

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Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken.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an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.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

### 08.02.01 General

Authority: Natural Resources Article, §§4-205.1, 4-602, and 4-11A-02, Annotated Code of Maryland

#### Notice of Proposed Action

[20-009-P]

The Secretary of Natural Resources proposes to amend Regulation .16 under COMAR 08.02.01 General.

#### Statement of Purpose

The purpose of this action is to remove the requirement that an individual submit an application for an out-of-State finfish supplier permit at least 45 days in advance of needing the permit. A person will still have to complete an application prior to supplying finfish to someone in Maryland, but the proposed action removes the specific time frame. Due to the implementation of an electronic application process, the requirement is no longer necessary. Department staff are now able to issue a permit within days after receiving an application, provided that all the required supporting documentation is supplied with the application. This change will simplify the process for out-of-State suppliers and Maryland constituents that have submitted pond stocking permit requests and will provide flexibility for new suppliers to quickly enter the market.

#### 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 Out-of-State Supplier 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](mailto:fisheriespubliccomment.dnr@maryland.gov), or fax to 410-260-8310. Comments will be accepted through February 3, 2020. A public hearing has not been scheduled.

#### .16 Importation of Finfish.

- A.—B. (text unchanged)
- C. Application.

(1) A person shall apply for an out-of-State supplier permit by submitting a completed application on a form provided by the Department [at least 45 days prior to when the activity is requested to begin].

- (2) (text unchanged)
- D.—E. (text unchanged)

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources