

C. The Secretary shall establish one or more evaluation committees on a case-by-case basis that may:

- (1) Be comprised of:
  - (a) Secretary's Office employees; and
  - (b) Other State employees;
- (2) Review statements of qualifications;
- (3) Review proposals; and
- (4) Seek advice from the Department, other State agencies and State employees, and outside experts and consultants during the evaluation process.

D. Best and Final Offers.

(1) After the evaluation of all responsive proposals, the Secretary may request best and final offers from private entities determined by the evaluation committees to be eligible to submit best and final offers.

(2) The Secretary may request multiple iterations of best and final offers.

(3) A best and final offer process is not required.

E. After an apparent best value private entity has been selected by the evaluation committees, in consultation with the Secretary, the Department may enter into negotiations with that private entity.

F. The Secretary may determine that negotiations be completed by a negotiations committee either comprised of members of the evaluation committees or established separately from the evaluation committee that may:

- (1) Be comprised of:
  - (a) Secretary's Office employees; and
  - (b) Other State employees;
- (2) Review the apparent best value private entity's response to the request for proposals;
- (3) Review the apparent best value private entity's best and final offer, if any; and
- (4) Receive assistance from outside experts and consultants during the evaluation process.

G. The Department, in its sole discretion, may initiate negotiations with a private entity other than the apparent best value private entity if:

- (1) Negotiations with the apparent best value private entity are unsuccessful; or
- (2) The apparent best value private entity does not provide sufficient information or timely feedback to finalize the agreement in accordance with the Department's schedule for the Public-Private Partnership solicitation.

H. After completion of successful negotiations, the negotiations committee shall recommend a best value private entity to the Secretary for review and approval.

I. After the Secretary provides written approval of the best value private entity, the Department shall:

- (1) Finalize and prepare the Public-Private Partnership agreement for execution, in coordination with the best value private entity;
- (2) Commence the final agreement review process in accordance with State Finance and Procurement Article, §10A-203, Annotated Code of Maryland; and
- (3) Arrange for meetings between the Secretary and appropriate bargaining unit representatives to provide notice and discuss plans for impacted State employees, in the event that the proposed Public-Private Partnership delivery method has an impact on existing State employees.

J. Final Agreement Review.

(1) The Secretary shall comply with the final agreement review process established in State Finance and Procurement Article, §10A-203, Annotated Code of Maryland.

(2) A final agreement report shall accompany a final agreement submitted under State Finance and Procurement Article,

§10A-203, Annotated Code of Maryland, containing the following items, if relevant:

- (a) The financial plan, including annual cash flows, for any Public-Private Partnership including:
  - (i) State contributions;
  - (ii) Federal loans or credit assistance;
  - (iii) Private investment;
  - (iv) Local contributions; and
  - (v) Other funding contributions;
- (b) The ongoing financial costs and increases associated with any operating and maintenance contracts;
- (c) The impact any public private partnership agreement may have on the State's debt affordability measures;
- (d) An analysis of why the proposed agreement is more advantageous than a conventional project delivery;
- (e) A description, including the estimated value, of any land, buildings, or other structures or assets that are transferred or exchanged with a private entity as part of the public private partnership;
- (f) A summary of the performance measures included in the ongoing operation of the public private partnership;
- (g) A summary of the penalties associated with non-performance relating to the ongoing maintenance and operation; and
- (h) A plan for how the long-term operating and maintenance contract will be overseen by the agency.

#### **.10 Delivery.**

Procedures for Public-Private Partnership Agreements. In the development of a Public-Private Partnership agreement, the Secretary shall comply with the provisions established in State Finance and Procurement Article, §10A-401, Annotated Code of Maryland.

ELLINGTON E. CHURCHILL, JR.  
Secretary of General Services

## **Title 08 DEPARTMENT OF NATURAL RESOURCES**

### **Subtitle 02 FISHERIES SERVICE**

#### **08.02.05 Fish**

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

#### **Notice of Proposed Action**

[19-220-P]

The Secretary of Natural Resources proposes to amend Regulation .15 under **COMAR 08.02.05 Fish**.

#### **Statement of Purpose**

The purpose of this action is to correct the minimum size for the commercial black drum fishery in the Atlantic Ocean. When the commercial fishery for the Chesapeake Bay was opened in early 2019 the regulation was reorganized. The 16-inch minimum size for the Atlantic Ocean black drum commercial fishery was inadvertently deleted when the regulation was reorganized. The 16-inch minimum size limit for that fishery has been in place since the adoption of black drum regulations in 1994. The Department, to be in compliance with the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Black Drum, must re-establish the minimum size limit. The proposed action requires a black drum

harvested from the waters of the Atlantic Ocean be a minimum of 16 inches in length.

#### 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 Black Drum Regulations, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or email to [fisheriespubliccomment.dnr@maryland.gov](mailto:fisheriespubliccomment.dnr@maryland.gov), or fax to 410-260-8310. Comments will be accepted through November 25, 2019. A public hearing has not been scheduled.

#### .15 Black Drum.

A. (text unchanged)

B. Commercial Fishery.

(1) Atlantic Ocean.

(a) The annual total allowable landings is 1500 pounds.

(b) *A commercial licensee may not catch or possess black drum less than 16 inches in total length.*

(2)—(3) (text unchanged)

C. (text unchanged)

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

## Subtitle 07 FORESTS AND PARKS

### 08.07.06 Use of State Parks

Authority: Natural Resources Article, §5-209, Annotated Code of Maryland

#### Notice of Proposed Action

[19-218-P]

The Secretary of Natural Resources proposes to amend Regulation .02 under **COMAR 08.07.06 Use of State Parks**.

#### Statement of Purpose

The purpose of this action is to add three State Park units to ensure an accurate list of all current State Park land units. The three land units are: Bohemia River Natural Resources Management Area (Cecil County), Sang Run State Park (Garrett County), and Wolf Den Run State Park (Garrett County).

#### 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 Amanda Mock, Director of Administration, Maryland Park Service, Department of Natural Resources, 580 Taylor Avenue, E-3, Annapolis, MD 21401, or call 410-260-8178, or email to [amanda.mock@maryland.gov](mailto:amanda.mock@maryland.gov), or fax to 410-260-8191. Comments will be accepted through November 25, 2019. A public hearing has not been scheduled.

#### .02 State Park System.

A.—D. (text unchanged)

E. State Parks.

Name of Area ..... County

(1)—(40) (text unchanged)

(41) *Sang Run* ..... Garrett

[(41)] (42)—[(50)] (51) (text unchanged)

(52) *Wolf Den Run* ..... Garrett

[(51)] (53) (text unchanged)

F. Natural Resources Management Areas.

Name of Area ..... County

(1) (text unchanged)

(2) *Bohemia River* ..... Cecil

[(2)] (3)—[(12)] (13)

G.—I. (text unchanged)

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

## Title 09 MARYLAND DEPARTMENT OF LABOR

### Subtitle 19 COMMISSION OF REAL ESTATE APPRAISERS, APPRAISAL MANAGEMENT COMPANIES, AND HOME INSPECTORS—REAL ESTATE APPRAISERS

#### 09.19.02 Educational Requirements

Authority: Business Occupations and Professions Article, §§16-220, [16-302(g)] 16-302(d)(1) and (3) and (g), and [16-503(f)] 16-503(b)(1)(iii), (3), and (4), (e), and (f), Annotated Code of Maryland

#### Notice of Proposed Action

[19-206-P]

The Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors proposes to amend Regulation .01 under **COMAR 09.19.02 Educational Requirements**. This action was considered at a public meeting of the Commission held on June 11, 2019, notice of which was given 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 amend prelicense education criteria required of a real estate appraiser to comply with the most current Appraiser Qualifications Board guidelines for eligibility for an examination required to obtain an original appraiser license or certificate. The amendments will eliminate the requirement of a college degree for a licensed residential appraiser and propose a variety of education paths to certified residential licensure.