

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Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken.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an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.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

Notice of Proposed Action

[24-098-P]

The Secretary of Natural Resources proposes to amend Regulation .09 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to establish a dividing line in Swan Creek for nontidal and tidal waters. Dividing lines delineate those areas in which nontidal fishing licenses or Chesapeake Bay and coastal sport fishing licenses are required and nontidal or tidal fishing regulations apply.

The Department recently discovered that Swan Creek in Harford County does not currently have a dividing line for nontidal and tidal waters. Generally, when a water body that connects to the Chesapeake Bay, as Swan Creek does, does not have a designated dividing line, the entire water body is considered tidal. In many cases this is true; however, it is not true for Swan Creek which extends northwest past Interstate 95. The Department typically uses a clearly observed structure to delineate the dividing line to make it easy for the public to know where a nontidal fishing license or a tidal fishing license is required. For Swan Creek, Old Post Road is the nearest bridge over the creek to where the waters of the creek cease being affected by the ebb and flow of the tide.

The proposed action establishes a dividing line on Swan Creek at the bridge located on Old Post Road. Waters upstream of Old Post Road will be designated as nontidal waters, while waters downstream of Old Post Road will be designated as tidal waters.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action may have an impact on the Department and anglers; however, the actual impact is indeterminable.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
(1) Nontidal angler's licenses	(R+)	Indeterminable
(2) Chesapeake Bay and coastal sport fishing license	(R-)	Indeterminable
B. On other State agencies:	NONE	
C. On local governments:	NONE	
D. On regulated industries or trade groups:		
Recreational anglers	(+)	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(1). There could be an increase in nontidal angler's license sales since an individual will now need a nontidal license to fish above the dividing line. However, this action also provides additional fishing areas for individuals that already have a nontidal license. The actual magnitude is indeterminable.

A(2). There could be a decrease in Chesapeake Bay and coastal sport fishing license sales since an individual will now need a nontidal license to fish above the dividing line instead of the tidal license. The

actual magnitude is indeterminable because it is unknown how many individuals will be affected by this action.

D. The proposed action could benefit some anglers and could be a cost for others. There are several different scenarios that could happen with the license type needed for fishing in this area. The impact would be different for each situation, and the magnitude of the impact cannot be determined since the Department cannot predict the actions of anglers. There are anglers who currently purchase a nontidal angler’s license that will not be affected economically but will have another area to fish. Some anglers traditionally had to buy a Chesapeake Bay and coastal sport fishing license to fish in the area. They will now have to purchase a nontidal angler’s license to fish upstream of the dividing line. The cost of a nontidal angler’s license is \$20.50 per year. A Chesapeake Bay and coastal sport fishing license costs \$15 per year. Some individuals will only need one license type, and others will need both license types. The magnitude of the impact is indeterminable because the Department does not know the number of individuals that fish in those areas and which license type they currently purchase.

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 Tidal/Nontidal Dividing Lines, Regulatory Staff, Maryland Department of Natural Resources, 580 Taylor Avenue, E4, Annapolis, MD 21401, or call 410-260-8300, or submit comments at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#tidal>. Comments will be accepted through October 7, 2024. A public hearing has not been scheduled.

.09 Dividing Lines; Tidal and Nontidal Waters.

The following boundaries are designated as official dividing lines for tidal and nontidal waters. These boundary lines are for the purpose of delineating those areas in which nontidal fishing licenses or Chesapeake Bay and coastal sport fishing licenses are required and tidal or nontidal fishing regulations apply, and have no other legal significance.

A. Harford County.

(1)—(5) (text unchanged)

(6) *Swan Creek: bridge on Old Post Road.*

B.—M. (text unchanged)

JOSH KURTZ
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 Proposed Action

[24-106-P-I]

The Health Services Cost Review Commission proposes to amend Regulation .02 under **COMAR 10.37.10 Uniform Accounting and Reporting System for Hospitals and Related Institutions**.

Statement of Purpose

The purpose of this action is to update the Commission’s manual entitled “Accounting and Budget Manual for Fiscal and Operation Management (August 1987),” which has been incorporated by reference.

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 William Hoff, Chief, Audit and Integrity, Health Services Cost Review Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-2605, or email to william.hoff@maryland.gov. Comments will be accepted through October 7, 2024. 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 Accounting and Budget Manual for Fiscal and Operating Management (August 1987), Supplement 29, 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 51:1 Md. R. 8 (January 12, 2024), and is available online at www.dsd.maryland.gov. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.02 Accounting System; Hospitals.

A. The Accounting System.

(1) (text unchanged)

(2) The “Accounting and Reporting System for Hospitals”, also known as the Accounting and Budget Manual for Fiscal and Operating Management (August, 1987), is incorporated by reference, including the following supplements:

(a)—(z) (text unchanged)