to another.

.05 Eligibility Criteria.

A. (text unchanged)

B. To be certified as eligible for the Program, an infant, a child, or a pregnant, postpartum, or breastfeeding woman:

(1) (text unchanged)

(2) Shall [appear in person at a local agency clinic during normal WIC clinic office hours in order to] present documentation of [date of birth and] identity for the application for benefits;

(3)—(4) (text unchanged)

(5) May not engage in dual participation [as defined in Regulation .04B of this chapter].

.06 Residency Eligibility Determination Process.

A. (text unchanged)

B. Documentation. In order to document residency, an applicant shall provide to the local agency one of the following:

(1) [Postmarked] *Dated* correspondence [sent to] *documenting* the applicant’s home address;

(2)—(4) (text unchanged)

C. Recording of Residency Documentation. A local agency shall [place in the applicant’s record a copy of the residency documentation or a signed statement by the local agency representative verifying that the representative has seen the documentation] *document proof of residency*.

.07 Income Eligibility Determination Process.

A. Determining Income

(1) (text unchanged)

(2) Subject to the provisions of this regulation, a local agency shall determine an applicant’s income by adding together the sources of income [as defined in Regulation .04B of this chapter] for an applicant and the applicant’s family.

(3) In determining an applicant’s family income, a local agency shall consider the family’s income to be the more accurate figure between the family’s income for the previous 12 months or the family’s current rate of income *for the last 30 days*.

(4)—(5) (text unchanged)

B. (text unchanged)

C. Recording of Income Information.

(1) A local agency shall [collect and record income information on the form provided by the State agency] *document proof of income*.

[(2)] A local agency shall place in the applicant’s record a copy of the income documentation or a signed statement by the local agency representative verifying that the representative has seen the documentation.]

[(3)] (2) If an applicant claims to have no income, the applicant shall complete the form provided by the State agency [verifying] *declaring zero income*.

D. Determining Income Eligibility.

(1) (text unchanged)

(2) To be considered eligible for the Program, an applicant and the applicant’s family shall have a gross income that is less than or equal to 185 percent of the poverty income guidelines issued by [USDHHS] *HHS*, or shall provide documentation that the applicant is a recipient of:

(a)—(d) (text unchanged)

(3) A local agency shall determine an applicant to be automatically income-eligible for the WIC Program if a member of the applicant’s family is:

(a) (text unchanged)

(b) A pregnant woman or an infant currently participating in the Medical Assistance Program [or the Pregnant Women and Children program] *under Title XIX of the Social Security Act*.

(4) A local agency shall use the current poverty income guidelines issued by [the USDHHS] *HHS* and transmitted by the State agency in determining applicant eligibility.

(5) (text unchanged)

[(6)] Except as provided in §D(1) and (2) of this regulation, a local agency shall compare an applicant’s income and family size against the poverty income guidelines, and if the income is less than or equal to 185 percent of the poverty income guidelines, then the

local agency shall find the applicant income-eligible for Program benefits.]

[(7)] (6) Instream Migrant Farm Worker. A local agency shall consider that:

(a) An instream migrant farm worker applicant or the family of an instream migrant farm worker applicant with an expired verification of certification [card] is income-eligible for Program certification if the instream migrant farm worker's family income was determined at least once within the past 12 months; and

(b) (text unchanged)

E. (text unchanged)

.08 Nutritional Risk Determination Process.

A. After an applicant [has been] is found to meet the Program's income eligibility standards as specified in Regulation .07 of this chapter, in order for the applicant to receive WIC benefits, the applicant shall be found by the Program to be at nutritional risk.

B. In order to determine whether an applicant is at nutritional risk, a competent professional authority *or a competent paraprofessional authority* on the staff of the local agency shall perform a nutritional assessment based on either information gathered by the local agency or information provided by a competent professional authority not on the staff of the local agency.

C. (text unchanged)

D. In conducting a nutritional risk assessment, a local agency [or], competent professional authority, *or competent paraprofessional authority* shall assess each applicant's height (or length) and weight measurements at the time of certification by:

(1)—(3) (text unchanged)

E. Hematological Tests.

(1) In addition to the assessments set forth in §D of this regulation, a local agency [or], competent professional authority, *or competent paraprofessional authority* shall:

(a)—(c) (text unchanged)

(2) For applicants with a qualifying nutritional risk factor present at certification, a local agency [or], competent professional authority, *or competent paraprofessional authority* shall within 90 days of the certification:

(a)—(c) (text unchanged)

(3) The local agency [or], competent professional authority, *or competent paraprofessional authority* shall perform or require documentation of the hematological test as follows:

(a)—(b) (text unchanged)

(c) For a breastfeeding woman 6—12 months postpartum, if a test was not performed after the termination of pregnancy *or whose test result after pregnancy was below normal range*;

(d) For an infant, 9—12 months old[, if a test was not performed at 6—9 months old];

(e) For a child 12—24 months old, any time during that period, but [preferably], *if possible*, at 6 months after the infant test;

(f) (text unchanged)

(g) For a child 2 years old or older whose test result at the child's last certification is below normal range, at [certification] 6 month intervals until the result is within normal range.

F. The local agency, *competent professional authority, or competent paraprofessional authority* shall obtain a [diet] nutrition history for each applicant.

G. Using the information gathered pursuant to §§D—F of this regulation, a competent professional authority *or competent paraprofessional authority* shall use the nutritional risk criteria found in Charts A and B in Regulation .11 of this chapter to determine if the applicant is at nutritional risk pursuant to the priority levels set forth in Regulation .09 of this chapter, and thus eligible for the Program.

H. (text unchanged)

.09 Priority Levels of Nutritional Risk.

A. (text unchanged)

B. Priority Levels of Nutritional Risk.

(1) Priority I. Priority I is a pregnant woman, a breastfeeding woman, or an infant at nutritional risk because of:

(a)—(b) (text unchanged)

(c) Conditions that directly affect the nutritional health of an individual, including *depression, smoking*, alcoholism, or drug abuse.

(2) Priority II. Except for an infant who qualifies for Priority I, Priority II is:

(a) (text unchanged)

(b) An infant younger than 6 months old born to a woman who was not a Program participant during pregnancy but whose medical records document that the woman was [a] at nutritional risk during the pregnancy due to [nutritional] *nutrition* conditions detectable by biochemical or anthropometric measurements or other documented, nutritionally related medical conditions that demonstrated the individual's need for supplemental foods; or

(c) (text unchanged)

(3) Priority III. Priority III is a child or postpartum woman at nutritional risk because of:

(a)—(b) (text unchanged)

(c) Conditions that directly affect the nutritional health of an individual, including *depression, smoking*, alcoholism, or drug abuse.

(4) Priority IV. Priority IV is a:

(a) Pregnant woman, a breastfeeding woman, or an infant at nutritional risk because of:

(i) (text unchanged)

(ii) Conditions that predispose the individual to inadequate nutritional patterns [or nutritionally related medical conditions], including homelessness or migrancy; and

(b) (text unchanged)

(5) Priority V. Priority V is a child at nutritional risk because of:

(a) (text unchanged)

(b) Conditions that predispose the child to inadequate nutritional patterns [or nutritionally related medical conditions], including homelessness or migrancy; or

(c) (text unchanged)

(6) Priority VI. Priority VI is a postpartum woman at nutritional risk because of:

(a) Dietary deficiencies that impair or endanger health; [or]

(b) Conditions that predispose the individual to inadequate nutritional patterns [or nutritionally related medical conditions], including homelessness or migrancy[.]; or

(c) *Possibility of regression of nutritional status.*

.10 Priority Waiting List.

A. When it is serving its maximum [case load] *caseload*, a local agency shall maintain a priority waiting list of individuals seeking Program benefits.

B. In order to be placed on the priority waiting list, an individual shall [apply for Program benefits as specified in Regulation .05B of this chapter] *be certified as eligible to participate in the Program.*

C.—F. (text unchanged)

.11 Nutritional Risk Factors.

A. For purposes of the WIC Program, to be considered at nutritional risk:

(1) A woman shall exhibit one [or, where specified, two] of the nutritional risk factors listed in Chart A, as shown in [§B] §C of this regulation; and

(2) An infant or child shall exhibit one [or, where specified, two] of the nutritional risk factors listed in Chart B, as shown in [§B] §D of this regulation.

B. Explanation of Charts. The nutritional risk factors fall into one of six priority levels, which are identified by a single digit number, with “1” indicating Priority I, “2” indicating Priority II, [and so on,] “3” indicating Priority III, “4” indicating Priority IV, “5” indicating Priority V, and “6” indicating Priority VI, as set forth in Regulation .09 of this chapter.

C. Chart A.

Nutrition Risk Criteria (Women)	Pregnant	Breastfeeding	Postpartum
Underweight, prepregnancy— High maternal weight gain (text unchanged)			
Low [Hemoglobin] hemoglobin/hematocrit	1	1	3
Elevated blood lead— Maternal smoking (text unchanged)			
Alcohol [or illegal drug] and substance use	1	1	3
Dental problems— Inadequate vitamin or mineral supplementation (text unchanged)			
Possibility of regression of nutritional status	[N/A] 4	4	[N/A] 6
Transfer— Limited ability to make feeding decisions (text unchanged)			

D. Chart B.

Nutrition Risk Criteria (Infants and Children)	Infant	Child
Underweight, infant, child— Fetal alcohol syndrome (text unchanged)		
Neonatal abstinence syndrome	1	3
Failure to meet dietary guidelines— Fed foods low in nutrients (text unchanged)		
Lack of sanitation, formula, or breast milk	4	N/A
Infrequent breastfeeding if sole source of nutrition— Foster care (text unchanged)		
Complementary feeding process for an infant or child <2	4	5

.12 Application Processing Procedures.

A. A local agency [may not charge an applicant a fee for the] *shall perform the certification process at no cost to the applicant.*

B.—F. (text unchanged)

G. At the same time an applicant completes the certification process and the local agency determines the applicant to be eligible for Program benefits, the local agency shall issue [a food instrument that provides] benefits for up to [60] 90 days[, or a shorter period if subsequent instruments are to be provided within that time].

.13 Certification Periods.

A. A local agency shall certify an applicant for Program benefits for the following time periods:

(1) A pregnant woman for the duration of her pregnancy and [for up to 6 weeks postpartum] *up to the last day of the month in which the infant turns 6 weeks old or the pregnancy ends;*

(2) A postpartum woman [for up to 6 months postpartum] *up to the last day of the 6th month after the infant is born or the pregnancy ends;*

(3) A breastfeeding woman [at intervals of approximately 6 months ending with] *up to the last day of the month of the breastfed infant’s first birthday as long as the woman is breastfeeding;*

(4) An infant [at intervals of 6 months or an infant younger than 6 months old for the period up to the infant’s first birthday, with approval from the State agency, if the quality and accessibility of

health care services are not diminished by the infant’s not being assessed 6 months after the infant’s first assessment; and] *younger than 6 months old up to the last day of the month of the infant’s first birthday;*

(5) *An infant from 6 months old to 1 year old up to the last day of the 6th month from the date of certification; and*

[(5)] (6) A child [at intervals of 6 months, with the certification ending with the end of the month in which the child becomes 5 years old] *1 year old or older up to the last day of the month 1 year from the date of the certification or the month in which the child turns 5 years old.*

B. When there is difficulty in appointment scheduling for participants referred to in [§A(3)—(5)] §A(4)—(6) of this regulation, a local agency may shorten or extend the certification period by not more than 30 days on a case-by-case basis.

C. A local agency may use anthropometric data for a nutrition risk determination that precedes the date of certification by up to [30] 60 days and bloodwork data [up to 90 days] *following U.S. Centers for Disease Control and Prevention recommendations* with no reduction in the length of certification[, if the local agency collects the data].

D. *Anthropometric data* for an individual certified as a pregnant woman *shall be collected* during the pregnancy, and [collects the] data for an individual certified as a postpartum or a breastfeeding woman *shall be collected* after the termination of the pregnancy.

[D.] E.—[E.] F. (text unchanged)

.14 Action Affecting Participation During a Certification Period.

A. A local agency may disqualify a participant in the middle of a certification period for Program abuse, which includes but is not limited to:

(1)—(3) (text unchanged)

(4) [Physical] *Verbal or physical* abuse of or threat of physical abuse to Program or vendor staff;

(5) (text unchanged)

(6) Failure to pick up food [instruments] *benefits* for 2 consecutive issue months.

B. Funding Shortages.

(1)—(2) (text unchanged)

(3) When the State agency elects to [discontinue] *restrict* benefits to a priority level of participants due to insufficient funds for a period of time:

(a) (text unchanged)

(b) A local agency may not enroll new participants in [the Program] *restricted priority levels* during this period.

C. (text unchanged)

.15 Dual Participation.

A. A participant may not engage in dual participation [as defined in Regulation .04B of this chapter].

B.—D. (text unchanged)

.16 Applicant and Participant Rights and Responsibilities in the Certification Process.

A. At the time of certification, a local agency shall inform an applicant or the parent, guardian, or caretaker of a child or infant applicant, of the following:

(1)—(2) (text unchanged)

(3) The importance of regularly picking up food [instruments] *benefits* and food;

(4) The disqualification policy for failure to pick up food [instruments] *benefits* and the number of months of nonparticipation resulting from the disqualification;

(5) The policy of not providing notification of disqualification to the participant when the participant fails to pick up food [instruments] *benefits*;

(6) The right to a fair hearing if the participant does not agree with the disqualification for failure to pick up food [instruments] *benefits*;

(7) How the local agency food delivery system operates and a list of authorized stores where food [instruments] *benefits* may be redeemed;

(8) (text unchanged)

(9) A participant or a child or infant participant's parent, guardian, or caretaker shall notify the local agency of any change in life circumstances that would have an impact on Program eligibility; and

(10) A participant or a child or infant participant's parent, guardian, or caretaker shall advise any designated proxy of the proxy's obligations under the Program, Program violations, participant and proxy sanctions, and the authorized food stores[]; and

(11) The certification procedure is performed at no cost to an applicant[].

B. At the time of certification, the Program applicant or a child or infant applicant's parent, guardian, or caretaker shall read, or the Program representative or a local agency staff person shall read to the individual, the following:

[(1) "Standards for eligibility and participation in the WIC Program are the same for everyone, regardless of race, color, national origin, age, handicap, or sex;"]

(2) "You may appeal any decision made by the local agency regarding your eligibility for the Program;" and

(3) "The local agency shall make health services and nutrition education available to you, and you are encouraged to participate in these services."]

(1) "The rules for applying for WIC are the same for everyone;"

(2) "I can ask a WIC employee for a fair hearing if someone tells me I cannot be on WIC and I do not agree;" and

(3) "I will get information about healthy eating and active living. WIC will help and support me with breastfeeding. I will get information about immunizations and other services I might need."

C. After advising the applicant, or the child or infant applicant's parent, guardian, or caretaker of the rights and [obligations] *responsibilities* set forth in this regulation, the applicant or the child or infant applicant's parent, guardian, or caretaker, shall read, or a Program representative shall read to the applicant, or the child or infant applicant's parent, guardian, or caretaker, the following statements:

(1) "I [have been advised of my rights and obligations under the Program] *understand what my rights and responsibilities are*;"

(2) "I [have been advised of the Program violations, participant and proxy sanctions, and the authorized food stores] *agree to follow the rules below. I will: (i) not sell, give away or trade my eWIC card, foods, or formula for money, credit, rain checks or other items. If I have WIC items I can't use, I will return them to the clinic; (ii) not post WIC items for sale or trade on the internet; (iii) not swear, yell, harass, threaten, physically harm WIC or store staff, or damage WIC or store property; (iv) not enroll a child who is not in my legal or designated care; and (v) not enroll in WIC in more than one state or get benefits from more than one WIC clinic each month*;"

(3) "[I certify that the] *The information I have provided for [my] eligibility determination is correct, to the best of my knowledge*;"

(4) "[This certification form] *The information that I provide to the WIC Program is being submitted in connection with the receipt of federal assistance*;"

(5) "Program officials may verify information [on this form] *provided to them*;"

(6) "I understand *and agree* that intentionally making a false or misleading statement or [intentionally] *misrepresenting, [concealing*

hiding, or withholding facts may result in my having to pay the [State agency] WIC Program, in cash, the value of the food benefits improperly issued to me and may subject me to civil or criminal prosecution under State and federal law and disqualification from the WIC Program;" and

(7) "I [understand that, according to State regulation, I shall notify the WIC Program of all] *agree to give true and complete information about changes in my life circumstances that would have an impact on my eligibility for WIC benefits (for example, I will notify WIC if I have changes in my income or family size or if I move)*."

D. The applicant or the child or infant applicant's parent, guardian, or caretaker, shall acknowledge the reading of the statements enumerated in §C of this regulation by signing the [certification] *Rights and Responsibilities* form provided by the State agency.

.17 Transfer of Certification.

A. A local agency shall:

[(1) Issue a copy of a participant's State-approved certification form to a participant who advises the local agency that the participant will be relocating within Maryland;]

[(2)] (1) Issue a verification of certification [card] to a participant who:

(a)—(b) (text unchanged)

[(3)] (2) Ensure that each verification of certification [card] contains the following:

(a)—(e) (text unchanged)

(f) Signature and printed or typed name of the local agency official who issued the [card] *verification of certification*;

(g) (text unchanged)

(h) An identification number for the [card] *verification of certification* or some other means of accountability;

[(4)] (3) Accept a valid verification of certification [card] from a participant of a WIC Program whether within or outside of Maryland; and

[(5)] (4) Accept the verification of certification [card] or the copy of the State-approved certification form as proof of eligibility for WIC Program benefits until the participant's certification period expires.

B. A local agency may not:

(1) Issue a verification of certification [card] to an individual placed on the waiting list; or

(2) Deny participation in the Maryland WIC Program to an individual with a valid verification of certification [card] because of a difference between another state's and Maryland's eligibility criteria.

C. A local agency may use the verification of certification [card] as verification of income eligibility for the family of a migrant farm worker if the migrant farm worker is currently away from the migrant farm worker's home jurisdiction, and if the migrant farm worker's family income has been determined within the last 12 months.

D. (text unchanged)

.18 Receipt of Benefits.

A. Nutrition Benefits. A local agency shall:

[(1) Make available at least two nutrition education contacts to the participant or to the parent, guardian, or caretaker of an infant or child participant, and, whenever possible, the child participant, during each 6-month certification period;]

[(2)] (1) Ensure that nutrition education is offered [four times annually to the parent, proxy, guardian, or caretaker of an infant participant who has been certified for a period in excess of 6 months] *every 3 months to the participant or the parent, proxy, guardian, or caretaker of an infant or child participant during each certification period*;

[(3)] (2) (text unchanged)

[(4)] (3) Ensure that a competent professional authority or *competent paraprofessional authority* determines the selection of the food package according to the category and nutritional need of the participant; and

[(5)] (4) (text unchanged)

B. Proxies.

(1) If a participant or a child or infant participant's parent, guardian, or caretaker is unable to pick up or redeem WIC [vouchers] *benefits*, the participant or the child or infant participant's parent, guardian, or caretaker may name a proxy to pick up [vouchers] *benefits*, redeem them, or both.

(2)—(5) (text unchanged)

C. Receipt of Food [Instruments] *Benefits*.

[(1)] In advance of or in conjunction with the initial distribution of food instruments, a participant or the child or infant participant's parent, guardian, or caretaker shall receive a:

(a) WIC identification folder, which the participant and up to two proxies for a woman and up to three proxies for other participants shall sign; and

(b) Signature verification card, which the individual shall complete in accordance with local agency instructions and return to the local agency.]

[(2)] (1) Except as provided in [§B(4) and (5)] §B(3) and (4) of this regulation, a participant or the participant's proxy shall report to a designated site at designated times to receive food [instruments] *benefits* prepared for that participant and to acknowledge receipt of the [instruments] *benefits*.

[(3)] (2) When distributing food [instruments] *benefits*, a local agency shall check a participant's [WIC] identification [folder to verify the participant's identity and may request additional identification if necessary].

[(4)] (3) A local agency may mail or otherwise deliver food [instruments] *benefits* to participants on a local agency-wide basis if the State agency approves this action on the basis of a hardship that may be encountered by the target population, such as seasonally inclement weather.

[(5)] (4) A local agency may mail or otherwise deliver food [instruments] *benefits* to the participant or the participant's parent, guardian, or caretaker who in writing requests this delivery and explains why it is necessary if a participant and the participant's proxy are unable to report to the designated site to receive food [instruments] *benefits* due to a hardship, including, but not limited to:

(a)—(d) (text unchanged)

[(6)] (5) If the hardship cited in [§C(5)] §C(4) of this regulation does not allow time for a written request to be made, a local agency may act on a verbal request for the upcoming [voucher] *benefit* distribution period only and shall follow the procedure set forth in [§C(5)] §C(4) of this regulation if the hardship continues.

[(7)] (6) When the hardship is resolved, a local agency shall [discontinue the mailings or other delivery of food instruments] *continue with normal benefit issuance procedure*.

D. Receipt and Consumption of Food.

(1) To obtain WIC-authorized foods, a participant or proxy shall[:

- (a) Present to a WIC-authorized vendor the:
 - (i) Participant's WIC identification folder, and
 - (ii) Food instrument; and

(b) Sign the instrument in the presence of the vendor and present it to the vendor within the valid dates printed on the instrument] *complete transactions at WIC-authorized vendors*.

(2) (text unchanged)

.19 Sanctions.

A. (text unchanged)

B. If a participant or a child or infant participant's parent, guardian, or caretaker, has deliberately misrepresented the participant's income, residence, family size, health status, medical data, or date of birth, the:

(1) Program shall[:

(a) Disqualify the participant from the Program for 3 months; or

(b) Disqualify the participant for 1 year if the State agency assesses a monetary claim of \$100 or more; or

(c) Terminate the participant from the Program if Program eligibility standards are not met; and] *disqualify the participant from the program for 1 year; and*

(2) (text unchanged)

C. If a participant or a child or infant participant's parent, guardian, caretaker, or proxy obtains or attempts to obtain food [instruments] *benefits* to which the participant is not entitled, sanctions shall be applied according to the following:

(1)—(2) (text unchanged)

D. If a participant engages in dual participation as defined in Regulation .04B of this chapter:

(1) [For the first offense, the] *The Program shall counsel the participant or a child or infant participant's parent, guardian, or caretaker, and disqualify the participant[*:

(a) From the appropriate WIC Programs; or

(b) For 1 year if the State agency assesses a claim for dual participation] *for 1 year; and*

(2) [For a subsequent offense, the:

(a) Program shall disqualify the participant from the Program enrollment for 1 year; and

(b) Offending] *The offending party shall pay to the State agency, in cash, the monetary value of the items received.*

[E. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy steals or attempts to steal a food instrument, the:

(1) Program shall:

(a) Report the incident to the police;

(b) Disqualify the participant from the Program for 3 months if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker; or

(c) Disqualify the offending party for 1 year if the State agency assesses a monetary claim of \$100 or more;

(2) Program shall remove the proxy if the offending party is a proxy; and

(3) Offending party shall pay to the State agency, in cash, the monetary value of the stolen but unreturned food instrument or return the stolen food instrument to the Program.]

[F.] E. If a participant or a child or infant participant's parent, guardian or caretaker, or a proxy physically abuses or threatens abuse of WIC or vendor staff, the Program shall:

(1) (text unchanged)

(2) Disqualify the participant from the Program for [3 months] 1 year if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker; and

(3) (text unchanged)

[G.] F. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy verbally abuses or harasses WIC or vendor staff, or disrupts the peaceful and orderly conduct of business at a WIC or vendor facility, the Program shall:

(1) [Counsel the individual and issue a warning letter if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker] *For the first offense, disqualify the participant from the Program for 6 months;*

(2) (text unchanged)

(3) For a subsequent offense, disqualify the participant from the Program for [3 months] 1 year.

[H.] G. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy sells or exchanges supplemental food purchased with a food instrument or sells a food instrument to another individual or entity, the:

(1) Program shall:

(a) (text unchanged)

(b) *For a subsequent offense, disqualify the participant from the Program for 6 months if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker;*

[(b)] (c)—[(c)] (d) (text unchanged)

(2) (text unchanged)

[I.] H. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy attempts to redeem or redeems a food instrument for unauthorized foods or for quantities of food in excess of that indicated on the food instrument, if the offending party is a:

(1) Participant or a child or infant participant's parent, guardian, or caretaker:

(a) (text unchanged)

(b) For a subsequent offense, the Program shall disqualify:

(i) (text unchanged)

(ii) The offending party from the Program for 1 year if the State agency assesses a monetary claim of \$100 or more; [or] *and (c) In either case in §H(1)(a) and (b) of this regulation, the offending party shall pay to the State agency, in cash, the value of the food benefits obtained; or*

(2) Proxy, the:

(a) Program shall remove the proxy; *and*

(b) *Proxy shall pay to the State agency, in cash, the value of the food benefits obtained.*

[J.] I. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy receives cash or credit toward the purchase of unauthorized food or other items of value instead of or in addition to authorized supplemental foods or exchanges, or attempts to exchange or returns or attempts to return authorized WIC food to the vendor for cash or non-WIC items, the:

(1) Program shall [disqualify the]:

(a) [Participant] *Disqualify the participant from the Program for 3 months if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker; [or]*

(b) *For a subsequent offense, disqualify the participant from the Program for 6 months if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker; or*

[(b)] (c) [Offending] *Disqualify the offending party for 1 year if the State agency assesses a monetary claim of \$100 or more;*

(2)—(3) (text unchanged)

[K.] If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy attempts to redeem or redeems a food instrument that was reported lost or stolen, the:

(1) Program shall disqualify the:

(a) Participant from the Program for 3 months if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker; or

(b) Offending party for 1 year if the State agency assesses a monetary claim of \$100 or more;

(2) Program shall remove the proxy if the offending party is a proxy; and

(3) Offending party shall pay to the State agency, in cash, the amount for which the lost or stolen food instrument was redeemed, or, if it is in the party's possession, return the lost or stolen food instrument.

L. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy alters a food instrument:

(1) For the first offense, the Program shall disqualify the:

(a) Participant from the Program for 3 months if the offending party is a participant or a child or infant participant's parent, guardian, or caretaker; or

(b) Offending party for 1 year if the State agency assesses a monetary claim of \$100 or more;

(2) For subsequent offenses, the Program shall:

(a) Disqualify the offending party for 1 year if the State agency assesses a monetary claim in any amount; and

(b) Remove the proxy if the offending party is a proxy; and

(3) The offending party shall pay to the State agency, in cash, the monetary value of the items received through the use of an altered food instrument.

M. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy redeems a food instrument before or after the valid dates:

(1) If the offending party is a:

(a) Participant or a child or infant participant's parent, guardian, or caretaker:

(i) For the first offense, the Program shall counsel the individual and issue an education letter;

(ii) For the second offense, the Program shall issue a warning letter; and

(iii) For a subsequent offense, the Program shall disqualify the participant from the Program for 3 months; or

(b) Proxy, the Program shall remove the proxy; and

(2) The Program shall require a monthly food instrument pick up.

N. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy allows an unauthorized individual to redeem a food instrument, if the offending party is a:

(1) Participant or a child or infant participant's parent, guardian, or caretaker:

(a) For the first offense, the Program shall counsel the individual and issue an education letter or a warning letter; and

(b) For a subsequent offense, the Program shall disqualify the participant from the Program for 3 months; or

(2) Proxy, the Program shall remove the proxy.]

[O.] J. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy allows an unauthorized individual to use the Maryland WIC participant identification folder, if the offending party is a:

(1) Participant or a child or infant participant's parent, guardian, or caretaker:

(a) For the first offense, the Program shall counsel the individual and issue [an education letter or] a warning letter; and

(b) (text unchanged)

(2) (text unchanged)

[P.] If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy fails to sign a food instrument at the time of the WIC purchase, if the offending party is a:

(1) Participant or a child or infant participant's parent, guardian, or caretaker:

(a) For the first offense, the Program shall counsel the individual and issue an education letter or a warning letter; and

(b) For a subsequent offense, the Program shall disqualify the participant from the Program for 3 months; or

(2) Proxy, the Program shall remove the proxy.]

[Q.] K. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy [redeems a food instrument at a store not authorized by the Program] *fails to pay a monetary penalty imposed by the Program for redeeming food benefits*, if the offending party is a:

(1) Participant or a child or infant participant's parent, guardian, or caretaker[:]

(a) For the first offense, the Program shall counsel the individual and issue an education letter;

(b) For a second offense, the Program shall issue a warning letter; and

(c) For a subsequent offense], the Program shall disqualify the participant from the Program for [3 months] 1 year; or

(2) (text unchanged)

[R. If a participant or a child or infant participant's parent, guardian, or caretaker, or a proxy redeems a food instrument to which a participant is not entitled, if the offending party is a:

(1) Participant or a child or infant participant's parent, guardian, or caretaker:

(a) For the first offense, the Program shall counsel the individual and issue an education letter;

(b) For the second offense, the Program shall issue a warning letter; and

(c) For a subsequent offense, the Program shall disqualify the participant from the Program for 1 month and the participant or a child or infant participant's parent, guardian, or caretaker shall pay to the State agency, in cash, the monetary value of the items received; or

(2) Proxy, the Program shall remove the proxy and the proxy shall pay to the State agency, in cash, the monetary value of the items received.]

L. Failure to Return Breast Pump.

(1) *If a participant fails to return a hospital grade breast pump, the Program shall issue a warning letter to the participant.*

(2) *If a participant fails to return a hospital grade breast pump after receipt of a warning letter, the participant shall pay to the State agency, in cash, the monetary value of the breast pump.*

.20 Local and State Agency Sanction Responsibilities.

A.—B. (text unchanged)

C. Except for a participant the State agency disqualifies for failure to pick up food [instruments] *benefits*, the State agency shall, not less than 15 days before disqualification, advise the participant in writing of the reasons for the disqualification and of the right to a fair hearing on the disqualification.

D. When [a local] *the State agency* pursues collection of a claim against a participant who has been improperly issued food benefits, it shall advise the participant in writing of:

(1)—(4) (text unchanged)

.22 Nondiscrimination.

A. Civil Rights Requirements.

(1) To ensure that an individual may not, on the grounds of race, color, national origin, age, sex, or handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under the Program, a local agency shall comply with the requirements of:

(a) Title VI of the Civil Rights Act of 1964 as incorporated by reference in Regulation [.03] .03C of this chapter;

(b) Title IX of the Education Amendments of 1972 as incorporated by reference in Regulation [.03] .03C of this chapter;

(c) §504 of the Rehabilitation Act of 1973 as incorporated by reference in Regulation [.03] .03C of this chapter;

(d) The Age Discrimination Act of 1975 as incorporated by reference in Regulation [.03] .03C of this chapter;

(e) USDA Food and [Consumer Services] *Nutrition Service* instructions issued by the Program to the local agencies; and

(f) USDA regulations on nondiscrimination [(7 CFR 15, 15a, and 15b)] as incorporated by reference in Regulation [.03] .03C of this chapter.

(2) (text unchanged)

B. Complaints.

(1) (text unchanged)

(2) The local agency shall forward to the State agency, within [10] 5 days, the complaint which alleges discrimination.

(3) (text unchanged)

10.54.02 Local Agency

Authority: Health-General Article, §§18-107(a) and 18-108, Annotated Code of Maryland

.02 Definitions.

[A.] The terms defined in COMAR [10.54.01.03] *10.54.01.04* also apply to this chapter.

[B. In this chapter, the following terms have the meanings indicated.

C. Terms Defined.

(1) "Asian/Pacific Islander" means a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands, and includes:

- (a) China;
- (b) Japan;
- (c) Korea;
- (d) The Philippine Islands; and
- (e) Samoa.

(2) "Hispanic" means a person of:

- (a) Mexican descent;
- (b) Puerto Rican descent;
- (c) Cuban descent;
- (d) Central or South American descent; or
- (e) Other Spanish culture or origin regardless of race.]

.04 Duties and Responsibilities.

To participate in the Program, a local agency shall:

A. Comply with the fiscal and operational requirements prescribed by the State agency or the federal government [at] *in*:

- (1) [Regulation .08 of this] *This chapter*;
- (2)—(5) (text unchanged)

B.—E. (text unchanged)

F. Provide Program benefits to the participant [free of charge] *at no cost*;

G. (text unchanged)

H. Have on its staff a competent professional authority as defined at COMAR [10.54.01.03] *10.54.01.04*;

I.—J. (text unchanged)

K. Implement and operate a food delivery system prescribed by the State agency pursuant to these regulations and approved by the Food and [Consumer] *Nutrition Service* of the U.S. Department of Agriculture;

L.—Q. (text unchanged)

.05 Certification Process.

A local agency shall:

A. (text unchanged)

B. Inform an applicant or participant, or a parent or caretaker, of the participant's rights and responsibilities and the Program benefits as prescribed in COMAR [10.54.01.07 and .08] *10.54.01.16 and .18*; and

C. Maintain historical participant case files which shall include at least the following information obtained at each certification:

(1) Information regarding income [verification] *documentation* as required by COMAR [10.54.01.04 and .06] *10.54.01.07*;

(2) (text unchanged)

(3) A hematological test result as required by COMAR [10.54.01.06C(2)(a)(ii)] *10.54.01.08E*;

(4) (text unchanged)

(5) Documentation of the [initial] nutrition education [contact] *contacts*, including the:

- (a) Date; and
- (b) Nutrition education content[]; and
- (c) Materials provided[].

.06 Nutrition Education.

A. A local agency shall provide nutrition education or a local agency shall enter into an agreement with another agency to provide nutrition [information] *education*.

B. If nutrition education is provided by another agency, then the local agency shall:

(1) [Submit] *Acknowledge* the nutrition education agreement in the nutrition education plan to the State agency;

(2)—(3) (text unchanged)

C. A local agency shall ensure that nutrition education is:

(1)—(2) (text unchanged)

(3) Integrated into:

(a) (text unchanged)

(b) The delivery of [food instruments] *supplemental foods*; and

(c) (text unchanged)

D. To carry out the nutrition education responsibilities, a local agency shall:

(1) (text unchanged)

(2) Make available at reasonable times and locations during each [6-month] *1-year* certification period at least [two] *four* opportunities for nutrition education for the:

(a)—(c) (text unchanged)

(3) Document in each participant's file, at the time of certification or recertification, [the first] *all* nutrition education [session] *sessions* given to the participant, parent, caretaker, or child;

(4) Document the participant's, parent's, caretaker's, or child's refusal or inability to attend or participate in nutrition education for purposes of further education efforts and monitoring as specified by the State agency; and

[(5)] Document a second nutrition education contact as specified by the State agency; and]

[(6)] (5) (text unchanged)

.07 Food Delivery.

A. General Provisions. A local agency shall:

(1)—(4) (text unchanged)

(5) Ensure that a participant or the participant's parent, caretaker, or proxy signs [a receipt for pick-up] *for receipt* of food instruments.

B. (text unchanged)

C. Vendor Agreements. A local agency shall:

(1) Maintain a copy of the agreement or agreements between the State agency and the authorized vendor or vendors located within the geographic boundaries of the area served by the local agency; and

(2) Abide] *abide* by the vendor agreement or agreements authorized for use in the local agency by the State agency.

D. (text unchanged)

E. Vendor Monitoring. A local agency, in conjunction with the State agency, shall:

(1)—(3) (text unchanged)

(4) Recommend sanctioning of vendors as prescribed at COMAR [10.54.01.09] *10.54.03.16*.

F. Food Instruments Accountability. A local agency shall control and provide accountability for the receipt and issuance of food instruments [and shall:

(1) Designate personnel to verify and sign for the receipt of food instruments from the State agency and maintain food instruments security;

(2) Record on the Check Register and the Manual Check Issue Register the disposition of a food instrument; and

(3) Assist the State agency in identifying the disposition of a food instrument].

G. (text unchanged)

.08 Financial Management System.

A local agency shall:

A. Maintain records [which] *that* identify the source and use of funds expended for Program activities and which contain information pertaining to:

(1)—(8) (text unchanged)

B. (text unchanged)

.10 Allowable Administrative and Program Service Costs.

A. Expenditures for Nutrition Education.

(1)—(2) (text unchanged)

(3) A local agency may apply the following to the 20 percent minimum amount required to be spent on nutrition education:

(a) (text unchanged)

(b) The cost of procuring, producing, and distributing nutrition education materials including the cost of:

(i)—(ii) (text unchanged)

[(iii)] Filmstrips;

(iv) Projectors;

(v) Slides;]

[(vi)] (iii) (text unchanged)

[(vii)] Video cassette recorders;]

[(viii)] (iv)—[(ix)] (v) (text unchanged)

(c)—(d) (text unchanged)

B. (text unchanged)

C. The Cost of Program Certification Procedures. A local agency may incur the following program certification costs:

(1)—(2) (text unchanged)

(3) The cost of medical equipment used in connection with a nutritional risk determination to take anthropometric measurements, such as scales, measuring boards, [and skin fold calipers,] and medical equipment used for [blood] analysis to detect anemia[, such as spectrophotometers, hematofluorometers, and centrifuges]; and

(4) (text unchanged)

D. (text unchanged)

.11 Monitoring and Review.

A.—C. (text unchanged)

D. Local Agency Audits.

(1) The Department may arrange for an audit by an entity independent from the Department.

(2) [This] *The audit in §D(1) of this regulation* may go beyond the management evaluation of the financial operation of a local agency.

.14 Records and Reports.

A.—B. (text unchanged)

C. The State agency or a local agency shall:

(1) Forward Program records to the Food and [Consumer] *Nutrition* Service of the U.S. Department of Agriculture whenever either agency is disposing of them, if the Food and [Consumer] *Nutrition* Service of the U.S. Department of Agriculture considers any of the records to be of historical interest; and

(2) Retain a record for nonexpendable property acquired in whole or in part with Program funds for [4] *3* years after final disposition of the property.

D. If any litigation, claim, negotiation, audit, or other action involving the records specified in §A(2) of this regulation has been started before the end of the [4-year] *3-year* period, a local agency shall keep the records until all issues are resolved, or until the end of the regular [4-year] *3-year* period, whichever is later.

.17 Program Information Disclosure.

A. The Food and [Consumer] *Nutrition* Service of the U.S. Department of Agriculture and the State agency reserve the right to

use information obtained under the Program in a summary, statistical, or other form which does not identify an individual client.

B. The Food and [Consumer] *Nutrition Service of the U.S. Department of Agriculture* and the State agency may require the local agency to supply medical data and other information collected under the Program, in a form that does not identify individual clients, to enable the United States Department of Agriculture or the State agency to evaluate the effect of food intervention upon low income individuals determined to be at nutritional risk.

C. (text unchanged)

ROBERT R. NEALL
Secretary of Health

Title 11

DEPARTMENT OF

TRANSPORTATION

Subtitle 15 MOTOR VEHICLE

ADMINISTRATION—VEHICLE

REGISTRATION

11.15.22 Apportioned Registration of Fleet Vehicles

Authority: Transportation Article, §12-406, Annotated Code of Maryland

Notice of Proposed Action

[20-052-P]

The Administrator of the Motor Vehicle Administration proposes to repeal Regulation .03 and amend Regulations .05, .12, and .14 under **COMAR 11.15.22 Apportioned Registration of Fleet Vehicles**.

Statement of Purpose

The purpose of this action is to repeal unnecessary language and to conform to the first phase of the MDOT MVA's system modernization by authorizing the MDOT MVA to allow (International Registration Plan member jurisdictions) fleet and apportioned vehicle owners flexibility in the registration and payment process.

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 Tracey C. Sheffield, Regulations Coordinator, MVA, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to tsheffield@mdot.state.md.us, or fax to 410-768-7506. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.05 Application for Proportional Registration.

A. (text unchanged)

B. Contents of the Application.

(1) (text unchanged)

(2) Schedule B (Form IRP B).

(a)—(d) (text unchanged)

(e) The Maryland IRP registration period is staggered on a [quarterly basis] *period determined by the Administration*.

C. (text unchanged)

.12 Billing and Payment Procedures.

A. (text unchanged)

B. Payment Procedures. [The following apply to the payment] *Payment of the apportioned registration fees[:]*

[(1) Payments] due to the Administration shall be made payable to the Motor Vehicle Administration (MVA)[:].

[(2) Payments shall be made by cash, cashier's check, certified check, credit card, or money order for fees due for each member jurisdiction unless a surety bond has been filed with the Administration;

C. Surety Bond Requirements. At the time of initial application and at each renewal, an applicant shall submit acceptable evidence of a surety bond that is:

(1) In a form approved by the Administration;

(2) With a surety or insured Maryland financial institution approved by the Administration; and

(3) In an amount equal to the total annual fees required by all vehicles registered to the applicant under this chapter.]

.14 Fees.

A.—K. (text unchanged)

L. Refunds[.

(1)]—Maryland Fees. A refund of Maryland's apportioned registration fees will be made if any of the following occur:

[(a)] (1)—[(e)] (5) (text unchanged)

[(2) Fees of Other Jurisdictions. Except for overpayments due to an audit, a refund of apportioned registration fees of other jurisdictions may not be made by the Administration. Application for a refund of the fees shall be made directly to the proper authorities in accordance with the appropriate statutes or regulations of the jurisdiction.]

CHRISTINE NIZER

Administrator

Motor Vehicle Administration

Title 13B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 08 FINANCIAL AID

13B.08.03 Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship Program

Authority: Education Article, §§11-105(u), 18-204(c), and 18-603.1, Annotated Code of Maryland

Notice of Proposed Action [20-048-P]

The Maryland Higher Education Commission proposes to amend Regulation .03 under **COMAR 13B.08.03 Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship Program**. This action was considered at an open meeting of the Commission held on December 4, 2019.

Statement of Purpose

The purpose of this action is to remove the requirement to file a Free Application for Federal Student Aid from the process to apply for a Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship under COMAR 13B.08.03.

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 Geoffrey Newman, Assistant Secretary, Maryland Higher Education Commission, 6 N. Liberty St., 10th Floor, Baltimore, MD 21201, or call 410-767-3085, or email to geoff.newman@maryland.gov. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.03 Application Procedures.

A. Students applying for the Riley Scholarship shall submit the following materials to the Office for Student Financial Assistance (OSFA):

[(1) A completed Free Application for Federal Student Aid (FAFSA) application, by March 1;]

[(2)] (1)—[(4)] (3) (text unchanged)

B.—C. (text unchanged)

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

Subtitle 08 FINANCIAL AID

13B.08.07 Near Completer Grant Program

Authority: Education Article, §§11-105(u), 11-209, and 18-204(c), Annotated Code of Maryland

Notice of Proposed Action [20-049-P]

The Maryland Higher Education Commission proposes to adopt new Regulations .01—.08 under a new chapter, **COMAR 13B.08.07 Near Completer Grant Program**. This action was considered at an open meeting of the Commission held on December 4, 2019.

Statement of Purpose

The purpose of this action is to adopt regulations to implement the requirements of Education Article, §11-209(d), Annotated Code of Maryland.

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 Geoff Newman, Assistant Secretary, Maryland Higher Education Commission, 6 N. Liberty St., 10th Floor, Baltimore, MD 21201, or call 410-767-3085, or email to geoff.newman@maryland.gov. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.01 Program Established.

A. *There is Near Completer Grant Program administered by the Office under Education Article, §11-209(d), Annotated Code of Maryland.*

B. *The purpose of the program is to provide grants to individual students who are near completers as an incentive to obtain an associate's or bachelor's degree.*

.02 Definitions.

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

B. *Terms Defined.*

(1) *"Commission" means the Maryland Higher Education Commission.*

(2) *"Director" means the Executive Director of the Office.*

(3) *"Grant" means a Near Completer Grant under this chapter.*

(4) *"MDCAPS" means the Maryland College Aid Processing System maintained by the Office.*

(5) *"Near completer" means an individual who has completed some college credits but does not have a college degree and is no longer attending an institution of higher education.*

(6) *"Non-loan aid" means any student financial aid scholarship or grant applied to the student's tuition and fee charges, excluding Title IV federal work-study.*

(7) *"Office" means the Office of Student Financial Assistance within the Maryland Higher Education Commission.*

(8) *"Public senior higher education institution" has the meaning stated in Education Article, §10-101(m), Annotated Code of Maryland.*

(9) "Secretary" means the Secretary of Higher Education.

(10) "Senior higher education institution" means an institution of higher education that awards baccalaureate degrees.

.03 Student Eligibility.

A. Subject to the availability of funds in the State budget, the Office annually shall determine student eligibility to receive a grant.

B. A near completer who previously attended a community college is eligible for a grant if the applicant:

(1) Earned at least 45 credit hours and a minimum cumulative grade point average of 2.0 on a scale of 4.0 while previously in college;

(2) Is enrolled at a Maryland community college in an associate's degree program; and

(3) Is a Maryland resident or eligible for in-State tuition in accordance with Education Article, Title 15, Annotated Code of Maryland.

C. A near completer who previously attended a senior higher education institution is eligible for a grant if the applicant:

(1) Earned at least 90 credit hours and a minimum cumulative grade point average of 2.0 on a scale of 4.0 while previously in college;

(2) Is enrolled at a Maryland public senior higher education institution in a bachelor's degree program; and

(3) Is a Maryland resident or eligible for in-State tuition in accordance with Education Article, Title 15, Annotated Code of Maryland.

D. The number of previously earned credit hours that are accepted for transfer by the community college or public senior higher education institution in which the student is enrolled may not alter a student's eligibility for the grant.

.04 Application Process.

A. A student shall apply annually to the Office, in the form prescribed by the Office, to be eligible for a grant.

B. An applicant shall submit an application, a copy of the applicant's previous college or university transcript, and any other documentation required by the Office.

C. All application materials shall be submitted to the Office by the deadline date established by the Office.

.05 Selection of Recipients.

A. Eligible applicants shall be awarded on a first-come, first-served basis, based on the date on which all application materials are received by the Office.

B. Awards shall be issued until the total funds appropriated for the program have been depleted.

C. Eligible applicants who do not receive an award shall be notified that they have been placed on a waiting list and may receive an award if funds become available.

.06 Amount of Grant.

A. All non-loan aid received by the applicant, except a Maryland Community College Promise Scholarship awarded under Education Article, Title 18, Subtitle 36, Annotated Code of Maryland, shall be credited to the applicant's tuition before the calculation of the grant amount.

B. A grant shall apply toward the student's tuition in the lesser of:

(1) The amount of the student's unmet tuition; or

(2) As applicable, up to one-third of:

(a) The in-county tuition charge at a community college; or

(b) The resident undergraduate tuition charge at a public senior higher education institution.

C. If a student is not eligible for in-county tuition at a community college but is eligible for in-State tuition at a Maryland public institution of higher education, the award amount calculated under

§B of this regulation shall be applied to the recipient's out-of-county tuition charge.

D. The grant may be used only for tuition and may not be used for fees or other charges or expenses related to attending an institution of higher education.

.07 Award Notification and Acceptance.

A. Recipients shall be notified of an award by the Office through MDCAPS prior to the start of the fall semester.

B. Except as set forth in §C of this regulation, a recipient shall log on to MDCAPS in order to accept an award.

C. If the Director determines that extenuating circumstances exist, a recipient may accept an award by providing written notice to the Office.

D. The acceptance deadline date shall be specified in the award notice and shall be no less than 4 weeks after the date the Office sent notice under §A of this regulation.

E. An award recipient who fails to accept the award by the acceptance date specified in the award notice shall become ineligible for the award.

.08 Certification and Payment.

A. The Office shall create a certification roster for each community college and public senior higher education institution.

B. The certification roster shall contain the names of the applicants who have been identified by the Office as eligible for the grant.

C. The institution shall complete the certification for each student by the date established by the Office.

D. The institution shall:

(1) Verify the applicant's eligibility for in-State tuition under Education Article, Title 15, Annotated Code of Maryland; and

(2) By the deadline date established by the Office, report:

(a) The total amount of tuition being charged; and

(b) All non-loan aid the applicant is receiving, regardless of whether the non-loan aid has been disbursed.

E. After the institution reports all non-loan aid for each applicant, the institution shall electronically transmit the roster to the Office through MDCAPS.

F. The Office shall make an award payment to the institution for each semester that the student is granted the award.

G. The institution shall certify and request payment for all recipients, on a semester basis, on or before:

(1) December 15, for the fall semester; and

(2) May 15, for the spring semester.

H. An institution that fails to certify and request payment for all recipients on a semester basis under §B may not certify recipients for the subsequent semester.

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

Subtitle 08 FINANCIAL AID

13B.08.10 Delegate Howard P. Rawlings Educational Excellence Awards Program

Authority: Education Article, §§11-105(u), 18-204(c), and 18-301—18-309, Annotated Code of Maryland

Notice of Proposed Action

[20-051-P]

The Maryland Higher Education Commission proposes to amend Regulation .02 under **COMAR 13B.08.10 Delegate Howard P. Rawlings Educational Excellence Awards Program**. This action was considered at an open meeting of the Commission held on December 4, 2019.

Statement of Purpose

The purpose of this action is to add a definition for “college preparatory program” under COMAR 13B.08.10.02 as it relates to requirements for the Delegate Howard P. Rawlings Educational Excellence Awards Program.

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 Geoff Newman, Assistant Secretary, Maryland Higher Education Commission, 6 N. Liberty St., 10th Floor, Baltimore, MD 21201, or call 410-767-3085, or email to geoff.newman@maryland.gov. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.02 Definitions.

A. [As used in] *In* this chapter, the following terms have the [meaning] *meanings* indicated.

B. Terms Defined.

(1)—(2) (text unchanged)

(3) “*College preparatory program*” means any program of study leading to the award of a Maryland high school diploma.

[(3)] (4)—[(15)] (16) (text unchanged)

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

Subtitle 08 FINANCIAL AID

13B.08.11 Richard W. Collins III Leadership with Honor Scholarship Program

Authority: Education Article, §§11-105(u), 18-204(c), 18-605(e), Annotated Code of Maryland

Notice of Proposed Action

[20-050-P]

The Maryland Higher Education Commission proposes to amend Regulation .02 under **COMAR 13B.08.11 Richard W. Collins III Leadership with Honor Scholarship Program**. This action was considered at an open meeting of the Commission held on December 4, 2019.

Statement of Purpose

The purpose of this action is to clarify the definition of full-time enrollment under COMAR 13B.08.11.02 as it relates to eligibility for the Richard W. Collins III Leadership with Honor Scholarship program.

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 Geoff Newman, Assistant Secretary, Maryland Higher Education Commission, 6 N. Liberty St., 10th Floor, Baltimore, MD 21201, or call 410-767-3085, or email to geoff.newman@maryland.gov. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(4) (text unchanged)

(5) “Full-time” means enrollment *at an eligible institution* in:

(a) [at] At least 12 credits per semester [at an eligible institution] *in a certificate or undergraduate degree program; or*

(b) *At least 9 credits per semester in a graduate certificate, graduate degree, or doctoral degree program.*

(6)—(9) (text unchanged)

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

Title 15 MARYLAND DEPARTMENT OF AGRICULTURE

Subtitle 06 PLANT PEST CONTROL

15.06.05 Regulation of Noxious Weeds

Authority: Agriculture Article, §§9-401 et seq., Annotated Code of Maryland

Notice of Proposed Action

[20-055-P]

The Maryland Department of Agriculture proposes to adopt new Regulations .01—.05 under a new chapter, **COMAR 15.06.05 Regulation of Noxious Weeds**.

Statement of Purpose

The purpose of this action is to adopt new Regulations .01—.05 under a new chapter, COMAR 15.06.05 Regulation of Noxious Weeds. It establishes a list of plants and weeds that are considered to be noxious weeds in this State. It also describes programs or practices that the Department may carry out that are necessary for the control and eradication of noxious weeds.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action increases cost for personnel, equipment, supplies, and cost share to counties.

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

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

A. It is assumed that the Department of Agriculture will continue to receive designated general fund money if it is to continue to carry out its program to control noxious weeds, including Palmer Amaranth (*Amaranthus palmeri*) and Tall Waterhemp (*Amaranthus tuberculatus/rudis*).

B. It is assumed that controlling these two noxious weeds will affect governmental units responsible for maintenance of land such as SHA, DNR, and MDOT. Land affected with these weeds will have increased maintenance costs.

C. Local and County governments will have increased maintenance costs for lands affected with these weeds. MDA works with county weed control programs, which are tasked with surveying and treating noxious weeds.

D(1). Generally speaking, the proposed action will have a positive impact on Maryland farms. Controlling Palmer Amaranth (*Amaranthus palmeri*) and Tall Waterhemp (*Amaranthus tuberculatus/rudis*)—particularly, timely action to control these weeds—will protect a farm operation’s crop yield. The failure to treat in a timely manner may result in a decrease of yield or complete loss of the crop. The proposed action will have a positive effect on neighboring farms too. This is because it is less likely that these weeds will spread to their land. If these weeds do not spread to neighboring farms, they will not have to take additional steps—and bear the additional labor and treatment costs—to control these weeds. In addition, if their lands are not affected by these weeds, their crop yields will be protected.

D(2). Farm operations that are impacted by Palmer Amaranth (*Amaranthus palmeri*) and Tall Waterhemp (*Amaranthus tuberculatus/rudis*) will need to take additional steps to control these weeds—steps that will result in additional labor and treatment costs. If steps are taken in a timely manner, these costs will be lower. Conversely, if these weeds are not treated in a timely manner, these costs can be significantly higher. The failure to treat in a timely

manner also may result in a decrease of yield or complete loss of the crop.

E. Groups working with farmers and land owners to treat the noxious weeds may have an increase in revenue due to increased work that will be required to manage these weeds.

Economic Impact on Small Businesses

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

Generally speaking, the proposed action will have a positive impact on Maryland farms. However, farms that are impacted by Palmer Amaranth (*Amaranthus palmeri*) and Tall Waterhemp (*Amaranthus tuberculatus/rudis*) will need to take additional steps to control these weeds—steps that will result in additional labor and treatment costs. If steps are taken in a timely manner, these costs will be lower. Timely treatment will also protect the farm operation’s crop yield. Conversely, if these weeds are not treated in a timely manner, these costs can be significantly higher. The failure to treat in a timely manner also may result in a decrease of yield or complete loss of the crop.

The proposed action will have a positive effect on neighboring farms. This is because it is less likely that these weeds will spread to their land. If steps are taken to control these weeds and they do not spread, the neighboring farms will not have to take additional steps—and bear the additional labor and treatment costs—to control them. In addition, if their lands are not affected by these weeds, their crop yields will be protected.

It is also expected that there may be a positive economic impact to small businesses that work with growers to treat weeds. These businesses will likely see an increase in revenues as they will be required to work on additional sites and possible increase treatments to these infested lands.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Kim Rice, Program Manager, Plant Protection and Weed Management, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or call 410-841-5920, or email to kimberly.rice@maryland.gov, or fax to 410-841-5835. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.01 Scope.

These regulations establish a list of plants and weeds that are considered to be noxious weeds in this State. They also describe programs or practices that the Department may carry out that are necessary for the control and eradication of noxious weeds.

.02 Definitions.

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

B. Terms Defined.

(1) “Department” means the Maryland Department of Agriculture.

(2) “Noxious weed” means an annual, biennial, or perennial weed or plant that adversely affects or threatens agricultural production.

(3) “Secretary” means the Secretary of Agriculture or the Secretary’s designee.

.03 Noxious Weed List.

The Secretary has determined that the following weeds and plants are noxious weeds in this State:

A. Johnsongrass (*Sorghum halepense*);

- B. Shattercane (*Sorghum biclor*);
 C. Canada Thistle (*Cirsium arvense*);
 D. Musk/Knodding Thistle (*Carduus nutans*);
 E. Plumless Thistle (*Carduus acanthoides*);
 F. Bull Thistle (*Cirsium vulgare*);
 G. Palmer Amaranth (*Amaranthus palmeri*); and
 H. Tall Waterhemp (*Amaranthus tuberculatus*, *A. rudis*).

.04 Programs and Practices to Control and Eradicate Noxious Weeds.

A. The Secretary may institute programs or carry out practices necessary for the control and eradication of a noxious weed on public or private lands, including, but not limited to, mowing and spraying.

B. The Secretary may enter into agreements with a county or other political subdivision of the State, including a soil conservation district, to implement a program for the control and eradication of noxious weeds. These agreements may allow the Department to provide technical assistance and oversight by a noxious weed program administered by the county or other political subdivision of the State. The Secretary also may enter into agreements with an adjoining state or an agency of the federal government to implement a program for the control and eradication of noxious weeds.

.05 Administrative Penalties.

Instead of pursuing the criminal penalties set forth in Agriculture Article, Title 12, Annotated Code of Maryland, the Secretary may impose on any person who violates this chapter a penalty of:

- A. For a first violation, not more than \$500;
 B. For a second violation, not more than \$1,000; or
 C. For a third or subsequent violation, not more than \$2,000.

JOSEPH BARTENFELDER
 Secretary of Agriculture

Subtitle 20 SOIL AND WATER CONSERVATION

15.20.04 Nutrient Management Certification and Licensing

Authority: Agriculture Article, §§8-801—8-806, Annotated Code of Maryland

Notice of Proposed Action

[20-054-P]

The Maryland Department of Agriculture proposes to adopt new Regulation .13 and recodify existing Regulation .13 to be Regulation .14 under **COMAR 15.20.04 Nutrient Management Certification and Licensing**.

Statement of Purpose

The purpose of this action is to authorize the Maryland Department of Agriculture to impose an administrative penalty, not exceeding \$250, against a person who holds a license or certificate to write nutrient management plans, if that person fails to meet certain reporting requirements and deadlines established by the Department related to phosphorus.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. A person who holds a license or certificate as required under this chapter may be assessed an administrative penalty, not to exceed \$250, if the person fails to meet

certain reporting requirements and deadlines established by the Department related to phosphorus.

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

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

D. The administrative penalty that the Maryland Department of Agriculture may impose against a person who fails to meet the requisite reporting requirements and deadlines is minimal. It may not exceed \$250.

F. The public benefits because the measures taken under this chapter are intended to improve the waters of the State.

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 Dwight Dotterer, Nutrient Management Program Administrator, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or call 410-841-5877, or email to Dwight.Dotterer@maryland.gov. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.13 Administrative Penalty.

In addition to any other penalty authorized under this chapter, a person who holds a license or certificate issued under this chapter that fails to meet any of the reporting requirements and deadlines set forth in Regulation .11 of this chapter is subject to an administrative penalty not exceeding \$250.

JOSEPH BARTENFELDER
 Secretary of Agriculture

Subtitle 20 SOIL AND WATER CONSERVATION

15.20.07 Agricultural Operation Nutrient Management Plan Requirements

Authority: Agriculture Article, §§8-801—8-806, Annotated Code of Maryland

Notice of Proposed Action

[20-056-P]

The Maryland Department of Agriculture proposes to amend Regulations .03, .06, and .07 and adopt new Regulation .08 under **COMAR 15.20.07 Agricultural Operation Nutrient Management Plan Requirements**.

Statement of Purpose

The purpose of this action is to: (1) Add a new definition under Regulation .03 defining the term “annual implementation report”; (2) Require a farm operator that uses or produces animal manure to file, by March first of each year, an annual implementation report that contains certain information; (3) Require the Department to prioritize certain enforcement actions; (4) Impose certain administrative penalties against a farm operator who fails to implement or otherwise comply with a nutrient management plan that meets the requirements of this chapter; (5) Impose a certain administrative penalty against a farm operator who knowingly applies phosphorus to a field or management unit when such application is prohibited under Department regulation; (6) Impose certain administrative penalties against a farm operator who fails to file an annual implementation report in a timely manner after certain notification from the Department; and (7) Make other changes relating to agricultural operator nutrient management plan requirements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Under recently enacted legislation, the Maryland Department of Agriculture may impose administrative penalties against farm operators who: (1) Fail to implement or otherwise comply with a nutrient management plan that meets the requirements of this chapter (this penalty was increased); (2) Knowingly apply phosphorus to a field or management unit when such application is prohibited under Department regulation; or (3) Fail to file an annual implementation report in a timely manner after certain notification from the Department.

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

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: (+) Indeterminable

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

A. By statute, administrative penalties imposed under Agriculture Article, §8-803.1(i), Annotated Code of Maryland, are payable to the Maryland Agricultural Water Quality Cost Share Program.

D. Consistent with recently enacted legislation, the Department may impose certain administrative penalties against farm operators who: (1) Fail to implement or otherwise comply with a nutrient management plan that meets the requirements of this chapter (the dollar value of this penalty was increased by the new legislation); (2) Knowingly apply phosphorus to a field or management unit when such application is prohibited under Department regulation (this penalty, by statute, may not exceed \$250); or (3) Fail to file an annual implementation report in a timely manner after certain notification from the Department (this penalty, by statute, may only be imposed after the department provides notice of the violation to the operator).

F. The public benefits because the measures taken under this chapter are intended to improve the waters of the State.

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 Dwight Dotterer, Nutrient Management Program Administrator, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or call 410-841-5877, or email to Dwight.Dotterer@maryland.gov. Comments will be accepted through March 2, 2020. A public hearing has not been scheduled.

.03 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(2) (text unchanged)

(3) “Annual implementation report” means the end of cropping season report that an operator, using a Department-created form, must file with the Department by March 1 of each year, providing certain information about the agricultural operation for the previous calendar year.

[(3)] (4)—[(15)] (16) (text unchanged)

.06 Record-Keeping and Reporting Requirements.

A. Operator Reporting Requirements—Plan Development.

(1)—(2) (text unchanged)

(3) Following the first submission of required nutrient management plan information to the Department, all operators subject to this chapter shall file by March 1 of each year an [end of the cropping season report that covers the previous calendar year] *annual implementation report*. The report shall be submitted on a form that the Department requires, and shall include, but not be limited to:

(a) (text unchanged)

(b) Total acreage managed under a nutrient management plan by crop and total nutrients applied by crop; [and]

(c) If the operator, in conjunction with the agricultural operation, uses or produces animal manure, the following information:

(i) The amount of animal manure imported to or exported from the operator's farm;

(ii) For any animal manure that was imported, including manure received through a manure broker, the name and location of the sending farm; and

(iii) For any animal manure that was exported, the name and location of the farm, alternative use facility, or manure broker that received the manure; and

[(c)] (d) (text unchanged)

(4) (text unchanged)

B. Operator Record-Keeping Requirements—Plan Implementation.

(1) The Department may periodically review records of an agricultural operator solely to determine if a nutrient management plan is implemented in accordance with the provisions of this chapter. The Department shall prioritize its enforcement efforts against those operations for which the Department has not received soil test phosphorus levels as required by COMAR 15.20.04.11.

(2)—(5) (text unchanged)

.07 [Assessment of] Administrative Penalty for Failure to Have, Implement, or Comply with a Nutrient Management Plan.

A. An operator who [violates any deadline for having] *does not have a nutrient management plan*, as provided in Regulation .04A] *that meets the requirements of this chapter*[,] is subject to a written warning for a first violation. If an operator fails to [comply with the plan development requirements, as provided in Regulation .04A of this chapter,] *obtain a nutrient management plan* after a reasonable period of time following receipt of this notice [of a violation], [an] *the operator is subject to an administrative penalty of not less than \$100 and not more than \$250 for [a second] this violation and any subsequent [violations] violation for failing to obtain the requisite nutrient management plan.*

B. [Except as provided in §A of this regulation, an] *An operator [who violates any provision of this chapter or] who fails to implement or otherwise comply with a nutrient management plan [by the implementation deadline, as provided in Regulation .04A of this chapter,] that meets the requirements of this chapter* is subject to a written warning for a first violation. If, *following a reasonable period of time from receipt of this notice*, an operator fails to *implement or otherwise comply with [the] a plan [implementation requirements after a reasonable period of time following notice of a violation, an] that meets the requirements of this chapter*, the operator is subject to an administrative penalty for *a second or subsequent [violations] violation* of not more than [\$100] \$500 for each violation[. The total penalties imposed on a person for each violation may not exceed \$2,000], *but not exceeding \$5,000 per operator per calendar year [for each nutrient management plan].*

C. *If the violation involved the knowing application of phosphorus to a field or management unit where, because of the field or management unit's soil characteristics, Department regulations prohibit the application of phosphorous, the administrative penalty imposed on an operator under §B of this regulation may not be less than \$250.*

[C.] D. (text unchanged)

[D.] E. Each day that a violation of this chapter occurs, except for failing to meet a deadline for having a plan, as provided in Regulation .04A of this chapter, a separate violation under this chapter has occurred. Daily penalties do not continue to accrue as long as the operator takes reasonable steps to correct the violation. The maximum penalty accrued may not exceed [\$2,000] \$5,000 per operator per year for each nutrient management plan.

[E.] F.—[H.] I. (text unchanged)

.08 Administrative Penalty for Failure to File Annual Implementation Report.

A. If a person fails to file an annual implementation report with the Department in a timely manner as provided under Regulation .06A(3) of this chapter, the Department shall notify the person that:

(1) The person is in violation of the requirement to file an annual implementation report; and

(2) The person is subject to:

(a) After 30 days from issuance of the notice, an administrative penalty of not less than \$100 and not more than \$250;

(b) After 60 days from issuance of the notice, an administrative penalty of not less than \$250 and not more than \$1,000; and

(c) After 90 days from issuance of the notice, an administrative penalty of not less than \$1,000.

B. A penalty imposed on a person under §A of this regulation shall be assessed with consideration given to:

(1) The willfulness of the violation; and

(2) The extent to which the current violation is part of a recurrent pattern of the same or similar type of violation committed by the violator.

JOSEPH BARTENFELDER
Secretary of Agriculture

Errata

COMAR 13A.18.14.07

At 46:21 Md. R. 939 (October 11, 2019), column 2, line 30 from
the top:

For: B, and F, [and .10B] *COMAR 13A.18.06.08F*, or *COMAR*

Read: B, and F[, and .10B] *and COMAR*

[20-03-28]

Special Documents

DEPARTMENT OF THE ENVIRONMENT SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering (GF) Registration Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: December 1—31, 2019.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR 806, Subpart E for the time period specified above:

Grandfathering Registration Under 18 CFR part 806, Subpart E:

Carmeuse Lime & Stone, Inc. – Carmeuse Lime, Inc., GF Certificate No. GF-201912060, North Londonderry and South Annville Townships, Lebanon County, Pa.; Quarry Reservoir; Issue Date: December 5, 2019.

Eagles Mere Country Club, GF Certificate No. GF-201912061, Eagles Mere Borough and Shrewsbury Township, Sullivan County, Pa.; Eagles Mere Lake; Issue Date: December 5, 2019.

High Company LLC – High Concrete Group LLC, GF Certificate No. GF-201912062, East Cocalico Township, Lancaster County, Pa.; Kurtz Quarry; Issue Date: December 5, 2019.

Village of Johnson City – Water Department, GF Certificate No. GF-201912063, Town of Union, Broome County, N.Y.; Wells 1, 2, 3, 5, 6, and 7; Issue Date: December 5, 2019.

Town of Owego – Water District #2, GF Certificate No. GF-201912064, Town of Owego, Tioga County, N.Y.; Wells 1 and 2; Issue Date: December 5, 2019.

Port Matilda Borough – Port Matilda Waterworks, GF Certificate No. GF-201912065, Worth Township, Centre County, Pa.; Wells 3 and 5; Issue Date: December 5, 2019.

SUEZ Water Pennsylvania Inc. – Mechanicsburg Operation, GF Certificate No. GF-201912066, Mechanicsburg Borough, Cumberland County, Pa.; Market Street Well; Issue Date: December 5, 2019.

Bucknell University, GF Certificate No. GF-201912067, East Buffalo Township, Union County, Pa.; Wells 2 and 3; Issue Date: December 5, 2019.

Manada Golf Club, Inc., GF Certificate No. GF-201912068, East Hanover Township, Dauphin County, Pa.; Fourth Tee Well, Fifth Tee Well, and Barn Well; Issue Date: December 5, 2019.

Pennsylvania Fish & Boat Commission – Pleasant Gap State Fish Hatchery, GF Certificate No. GF-201912069, Benner Township, Centre County, Pa.; Blue and East Springs, Hoy and Shugert Springs, and Logan Branch; Issue Date: December 5, 2019.

Heidelberg Township – Public Water Supply System, GF Certificate No. GF-201912070, Heidelberg Township, Lebanon County, Pa.; Well 3; Issue Date: December 19, 2019.

Pennsylvania American Water Company – Frackville District, GF Certificate No. GF-201912071, Frackville Borough and West Mahanoy Township, Schuylkill County, Pa.; Wells 1, 2, and 3, and the Nice Street Well; Issue Date: December 19, 2019.

Moccasin Run Golf Club, Inc., GF Certificate No. GF-201912072, West Fallowfield Township, Chester County, Pa.; Irrigation Pond; Issue Date: December 19, 2019.

South Middleton Township Municipal Authority – Public Water Supply System, GF Certificate No. GF-201912073, South Middleton Township, Cumberland County, Pa.; Wells 1 and 2; Issue Date: December 19, 2019.

SUEZ Water Pennsylvania Inc. – Grantham Operation, GF Certificate No. GF-201912074, Upper Allen Township, Cumberland County, Pa.; Well 1; Issue Date: December 19, 2019.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Dated: January 6, 2020.

JASON E. OYLER
General Counsel and Secretary to the Commission
[20-03-12]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on February 6, 2020, in Harrisburg, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The Commission will also hear testimony on a proposed policy-*Guidance For The Preparation Of A Metering Plan & A Groundwater Elevation Monitoring Plan For Water Withdrawals, Consumptive Uses, And Diversions*. Such projects and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for March 13, 2020, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposals. The deadline for the submission of written comments is February 17, 2020.

DATES: The public hearing will convene on February 6, 2020, at 2:30 p.m. The public hearing will end at 5:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is February 17, 2020.

ADDRESSES: The public hearing will be conducted at the Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: Jason Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423; fax: (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Application and Approval Viewer at <https://www.srbcc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbcc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

SUPPLEMENTARY INFORMATION: The public hearing will cover a proposed policy as posted on the SRBC Public Hearing web page at <https://www.srbcc.net/about/meetings-events/public-hearing.html>.

The public hearing will also cover the following projects.

Projects Scheduled for Action:

Project Sponsor and Facility: ARD Operating, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.340 mgd (peak day) (Docket No. 20160301).

Project Sponsor and Facility: EQT Production Company (Wilson Creek), Duncan Township, Tioga County, Pa. Application for renewal of surface water withdrawal of up to 0.720 mgd (peak day) (Docket No. 20160305).

Project Sponsor and Facility: New Holland Borough Authority, New Holland Borough, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.860 mgd (30-day average) from Well 5.

Project Sponsor and Facility: New Morgan Borough Utilities Authority, New Morgan Borough, Berks County, Pa. Modification to remove expired Well PW-3 and to recognize the interconnection with Caernarvon Township Authority. Well PW-3 automatically expired consistent with Condition 25 of the approval due to lack of commencement of withdrawal (Docket No. 20141207).

Project Sponsor and Facility: SWN Production Company, LLC (Susquehanna River), Oakland Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 3.000 mgd (peak day) (Docket No. 20160310).

Project Sponsor and Facility: SWN Production Company, LLC (Tunkhannock Creek), Lenox Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 1.218 mgd (peak day) (Docket No. 20160311).

Project Sponsor and Facility: Towanda Municipal Authority, Albany Township, Bradford County, Pa. Application for groundwater withdrawal of up to 0.551 mgd (30-day average) from the Eilenberger Spring.

Project Sponsor: York Haven Power Company, LLC. **Project Facility:** York Haven Hydroelectric Project, Londonderry Township, Dauphin County; Conoy Township, Lancaster County; and York Haven Borough and Newberry Township, York County, Pa. Application for approval of an existing hydroelectric facility.

Project Scheduled for Action Involving a Diversion

Project Sponsor: Gas Field Specialists, Inc.. **Project Facility:** Wayne Gravel Products Quarry, Ceres Township, McKean County, Pa. Application for renewal of an into-basin diversion from the Ohio River Basin of up to 1.170 mgd (peak day) (Docket No. 20160312).

Commission-Initiated Project Approval Modification:

Project Sponsor and Facility: Susquehanna Valley Country Club, Monroe Township, Snyder County, Pa. Conforming the

grandfathering amount with the forthcoming determination for a groundwater withdrawal up to 0.162 mgd (30-day average) from the Front Nine Well (Docket No. 20020814).

Opportunity to Appear and Comment:

Interested parties may appear at the hearing to offer comments to the Commission on any business listed above required to be subject of a public hearing. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing room will begin at 2:00 p.m. and Commission staff will be available for questions prior to the commencement of the hearing. Guidelines for the public hearing are posted on the Commission's website, www.srbcc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any business listed above required to be subject of a public hearing may also be mailed to Mr. Jason Oyler, Secretary to the Commission, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through <https://www.srbcc.net/regulatory/public-comment/>. Comments mailed or electronically submitted must be received by the Commission on or before February 17, 2020, to be considered.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: January 6, 2020.

JASON E. OYLER

General Counsel and Secretary to the Commission

[20-03-13]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 19-WQC-0011

Loch Haven Civic Association, Inc.

P.O. Box 1814, Edgewater, Maryland 21037

Add'l. Info: Pursuant to COMAR 26.02.02.10F(3)(c), The Maryland Department of the Environment is providing notice of its issuance of a Water Quality Certification 19-WQC-0011.

Location: Community area adjacent to 3446 and 3448 South River Terrace, Edgewater, Maryland 21037 in Anne Arundel County.

The purpose of the project is to nourish an existing beach, provide shoreline erosion control, and manage stormwater and contribute to improvements in water quality.

- Fill and grade with approximately 1,075 cubic yards of sand along 240 feet of shoreline to replenish a historic beach area.
- Plant approximately 5,055 square feet of marsh vegetation in targeted areas for marsh establishment.
- Construct 220 linear feet of segmented breakwaters, all extending a maximum of 75 feet channelward of the mean high water line.
- Provide stormwater management consisting of an infiltration basin planted with marsh vegetation, filled with approximately 224 square feet of cobble liners channelward of the mean high water line, and an 85-foot long cobble lined outfall for conveyance of stormwater.

The WQC and its attachments may be viewed at the following link: <https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/WQC.aspx>

Appeal of Final Decision. This Water Quality Certification is a final agency decision. Any person aggrieved by the Department's decision

to issue this WQC may appeal such decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with the Department within 30 days of publication of the final decision, and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: Secretary of the Environment, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of this WQC. Contact: Heather Hepburn at heather.hepburn1@maryland.gov or 410-537-3789.

[20-03-11]

DEPARTMENT OF NATURAL RESOURCES

FISHING AND BOATING SERVICES — PUBLIC NOTICE

2020 Atlantic Ocean Commercial Striped Bass Transfer Rules — Effective 1/11/2020

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces the following rules for the Atlantic Ocean commercial striped bass temporary and permanent transfer processes for the 2020 quota year:

- A Striped Bass Atlantic Ocean Fishery permit or allocation may be temporarily or permanently transferred during the quota year from January 1, 2020 through December 20, 2020.
 - The minimum allocation increment for an allocation transfer will be 540 pounds, or the entire remaining allocation if the transferor has less than 540 pounds.
 - For each increment of 540 pounds transferred, the transferor must return 50 tags to the Department. If the transfer is less than 540 pounds, all remaining tags assigned to the transferor must be transferred to the transferee.
 - For each increment of 540 pounds received, the transferee will be issued 50 new tags by the Department.

WHY THIS IS NECESSARY

This action is necessary to ensure Maryland's compliance with the Atlantic State Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Striped Bass.

WHOM THIS NOTICE AFFECTS

This applies to all individuals who are permitted to participate in the commercial striped bass fishery in the Atlantic Ocean.

AUTHORITY

Code of Maryland Regulations (COMAR) 08.02.15.04H

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8293

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

[20-03-18]

FISHING AND BOATING SERVICES — PUBLIC NOTICE

2020 Chesapeake Bay Commercial Striped Bass Permanent Transfer Rules — Effective 1/11/2020

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces the following rules for the Chesapeake Bay commercial striped bass permanent transfer processes for the 2020 quota year:

- A Striped Bass Common Pool Fishery permit may be permanently transferred during the quota year from January 1, 2020 through November 30, 2020.
 - All remaining tags assigned to the permit must be transferred by the transferor to the transferee.
- A Striped Bass Individual Transferable Quota Fishery permit or allocation may be permanently transferred during the quota year from January 1, 2020 through October 16, 2020.
 - The minimum allocation increment for a permanent transfer will be 350 pounds, or the entire remaining quota if the transferor has less than 350 pounds.
 - For each 350 pound increment transferred, one bag of 100 unopened, unbroken tags must be transferred. If the transfer is less than 350 pounds, all remaining tags assigned to the transferor must be transferred to the transferee.

WHY THIS IS NECESSARY

This action is necessary to ensure Maryland's compliance with the Atlantic State Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Striped Bass.

WHOM THIS NOTICE AFFECTS

This applies to all individuals who are permitted to participate in the commercial striped bass fishery in the Chesapeake Bay.

AUTHORITY

Code of Maryland Regulations (COMAR) 08.02.15.04H

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8293

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

[20-03-19]

FISHING AND BOATING SERVICES — PUBLIC NOTICE

2020 Chesapeake Bay Commercial Striped Bass Temporary Transfer Rules — Effective 1/11/2020

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces the following rules for the Chesapeake Bay commercial striped bass temporary transfer processes for the 2020 quota year:

- A Striped Bass Common Pool Fishery permit may be temporarily transferred during the quota year from January 1, 2020 through November 20, 2020.
 - All remaining tags assigned to the permit must be transferred by the transferor to the transferee.
- A Striped Bass Individual Transferable Quota Fishery permit or allocation may be temporarily transferred during

the quota year from January 1, 2020 through December 18, 2020.

- The minimum allocation increment for a temporary transfer will be 1,000 pounds, or the entire remaining quota if the transferor has less than 1,000 pounds.
- For each 1,000 pound increment transferred, three bags of 100 unopened, unbroken tags must be transferred. If the transfer is less than 1,000 pounds, all remaining tags assigned to the transferor must be moved to the transferee.

WHY THIS IS NECESSARY

This action is necessary to ensure Maryland's compliance with the Atlantic State Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Striped Bass.

WHOM THIS NOTICE AFFECTS

This applies to all individuals who are permitted to participate in the commercial striped bass fishery in the Chesapeake Bay.

AUTHORITY

Code of Maryland Regulations (COMAR) 08.02.15.04H

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8293

JEANNIE HADDAWAY-RICCIO

Secretary of Natural Resources

[20-03-20]

FISHING AND BOATING SERVICES — PUBLIC NOTICE

Commercial Striped Bass Common Pool Gill Net Season Modification — Effective 1/7/2020

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces the opening of the commercial striped bass common pool gill net fishery. Effective 3 a.m. Tuesday, January 7, 2020:

- The season is open January 7, 2020 through January 9, 2020.
- The catch times are 3:00 a.m. through 6:00 p.m.
- The catch limit is 300 lbs/permit/week and 1,200 lbs/vessel/day.

WHY THIS IS NECESSARY

This action is necessary to ensure Maryland's compliance with the Atlantic State Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Striped Bass.

WHOM THIS NOTICE AFFECTS

This applies to all individuals who are permitted to participate in the striped bass common pool gill net fishery in the Chesapeake Bay.

AUTHORITY

Code of Maryland Regulations (COMAR) 08.02.15.12H

FOR FURTHER INFORMATION CONTACT:

Fishing and Boating Services at 410-260-8293

JEANNIE HADDAWAY-RICCIO

Secretary of Natural Resources

[20-03-21]

FISHING AND BOATING SERVICES — PUBLIC NOTICE

2020 Recreational Bluefish Catch Limits — Effective 2/1/2020

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces changes to the recreational catch limit for bluefish. Effective 12:01 a.m. February 1, 2020:

- Recreational anglers fishing from shore or private boats can keep up to 3 bluefish per person per day.
- Recreational anglers fishing from for-hire boats can keep up to 5 bluefish per person per day.

WHY THIS IS NECESSARY

This action is necessary to implement the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for Bluefish.

WHOM THIS NOTICE AFFECTS

This applies to all individuals who catch bluefish recreationally.

AUTHORITY

Code of Maryland Regulations (COMAR) 08.02.05.10D

JEANNIE HADDAWAY-RICCIO

Secretary of Natural Resources

[20-03-22]

FISHING AND BOATING SERVICES — PUBLIC NOTICE

2020 Commercial Shark Catch Limits — Effective 1/1/2020

WHAT THIS NOTICE DOES

The Secretary of the Department of Natural Resources announces a new commercial catch limit for large coastal sharks.

COMMERCIAL CATCH LIMIT

The commercial catch limit is thirty-six (36) large coastal sharks per vessel per trip. Large coastal sharks includes all of the sharks in the aggregated large coastal and hammerhead management groups defined in COMAR 08.02.22.03A(6) and (7). The species in the two management groups include: Silky; Tiger; Blacktip; Spinner; Bull; Lemon; Nurse; Scalloped hammerhead; Great hammerhead; and Smooth hammerhead.

WHY THIS IS NECESSARY

This is necessary to implement the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Coastal Sharks.

WHOM THIS NOTICE AFFECTS

This applies to all individuals who catch sharks commercially.

EFFECTIVE TIME AND DATE

The new commercial catch limit is effective at 12:01 a.m. January 1, 2020. The National Marine Fisheries Service anticipates in-season trip limit modifications based on harvest. If modifications are made, the Atlantic States Marine Fisheries Commission will follow with modifications for state waters. A new public notice will be issued if modifications are made.

AUTHORITY

Code of Maryland Regulations (COMAR) 08.02.22.04B.

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

[20-03-23]

FISHING AND BOATING SERVICES — PUBLIC NOTICE

2020 Recreational and Commercial Tautog Fishery — Effective 1/7/2020

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces changes to the recreational and commercial tautog season and catch limits.

SEASON AND CATCH LIMITS

The recreational and commercial tautog season and catch limits from January 7 through December 31, 2020 are:

- January 7 — May 15 4 fish/person/day
- May 16 — June 30 Closed
- July 1 — October 31 2 fish/person/day
- November 1 — December 31 4 fish/person/day

WHY THIS IS NECESSARY

This action is necessary to implement the Atlantic States Marine Fisheries Commission's Amendment 1 to the Interstate Fishery Management Plan for Tautog.

WHOM THIS NOTICE AFFECTS

This applies to all individuals who catch tautog recreationally and commercially.

EFFECTIVE DATE

The effective date is 12:01 a.m. January 7, 2020.

AUTHORITY

Code of Maryland Regulations (COMAR) 08.02.05.20.

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

[20-03-24]

DEPARTMENT OF STATE POLICE

HANDGUN ROSTER BOARD

Official Handgun Roster

The official Handgun Roster is a complete list of handguns manufactured after January 1, 1985 that have received final approval by the Handgun Roster Board and that are not otherwise prohibited by law to be sold in Maryland. The roster is a live document, continuously updated, that can be accessed at <https://licensingportal.mdsp.maryland.gov/MSPBridgeClient/#/home>.

Any questions regarding the roster can be addressed to the Handgun Roster Board Administrator, Ms. Rachel Rosenberg (410-653-4247).

[20-03-10]

General Notices

Notice of ADA Compliance

The State of Maryland is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a meeting announced below who wishes to receive auxiliary aids, services, or accommodations is invited to contact the agency representative at least 48 hours in advance, at the telephone number listed in the notice or through Maryland Relay.

CHESAPEAKE BAY TRUST

Subject: Public Meeting
Date and Time: February 19, 2020, 3 — 6 p.m.
Place: 108 Severn Ave., Annapolis, MD
Contact: Sarah Higgins (410) 974-2941
 [20-03-03]

STATE COLLECTION AGENCY LICENSING BOARD

Subject: Public Meeting
Date and Time: February 10, 2020, 10:30 — 11:30 a.m.
Place: Alacritty Collections Corporation, 175 Admiral Cochrane Dr., Ste. 202, Annapolis, MD
Contact: Devki Dave (410) 230-6019
 [20-03-17]

FIRE PREVENTION COMMISSION

Subject: Public Meeting
Date and Time: February 20, 2020, 9:30 a.m.
Place: Taylor Avenue Fire Station, 620 Taylor Ave., Upper Level Classroom, Annapolis, MD
Add'l. Info: Portions of the meeting may be held in closed session. If public schools in Anne Arundel County are CLOSED for inclement weather, the meeting and any appeals will be rescheduled.
Contact: Heidi Ritchie (877) 890-0199
 [20-03-09]

MARYLAND DEPARTMENT OF HEALTH/STATE COMMUNITY HEALTH WORKER ADVISORY COMMITTEE

Subject: Public Meeting
Date and Time: February 10, 2020, 1 — 3 p.m.
Place: MDH, 201 W. Preston St., Conf. Rm. L3, Baltimore, MD
Contact: Kimberly Hiner (410) 767-2301
 [20-03-08]

HEALTH SERVICES COST REVIEW COMMISSION

Subject: Public Meeting
Date and Time: February 12, 2020, 1 — 4 p.m.
Place: 4160 Patterson Ave., Rm. 100, Baltimore, MD

Contact: LaTonya Hamilton (410) 764-3451
 [20-03-02]

MARYLAND INSURANCE ADMINISTRATION

Subject: Public Hearing
Date and Time: February 19, 2020, 9 a.m. — 12 p.m.
Place: Maryland Insurance Administration, 200 St. Paul Pl., 24th Fl., Hearing Rm., Baltimore, MD
Add'l. Info: The Maryland Insurance Administration will conduct a public hearing on specific rate increase requests being made by certain Long-Term Care Insurance carriers operating in Maryland. The hearing will focus on several rate increase requests before the Maryland Insurance Administration. In the individual long-term care market, these include requests from CMFG Life Insurance Company, RiverSource Life Insurance Company, Lincoln Benefit Life Company and New York Life Insurance Company. In the group long-term care market, these include requests from Metropolitan Life Insurance Company. The purpose of the hearing is for insurance company officials to explain their reasons for the rate increases. Interested stakeholders will also have the opportunity to provide comments at the hearing. Prior to the hearing, copies of each company's actuarial memorandum will be posted to the Maryland Insurance Administration's website.

If you plan on attending, please RSVP to Nancy Muehlberger. If you will be dialing into the public hearing, and wish to provide oral testimony, please RSVP to Nancy Muehlberger. Testimony will only be heard via the telephone to those who have RSVP'd in advance of the public hearing. Written comments and RSVPs should be sent to Nancy Muehlberger by February 12, 2020, either by email to longtermcare.mia@maryland.gov or by mail to 200 St. Paul Place, Suite 2700, Baltimore, MD 21202 or by fax to 410-468-2038.

Any questions regarding this matter should be directed to Nancy Muehlberger, Actuarial Analyst, by February 12, 2020, by email to Nancy.Muehlberger@maryland.gov. For more information on the hearing please see the following link:

<https://insurance.maryland.gov/Consumer/Pages/Long-Term-Care-Hearing-February-19-2020.aspx>
Contact: Adam Zimmerman (410) 468-2048
 [20-03-06]

MARYLAND STATE LOTTERY AND GAMING CONTROL COMMISSION

Subject: Public Meeting
Date and Time: February 27, 2020, 10 a.m. — 12 p.m.
Place: Montgomery Business Park, 1800 Washington Blvd., Ste. 330, Baltimore, MD
Contact: Kathy Lingo (410) 230-8790
 [20-03-07]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting
Date and Time: February 20, 2020, 1 p.m.
Place: 4160 Patterson Ave., Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3570
 [20-03-01]

MARYLAND HEALTH CARE COMMISSION

Subject: Formal Start of Review
Add'l. Info: The Maryland Health Care Commission (MHCC) hereby gives notice of docketing of the following application for Certificate of Need:

Greater Baltimore Medical Center — Docket No. 19-03-2439. Construction of a 3-story addition to be located in front of the existing main lobby and between two existing wings. The new construction will house two 30-bed medical nursing units, but will not increase overall capacity and the relocation of existing medical services; Proposed Cost: \$108,228,049.

MHCC shall review the application under Health-General Article, §19-101 et seq., Annotated Code of Maryland, COMAR 10.24.01, and the applicable State Health Plan standards.

Any affected person may make a written request to the Commission to receive copies of relevant notices concerning the application. All further notices of proceedings on the application will be sent

only to affected persons who have registered as interested parties.

Persons desiring to become interested parties in the Commission's review of the above-referenced application must meet the requirements of COMAR 10.24.01.01B(2) and (20) and must also submit written comments to the Commission no later than close of business March 2, 2020. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicant as stated in COMAR 10.24.01.08F.

Please refer to the Docket Number listed above in any correspondence on the application. Copies of the application are available for review in the office of MHCC during regular business hours by appointment. All correspondence should be addressed to Paul E. Parker, Director, Center for Health Care Facilities Planning and Development, Maryland Health Care Commission, 4160 Patterson Ave., Baltimore, MD

Contact: Ruby Potter (410) 764-3276

[20-03-25]

RACING COMMISSION

Subject: Public Meeting

Date and Time: February 27, 2020, 12:30 — 1 p.m.

Place: Laurel Park, Laurel, MD

Contact: J. Michael Hopkins (410) 296-9682

[20-03-05]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting

Date and Time: February 13, 2020, 9:30 — 11:30 a.m.

Place: 10 E. Baltimore St., Baltimore, MD

Add'l. Info: Portions of this meeting may be held in closed session.

Contact: Amy Lackington (410) 864-5300

[20-03-04]

COMAR ORDER INFORMATION SHEET

Date _____ Subscriber I.D. _____

Name _____

Company _____

Address _____

City _____ State _____ Zip _____

Tel. _____ Fax _____

Email: _____

_____ Check enclosed, made payable to "Division of State Documents"

_____ Visa/Master Card/American Express/Discover card payment:

Acct.# _____ Exp. _____

Signature _____ Tel: _____

Return form & payment to: Office of the Secretary of State, Division of State Documents ~
State House ~ Annapolis, MD 21401 ~ Tel: 410-260-3876 ~ 800-633-9657 ext. 3876 ~ Fax: 410-280-5647

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| Preventive Maintenance Handbook (PM Handbook) (green cover)                                           | \$15               | \$5              | _____           | _____        |
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| Total                                                                                                 |                    |                  |                 | _____        |
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| After June 30 <sup>th</sup>      | After December 31 <sup>st</sup>  |
| After September 30 <sup>th</sup> |                                  |
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| Title 03                            | Comptroller of the Treasury                                      |             | \$30               | \$20                      |          |       |
| Title 04                            | Department of General Services                                   |             | \$16               | \$10                      |          |       |
| Title 05                            | Department of Housing and Community Development                  |             | \$78               | \$50                      |          |       |
| Title 07                            | Department of Human Services                                     |             | \$80               | \$53                      |          |       |
| Title 08                            | Department of Natural Resources                                  |             | \$78               | \$51                      |          |       |
| Title 09                            | Maryland Department of Labor                                     |             | \$89               | \$60                      |          |       |
| Title 10                            | Maryland Department of Health (All parts) **                     |             | \$272              | \$180                     |          |       |
| Title 10                            | Part 1 **                                                        |             | \$48               | \$32                      |          |       |
| Title 10                            | Part 2 **                                                        |             | \$75               | \$50                      |          |       |
| Title 10                            | Part 3 **                                                        |             | \$75               | \$50                      |          |       |
| Title 10                            | Part 4 **                                                        |             | \$50               | \$35                      |          |       |
| Title 10                            | Part 5 **                                                        |             | \$69               | \$50                      |          |       |
| Title 11                            | Transportation (All parts) **                                    |             | \$106              | \$75                      |          |       |
| Title 11                            | Part 1 (Transportation) **                                       |             | \$42               | \$25                      |          |       |
| Title 11                            | Part 2 (MVA)**                                                   |             | \$74               | \$50                      |          |       |
| Title 12                            | Department of Public Safety and Correctional Services            |             | \$67               | \$43                      |          |       |
| Title 13A                           | Maryland State Department of Education                           |             | \$63               | \$42                      |          |       |
| Title 13B                           | Maryland Higher Education Commission                             |             | \$25               | \$15                      |          |       |
| Title 14                            | Independent Agencies                                             |             | \$80               | \$53                      |          |       |
| Title 15                            | Maryland Department of Agriculture                               |             | \$48               | \$30                      |          |       |
| Title 16                            | Department of Juvenile Services                                  |             | \$23               | \$15                      |          |       |
| Title 17                            | Department of Budget and Management                              |             | \$28               | \$16                      |          |       |
| Title 18                            | Department of Assessments and Taxation                           |             | \$20               | \$12                      |          |       |
| Title 19A                           | State Ethics Commission                                          |             | \$24               | \$14                      |          |       |
| Title 20                            | Public Service Commission                                        |             | \$49               | \$32                      |          |       |
| Title 21                            | State Procurement Regulations                                    |             | \$48               | \$30                      |          |       |
| Title 22                            | State Retirement and Pension System                              |             | \$22               | \$13                      |          |       |
| Title 23                            | Board of Public Works                                            |             | \$18               | \$11                      |          |       |
| Title 24                            | Department of Commerce                                           |             | \$34               | \$20                      |          |       |
| Title 25                            | State Treasurer                                                  |             | \$16               | \$9                       |          |       |
| Title 26                            | Department of Environment (All parts) **                         |             | \$189              | \$125                     |          |       |
| Title 26                            | Part 1 **                                                        |             | \$54               | \$35                      |          |       |
| Title 26                            | Part 2 **                                                        |             | \$83               | \$52                      |          |       |
| Title 26                            | Part 3 **                                                        |             | \$57               | \$38                      |          |       |
| Title 26                            | Part 4 **                                                        |             | \$37               | \$24                      |          |       |
| Title 27                            | Critical Area Comm. for the Chesapeake and Atlantic Coastal Bays |             | \$18               | \$10                      |          |       |
| Title 28                            | Office of Administrative Hearings                                |             | \$16               | \$9                       |          |       |
| Title 29                            | Maryland State Police                                            |             | \$30               | \$18                      |          |       |
| Title 30                            | MD Institute for Emergency Medical Services Systems (MIEMSS)     |             | \$25               | \$17                      |          |       |
| Title 31                            | Maryland Insurance Administration                                |             | \$68               | \$45                      |          |       |
| Title 32                            | Department of Aging                                              |             | \$25               | \$15                      |          |       |
| Title 33                            | State Board of Elections                                         |             | \$42               | \$25                      |          |       |
| Title 34                            | Department of Planning                                           |             | \$31               | \$18                      |          |       |
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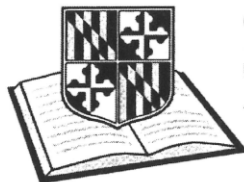
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