

# 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 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 Final Action

[20-009-F]

On February 18, 2020, the Secretary of Natural Resources adopted amendments to Regulation .16 under **COMAR 08.02.01 General**. This action, which was proposed for adoption in 47:1 Md. R. 20 (January 3, 2020), has been adopted as proposed.

**Effective Date: March 9, 2020.**

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

### Subtitle 02 FISHERIES SERVICE

#### Notice of Final Action

[19-273-F]

On February 18, 2020, the Secretary of Natural Resources adopted amendments to:

(1) Regulation .02 under **COMAR 08.02.05 Fish**;

(2) Regulations .01, .03, .08—, .10, and .12 under **COMAR**

**08.02.15 Striped Bass**; and

(3) Regulation .03 under **COMAR 08.02.25 Gear**.

This action, which was proposed for adoption in 46:26 Md. R. 1171—1174 (December 20, 2019), has been adopted with the nonsubstantive changes shown below.

**Effective Date: March 9, 2020.**

#### Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

The Department is reducing the length of the spring closure. The reduction is based on comments received during the public comment period and further analysis of the data presented to the Atlantic States Marine Fisheries Commission. It has been determined that it is not necessary to close the fishery until April 1. This change will benefit anglers and local businesses. This change is less restrictive on licensees than the language originally proposed. Additionally, the designation “NW” is being changed to “northwest” to be consistent with similar directional references. For these reasons, the changes are nonsubstantive, and the regulation does not need to be repropose.

#### 08.02.15 Striped Bass

Authority: Natural Resources Article, §§4-215, 4-2A-03, and 4-732, Annotated Code of Maryland

#### .12 General Restrictions.

A.—H. (proposed text unchanged)

##### I. Seasonal Restrictions.

(1) Except as provided in §I(2) of this regulation, a person may not catch, harass, harm, pursue, hunt, shoot, wound, or attempt to catch striped bass or striped bass hybrids in the striped bass spawning rivers and areas listed in Regulation .03B of this chapter during the period March 1 through March 31.

(2) During the period March 1 through March 31, inclusive, a person authorized in accordance with Natural Resources Article, §4-745, Annotated Code of Maryland, to recreationally angle for finfish may hook striped bass and shall immediately release the striped bass unharmed to the water from which the striped bass was taken in the following areas:

(a) Susquehanna Flats, upstream of a line from a point at or near Sandy Point, defined by Lat. 39°26.96' N and Long. 76°03.63' W; then running in an easterly direction to a point at or near Turkey Point, defined by Lat. 39°27.13' N and Long. 76°00.70' W and the Susquehanna River downstream from a line connecting a point at or near the Susquehanna State Park boat ramp in Lapidum, defined by Lat. 39°35.86' N and Long. 76°07.67' W; then running in a northeasterly direction to a point at or near Twin Rocks, defined by Lat. 39°36.17' N and Long. 76°07.56' W; then running in a northeasterly direction to a point at or near Tomes Wharf in Port Deposit, defined by Lat. 39°36.23' N and Long. 76°06.99' W;

(b) Northeast River; and

(c) The area of the Chester River on the north side of Kent Narrows and bounded on the southern side by the southernmost edge of the old Route 50 bridge and, on the northern side, by a line beginning at a point (east tip of Ferry Point) defined by Lat. 38°58.820'N and Long. 76°14.627'W; then running approximately 92° True to a point (northwest tip of Long Point) defined by Lat. 38°58.798'N and Long. 76°13.825'W.

~~[[I(1)]]~~ (3) During the period [[March 1]] April 1 through April 30, a person may not catch, harass, harm, pursue, hunt, shoot, wound, or attempt to catch striped bass or striped bass hybrids in the Chesapeake Bay or its tidal tributaries.

~~[[I(2)]]~~ (4) During the period May 1 through May 31, except as provided in Regulations .08 and .09 of this chapter and [[§I(3)]] §I(5) of this regulation, a person may not catch, harass, harm, pursue, hunt, shoot, wound, or attempt to catch striped bass or striped bass hybrids in the striped bass spawning rivers and areas listed in Regulation .03B of this chapter.

~~[[I(3)]]~~ (5) During the period May 1 through May 31, a person authorized in accordance with Natural Resources Article, §4-745, Annotated Code of Maryland, to recreationally angle for finfish may hook striped bass and shall immediately release the striped bass unharmed to the water from which the striped bass was taken in that area of the Chester River on the north side of Kent Narrows and bounded on the southern side by the southernmost edge of the old Route 50 bridge and, on the northern side, by a line beginning at a

point (east tip of Ferry Point) defined by Lat. 38°58.820'N and Long. 76°14.627'W; then running approximately 92° True to a point ([[NW]] northwest tip of Long Point) defined by Lat. 38°58.798'N and Long. 76°13.825'W.

### 08.02.25 Gear

Authority: Natural Resources Article, §§4-215 and 4-221, Annotated Code of Maryland

#### .03 Recreational Gear — Tidal Waters.

##### A. Recreational Gear.

(1)—(3) (proposed text unchanged)

(4) *Chesapeake Bay and Its Tidal Tributaries — March 1 through April 30. A person recreationally angling in the Chesapeake Bay and its tidal tributaries during the period March 1 through April 30:*

(a) *When using fish, crabs, or worms as bait, or processed bait, shall only use a:*

(i) (proposed text unchanged)

(ii) *“J” hook with a gap of less than or equal to 1/2 inch between the point and the shank; and*

(b) *May not use stinger hooks[; and*

(c) *May not attempt to catch fish by trolling].*

(5) *Chesapeake Bay and Its Tidal Tributaries — March 1 through March 31. During the period March 1 through March 31:*

(a) *A person recreationally angling shall only use barbless hooks while trolling; and*

(b) *No more than six lines, regardless of the number of people on board a vessel, may be used for recreationally angling from a boat when trolling.*

(6) *Chesapeake Bay and Its Tidal Tributaries — April 1 through April 30. A person recreationally angling in the Chesapeake Bay and its tidal tributaries during the period April 1 through April 30 may not attempt to catch fish by trolling.*

[[5]] (7) (proposed text unchanged)

B.—G. (proposed text unchanged)

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

## Subtitle 02 FISHERIES SERVICE

### 08.02.10 Horseshoe Crabs

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

#### Notice of Final Action

[20-001-F]

On February 18, 2020, the Secretary of Natural Resources adopted amendments to Regulation .01 under **COMAR 08.02.10 Horseshoe Crabs**. This action, which was proposed for adoption in 47:1 Md. R. 21 (January 3, 2020), has been adopted as proposed.

**Effective Date: March 9, 2020.**

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

## Title 10 MARYLAND DEPARTMENT OF HEALTH

### Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

#### 10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions

Authority: Health-General Article, §§19-207 and 19-215, Annotated Code of Maryland

#### Notice of Final Action

[19-240-F-I]

On February 12, 2020, the Health Services Cost Review Commission adopted amendments to Regulation .02 under **COMAR 10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions**, which is incorporated by reference. This action was considered by the Commission at an open meeting held on February 12, 2020, notice of which was given through publication in the Maryland Register pursuant to General Provisions Article, §3-302, Annotated Code of Maryland. This action, which was proposed for adoption in 46:24 Md. R. 1107—1108 (November 22, 2019), has been adopted as proposed.

**Effective Date: March 9, 2020.**

NELSON J. SABATINI  
Chair  
Health Services Cost Review Commission

## Title 13A STATE BOARD OF EDUCATION

### Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS

#### 13A.05.12 Hearing Aid and Language and Communication Video Loan Bank

Authority: Education Article, §§2-205 and 8-601—8-606, Annotated Code of Maryland

#### Notice of Final Action

[19-224-F]

On January 28, 2020, the Maryland State Board of Education adopted amendments to Regulations .01—.03 under **COMAR 13A.05.12 Hearing Aid and Language and Communication Video Loan Bank**. This action, which was proposed for adoption in 46:23 Md. R. 1072—1073 (November 8, 2019), has been adopted with the nonsubstantive changes shown below.

**Effective Date: March 9, 2020.**