

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Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken.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an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.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 08 DEPARTMENT OF NATURAL RESOURCES Subtitle 02 FISHERIES SERVICE

08.02.21 Yellow Perch

Authority: Natural Resources Article, §4-215, Annotated Code of Maryland

Notice of Proposed Action [18-257-P]

The Secretary of Natural Resources proposes to amend Regulation .03 under **COMAR 08.02.21 Yellow Perch**.

Statement of Purpose

The purpose of this action is to remove the provision in the current regulations that requires a Department representative to be present during the sale of yellow perch in the live market. The Commercial Yellow Perch Workgroup, consisting of members from both the Sport and Tidal Fisheries Advisory Commissions, asked the Department to consider this modification. Current regulations require the licensee to contact the Department at least 24 hours prior to loading yellow perch into a container in which they will be transported and wait until the Department representative is present before loading. Under this rule change, the Department would still require the fisherman to notify the Department 24 hours prior to the live market transaction. However, the sale of the live market yellow perch could take place without a Department representative witnessing the transaction. The 24-hour notification allows a Department representative to be present if the representative can be there, but it would not be required.

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 may positively impact commercial yellow perch harvesters.

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:		
Commercial harvesters	(+)	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 harvesters will still have to notify the Department in advance of the transaction, but will have the flexibility to move forward if a Department representative is not available. The actual impact is indeterminable since it is unknown if this requirement has impacted previous sales. This action will give the harvesters more flexibility since they will not have to plan their sales based on Department availability, which could mean the difference in a sale or loss of a sale.

Economic Impact on Small Businesses

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

The proposed action may positively impact commercial harvesters. Please see the assumptions in the types of economic impact section.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Yellow Perch 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 October 29, 2018. A public hearing has not been scheduled.

.03 Commercial.

A.—H. (text unchanged)

I. Yellow Perch Live Market.

(1) A commercial tidal fish licensee who sells or offers for sale yellow perch in the live market which were harvested from the tidal waters of the State shall:

(a) Contact the Department at the number stated on the yellow perch harvest permit at least 24 hours prior to loading yellow perch into a container in which it will be transported; *and*

[(b) Wait until the Department representative is present before loading the live untagged yellow perch into a container in which it will be transported; and]

[(c)] (b) (text unchanged)

(2) (text unchanged)

J.—K. (text unchanged)

MARK J. BELTON
Secretary of Natural Resources

Title 09

**DEPARTMENT OF LABOR,
LICENSING, AND
REGULATION**

**Subtitle 08 HOME IMPROVEMENT
COMMISSION**

09.08.07 Fees

Authority: Business Regulation Article, §§2-106.11, 2-106.12, 8-207, 8-209, 8-210, 8-213, 8-302, 8-303, 8-308, and 8-308.1, Annotated Code of Maryland

Notice of Proposed Action

[18-208-P]

The Maryland Home Improvement Commission proposes to adopt new Regulations **.01** and **.02** under a new chapter, **COMAR 09.08.07 Fees**. This action was considered at a public meeting of the Commission held on June 7, 2018, notice of which was provided by posting on the Commission's website pursuant to General Provisions Article, §3-302(c)(3)(ii), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to carry out the provisions of Business Regulation Article, §§2-106.11, 2-106.12, 8-207, 8-209, 8-210, 8-213, 8-302, 8-303, 8-308, and 8-308.1, Annotated Code of

Maryland. In particular, it is intended to set various fees in order to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the Home Improvement Commission.

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 David Finneran, Executive Director, Maryland Home Improvement Commission, Department of Labor, Licensing, and Regulation, 500 North Calvert Street, Room 306, Baltimore, MD 21202, or call 410-230-6169, or email to david.finneran@maryland.gov, or fax to 410-962-8482. Comments will be accepted through October 29, 2018. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland Home Improvement Commission during a public meeting to be held on December 6, 2018, at the Department of Labor, Licensing, and Regulation, 500 North Calvert Street, 2nd Floor Conference Room, Baltimore, MD 21202.

.01 Purpose.

This chapter is intended to carry out the provisions of Business Regulation Article, §§2-106.11, 2-106.12, 8-207, 8-209, 8-210, 8-213, 8-302, 8-303, 8-308, and 8-308.1, Annotated Code of Maryland. In particular, it is intended to set various fees in order to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the Home Improvement Commission.

.02 Schedule of Fees.

A. Pursuant to Business Regulation Article, §8-213, Annotated Code of Maryland, the Commission shall set fees to produce funds to approximate the cost of maintaining the Commission. Fees charged by the Commission are as follows:

(1) License application fees:

(a) Contractor — \$250 for each place of business of the contractor;

(b) Salesperson — \$100; and

(c) Application processing fee — \$20;

(2) License renewal fees:

(a) Contractor — \$250 for each place of business of the contractor; and

(b) Salesperson — \$100;

(3) Inactive status fees:

(a) Inactive status application fee — \$50;

(b) Renewal fees while license is in inactive status:

(i) Contractor — \$112.50; and

(ii) Salesperson — \$37.50; and

(c) Reactivation of inactive license reissuance fee — \$10;

(4) Certification of license status fee — \$1; and

(5) Document copy fee — \$1 per page.

B. Examination Fee. An applicant for an examination or reexamination shall pay an examination or reexamination fee directly to the testing service chosen by the Commission to develop or