

**Subtitle 03 FAMILY INVESTMENT  
ADMINISTRATION**

**07.03.17 Food Supplement Program**

Authority: Human Services Article, §§5-207, 5-501, and 5-604; State Government Article, §8-206; Annotated Code of Maryland Federal Regulatory Reference—7 CFR §§271—274

**Notice of Proposed Action**

[14-389-P]

The Secretary of Human Resources proposes to amend Regulations .30, .32, and .39 under COMAR 07.03.17 Food Supplement Program.

**Statement of Purpose**

The purpose of this action is to make technical changes that delete references to obsolete regulations and terminology.

**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 Andrea Shuck, Regulations Coordinator, Department of Human Resources, 311 West Saratoga Street #270, or call 410-767-7193, or email to Andrea.Shuck@Maryland.gov, or fax to 410-333-0637. Comments will be accepted through January 26, 2015. A public hearing has not been scheduled.

**.30 Income.**

A. (text unchanged)

B. Earned income includes:

(1)—(3) (text unchanged)

(4) Payments under Title I of the Domestic Services Act of 1973, such as the Volunteer in Service to America (VISTA) program when the individual was not receiving food [stamps] supplement or public assistance at the time of entry into the volunteer program.

C. Unearned income includes:

(1)—(5) (text unchanged)

(6) Foster care and subsidized guardianship payments only if the household chooses to include the foster care individual in the food [stamp] supplement household;

(7)—(14) (text unchanged)

D. (text unchanged)

**.32 Earned Income and Self-Employment Deductions.**

A. Earned Income Deduction. The local department:

(1) (text unchanged)

(2) May not include in the calculation of the earned income deduction any earnings excluded under Regulation [30D] .39B of this chapter.

B. The local department shall allow a deduction from self-employment income as described in Regulation [.39C and D] .39B of this chapter.

**.39 Self-Employment Income.**

A. (text unchanged)

B. Deduction. [With the exception of farmers as described in §C of this regulation, the] *The* local department shall allow a deduction of 30 percent of the gross receipts of self-employment income as the cost of producing income, *with the exception of the self-employment of farmers as described in §C of this regulation.*

C. (text unchanged)

TED DALLAS  
Secretary of Human Resources

**Title 08**

**DEPARTMENT OF NATURAL  
RESOURCES**

**Subtitle 02 FISHERIES SERVICE**

**08.02.01 General**

Authority: Natural Resources Article, §4-214, Annotated Code of Maryland

**Notice of Proposed Action**

[14-395-P]

The Secretary of Natural Resources proposes to amend Regulation .07 under COMAR 08.02.01 General.

**Statement of Purpose**

The purpose of this action is to maintain a geographically diverse network of license free fishing areas (LFFAs) throughout the state in order to promote sustainable fishing. LFFAs recruit anglers to fishing that may not otherwise try it if they had to pay a license fee. This action adds new LFFAs with a focus on youth, families and demographic diversity, as well as removes underperforming, unsafe, or unproductive areas.

In September 2013, an intra-Departmental survey was conducted to determine whether additional areas may be suitable for LFFA designation and to determine whether current LFFAs were no longer appropriate. Based on the results of this survey, the Department took those locations to the Sport Fisheries Advisory Commission at the April 2014 meeting. In May 2014, Department staff solicited comment from local jurisdictions that would be affected by the removal of sites and also asked for alternative sites. Based on all comments and evaluations, a finalized list of additions, removals, and sites marked for further study were submitted for public scoping. Based on the results of all evaluations and public input, the Department finalized the list of removals and additions to the LFFA program.

The proposed action adds LFFAs in Baltimore City, at the Canton Waterfront Park, Caroline County, at the Federalsburg Municipal Park, Frederick County, at Gambrill State Park, and Somerset County, at Janes Island State Park. These areas were chosen based on the quality of fishing, public safety, geographic distribution, and site usage by anglers. Two of the new sites are in State Parks which have nature centers, which allows for the potential to offer programs such as fishing clinics or tackle loaner programs to provide instruction and access to youth and adults who have never fished before to experience fishing in a supportive and safe location. The other two additions are well-used areas that provide adequate parking, park areas, and safe, family environments. The additions also expand the geographic distribution of LFFAs while keeping the total number of areas approximately the same. This action represents significant progress toward the long-term goal of ensuring that most Maryland residents live within one hour's drive of an area where they have the

opportunity to fish recreationally year-round without purchasing a fishing license.

The Department is removing LFFAs in Baltimore City, at the Hull Street Recreational Pier, Kent County, at the Worton Bridge over Still Pond Creek, Somerset County, at the Manokin River Park in Princess Anne, and Worcester County, at the dock at Cedar Hall Landing in Pocomoke City and the county bridge on Porter's Crossing Road over the Pocomoke River in Snow Hill. The Hull Street Recreational Pier is being removed because the site is now utilized by the Inner Harbor Ferry and has been posted with "No Fishing" signs. The bridge over Still Pond Creek is being removed because the site lacks safe parking near the bridge and safe fishing areas on the bridge. The Manokin River Park is being removed because it is a marginally performing site and the new site at Janes Island State Park will better serve Somerset County anglers. The dock at Cedar Hall Landing boat ramp is being removed because it is underutilized as it is a long drive for most users. The bridge on Porter's Crossing Road over the Pocomoke River is being removed because of unsafe parking and fishing conditions.

**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 have an economic impact on recreational anglers, but that impact is indeterminable.

**II. Types of Economic Impact.**

	Revenue (R+/R-)		Magnitude
	Expenditure (E+/E-)		
A. On issuing agency:			
(1) Short-term effects	(R-)		Indeterminable
(2) Long-term effects	(R+)		Indeterminable
B. On other State agencies:	NONE		
C. On local governments:	NONE		
	Benefit (+)		Magnitude
	Cost (-)		
D. On regulated industries or trade groups:	NONE		
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). It is possible that the Department may see a small drop in license sales due to the fact that new license free fishing areas are being created. If anglers only fish those areas, they will no longer need to purchase a license. It is not known how many anglers fish at the new license free fishing areas exclusively, so it is not possible to determine the possible extent in the decrease in revenue.

A(2). The Department anticipates that by creating new license free fishing areas in better and more diverse locations, individuals with no previous fishing experience may be more likely to try fishing. Assuming those individuals enjoy the experience, the hope is that they will then become license purchasers, increasing Department

revenues in the long-term. Because it is not known at this time how many new anglers will visit the new license free fishing areas, or how many of those new anglers will ultimately purchase fishing licenses to be able to go fishing elsewhere, the economic impact is indeterminable.

**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 an impact on individuals with disabilities as follows:

The proposed action adds license free fishing areas that provide access to individuals with disabilities and removes license free fishing areas that were possibly dangerous or inaccessible to individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to License Free Fishing Area Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, 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 January 26, 2015. A public hearing has not been scheduled.

**.07 Recreational Fishing License and Registration.**

- A.—C. (text unchanged)
- D. Free Fishing Areas in Tidal Waters. An individual fishing in an area described in this section shall be registered in accordance with Natural Resources Article, §4-745, Annotated Code of Maryland and is exempt from all other license fees and requirements.
  - [(1) North East — North East Community Park at mouth of North East Creek.
  - (2) Chestertown — Maryland Route 213 Bridge over Chester River.
  - (3) Cambridge — Long Wharf from south end of city-owned bulkhead associated with the Municipal Yacht Basin within Cambridge Creek to the end of east breakwater at mouth of the Municipal Yacht Basin.
  - (4) Denton — Pier associated with G. Daniel Crouse Memorial Park on the east side of Choptank River north of Maryland Route 404 Bridge.
  - (5) Sharptown — Pier and town dock off Ferry Street on the Nanticoke River.
  - (6) Salisbury — Designated city-owned bulkhead on the Wicomico River between Mill Street and Division Street.
  - (7) Snow Hill — All city-owned riverfront property, which includes Byrd Park, Sturgis Park, and city bulkheading adjacent to the municipal parking lot near the Route 12 bridge over the Pocomoke River.
  - (8) Pocomoke City — City docks from Laurel Street boat ramp to U.S. Route 13 overpass and Winter Quarter dock on Pocomoke River.
  - (9) Havre de Grace — Tydings Memorial Park within designated area, and pier at the end of Congress Street.
  - (10) Baltimore County — Cox's Point on Back River and Deep Creek.
  - (11) Baltimore City — Canton Recreational Pier at Boston Street, Hull Street Recreational Pier, and Middle Branch Park from fishing pier south of the Hanover — Pottee Street Bridges, to Hanover Street Bridge over Middle Branch.
  - (12) Annapolis — Maryland Route 450 bridge over the Severn River.
  - (13) Worton — Bridge No. K-004 over Still Pond Creek on Still Pond Creek Road near Chestertown.

(14) Snow Hill — County bridge on Porter's Crossing Road west of U.S. Route 113 and east of Route 354 and Pocomoke River.

(15) Pocomoke City — County-owned dock at Cedar Hall Landing near western terminus of Route 371 on Pocomoke River.

(16) Wicomico County — Tyaskin Park — County-owned park on Wetipquin Creek west of Route 349 at Tyaskin.

(17) Charles County — Friendship Landing — County-owned pier and property adjacent to the pier off Friendship Landing Road southeast of Ironsides Riverside Road (Route 425) on Nanjemoy Creek.

(18) Cecil County — Charlestown — Town-owned stone wharf on the Northeast River near the corner of Conestoga and Water Streets and the historic site of Charlestown Wharf.

(19) Princess Anne — The Manokin River Park along approximately 350 feet of the south bank of the Manokin River west of the bridge at Somerset Avenue and the west side of that bridge.

(20) Ocean City — Northside Park — Town-owned pier and park at 125th Street.

(21) Ocean City — Chicago Avenue — Bulkhead between 2nd and 4th Streets.]

(1) Anne Arundel County — Annapolis — Maryland Route 450 bridge over the Severn River.

(2) Baltimore County — Cox's Point on Back River and Deep Creek.

(3) Baltimore City:

(a) Canton Recreational Pier at Boston Street Pier Park;

(b) Canton Waterfront Park; and

(c) Middle Branch Park from fishing pier south of the Hanover — Potee Street Bridges, to Hanover Street Bridge over Middle Branch.

(4) Caroline County:

(a) Denton — Pier associated with G. Daniel Crouse Memorial Park on the east side of Choptank River north of Maryland Route 404 Bridge; and

(b) Federalsburg Municipal Park — City-owned bulkhead, pier and banks within park boundaries on Marshyhope Creek.

(5) Cecil County:

(a) Charlestown — Town-owned stone wharf on the Northeast River near the corner of Conestoga and Water Streets and the historic site of Charlestown Wharf; and

(b) North East — North East Community Park at mouth of North East Creek.

(6) Charles County — Friendship Landing — County-owned pier and property adjacent to the pier off Friendship Landing Road southeast of Ironsides Riverside Road (Route 425) on Nanjemoy Creek.

(7) Dorchester County — Cambridge — Long Wharf from south end of city-owned bulkhead associated with the Municipal Yacht Basin within Cambridge Creek to the end of east breakwater at mouth of the Municipal Yacht Basin.

(8) Harford County — Havre de Grace:

(a) Tydings Memorial Park within designated area; and

(b) Pier at the end of Congress Street.

(9) Kent County — Chestertown — Maryland Route 213 Bridge over Chester River.

(10) Somerset County — Janes Island State Park — Bulkhead area on Daugherty Creek within the boundaries of Janes Island State Park.

(11) Wicomico County:

(a) Salisbury — City-owned bulkhead on the Wicomico River between Mill Street and Division Street;

(b) Sharptown — Pier and town dock off Ferry Street on the Nanticoke River; and

(c) Tyaskin Park — County-owned park on Wetipquin Creek west of Route 349 at Tyaskin.

(12) Worcester County:

(a) Pocomoke City — City docks from Laurel Street boat ramp to U.S. Route 13 overpass and Winter Quarter dock on Pocomoke River;

(b) Snow Hill — County bridge on Porter's Crossing Road west of U.S. Route 113 and east of Route 354 on the Pocomoke River; and

(c) Ocean City:

(i) Bulkhead on Chicago Avenue between 2nd and 4th Streets; and

(ii) Northside Park — Town-owned pier and park at 125th Street.

E. Free Fishing Area in Nontidal Waters.

(1) An individual fishing in the area described in this section is exempt from all license and stamp requirements.

(2) Frederick County — Gambrill State Park — Banks of the one acre pond located within Gambrill State Park boundaries, near the Park's campground.

JOSEPH P. GILL

Secretary of Natural Resources

## Title 10

# DEPARTMENT OF HEALTH AND MENTAL HYGIENE

## Subtitle 11 MATERNAL AND CHILD HEALTH

### 10.11.04 Lead Poisoning Screening Program

Authority: Education Article, §7-403; Environmental Article, §6-303; Health-General Article, §§2-104(b) and 18-106; Annotated Code of Maryland

#### Notice of Proposed Action

[14-390-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .04 under COMAR 10.11.04 Lead Poisoning Screening Program.

#### Statement of Purpose

The purpose of this action is to require physician office and point-of-care laboratories that perform whole blood lead testing on CLIA waived analyzers to comply with the proposed reporting requirements of COMAR 10.10.03.02B(36) and C. Currently, Health-General Article, §6-303(a)(3), provides that "medical laboratories that perform blood level testing shall report to the Department the results of blood lead level tests".

Consequently, as a result of the recommendations provided by the Maryland Task Force for Point-of-Care Testing and the Laboratory Advisory Committee; and upon the approval and consent of the Maryland Department of the Environment, health care providers will be required to report point-of-care lead test results to MDE's childhood lead registry.

The proposed amendment for COMAR 10.11.04.04 imposes reporting requirements to ensure timely follow-up for patients and to provide essential data for public health surveillance.

The proposed reporting requirements requests information concerning:

- (1) Demographics;
- (2) Type of specimen;
- (3) Name and address of the clinic;
- (4) Name and address of the draw site;