

surrogate, legal guardian and other persons who are able to contribute relevant information to the best interests determination made under this section, *unless doing so will create undue delay in placement.*

(4) — (6) (text unchanged)

C. — L. (text unchanged)

TED DALLAS
Secretary of Human Resources

Subtitle 03 FAMILY INVESTMENT ADMINISTRATION

07.03.03 Family Investment Program

Authority: Human Services Article, §5-207 and Title 5, Subtitle 3, Annotated Code of Maryland; Ch. 469, Acts of 2009; *Public Law 112-96*

Notice of Proposed Action

[14-360-P]

The Secretary of Human Resources proposes to amend Regulation .16 under **COMAR 07.03.03 Family Investment Program**.

Statement of Purpose

This regulation, in compliance with the federal Middle Class Tax Relief and Job Creation Act of 2012, prohibits Temporary Cash Assistance (TCA) recipients from using electronic benefit transfer (EBT) cards at any establishments whose primary purpose is gambling, adult entertainment, or the sale of liquor, wine, and beer. In addition, the regulation requires TCA recipients to sign a form developed by the Family Investment Administration acknowledging this prohibition and agreeing to abide by specified conditions.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

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 W. Saratoga St., Room 265, Baltimore, MD 21201, or call 410-767-2149, or email to andrea.shuck@maryland.gov, or fax to 410-333-0637. Comments will be accepted through January 12, 2015. A public hearing has not been scheduled.

.16 Method of Payment.

A. — B. (text unchanged)

C. *In accordance with federal law, TCA recipients may not access their TCA benefits through their EBT cards or use their EBT cards at an automated teller machine (ATM) or point of sale (POS) machine in any establishment whose primary purpose is:*

- (1) *Gambling, including, but not limited to, a casino, a business containing slot machines, race tracks, or off-track betting businesses;*
- (2) *Adult entertainment in which individuals disrobe for an audience, including, but not limited to, strip clubs, adult clubs, or online pornography; or*
- (3) *The sale of liquor, wine, and beer, including, but not limited to, liquor stores, bars, or package good stores.*

D. *Applicants and recipients must sign a form developed by the Family Investment Administration indicating that they understand the prohibition in §C of this regulation and agree to abide by the conditions of this regulation, including the following:*

(1) *A recipient who violates the requirements of this regulation the first time shall receive a warning that the recipient's access to TCA benefits on the EBT card is in danger of being revoked;*

(2) *A recipient in violation a second time shall have the access to TCA benefits on the EBT card revoked for a minimum of 1 year;*

(3) *A recipient in violation a third time shall have the access to TCA benefits on the EBT card revoked permanently;*

(4) *Recipients whose access to TCA benefits on the EBT cards has been revoked shall be required to provide checking or savings account information to the Family Investment Administration or EBT staff for direct deposit of their assistance benefits;*

(5) *TCA recipients not able to provide checking or savings account information shall be issued a paper check;*

(6) *Cash benefits on direct deposit may not be replaced if lost or stolen;*

(7) *Paper checks mailed to customers may be replaced one time when the customer reports the check was not received or it was stolen, within 30 days of issuance; and*

(8) *A recipient who is requesting a replacement TCA paper check because of theft shall provide a police report of the theft.*

[C.] E. — [J.] L. (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, §4-701, Annotated Code of Maryland

Notice of Proposed Action

[14-382-P]

The Secretary of Natural Resources proposes to amend Regulation .05 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to modify the number of commercial fishing license authorization targets. The proposed action makes modifications to the authorization targets to reflect the number of tidal fish license conversions and the number of licenses the Department purchased from license holders up to April 1, 2014. It does not include changes or conversions made in the 2014—2015 license year. Prior to September 1, 2012, a licensee could convert (upgrade) multiple authorizations to an unlimited tidal fish license (UTFL). The law changed and upgrades are no longer allowed; however the law now allows the conversion (downgrade) of a UTFL into its individual component authorizations. Downgrading a UTFL decreases the UTFL target and increases the target of each license type that is included in a UTFL (resident fishing guide (FGR), unlimited finfish harvester (FIN), crab harvester 300 pot (CB3), clam harvester (CLM), oyster harvester (OYH), oyster dredge boat (ODB), and conch turtle lobster (CTL)). The number and type of authorizations involved in an upgrade to a UTFL, a downgrade of a

UTFL, and those purchased by the Department provide the basis for changes to the license authorization target levels.

During the 2011/2012 license renewal period, there were 24 upgrades to a UTFL. The authorizations relinquished in order to upgrade to the UTFL consisted of 4 FGR, 16 finfish hook and line (HLI), 8 FIN, 24 limited crab harvester (LCC), 1 CB3 and 21 OYH.

During the 2012/2013 license renewal period, there were 37 upgrades to a UTFL. The authorizations relinquished in order to upgrade to the UTFL consisted of 8 FGR, 22 HLI, 10 FIN, 35 LCC (34 LCC and 1 male only LCC), 2 CB3, 3 CLM and 31 OYH. Also, during the 2012/2013 license renewal period, 4 individuals downgraded their UTFL which decreased the UTFL target and increased the targets for the license types included in the UTFL.

During the 2013/2014 license renewal period, 6 individuals downgraded their UTFL. Applicants could choose which license components of the UTFL they wanted to retain. In summary, the UTFL number is decreased by 6 and the number for FIN, CLM, OYH, ODB, and CTL is increased by 6 each, FGR increased by 5, FGN increased by 1, CB3 increased by 3, and LCC increased by 2.

The license buyback program occurred during 2010, 2011 and 2012. During that period the Department purchased a total of 683 LCC, 11 CB3, 5 CB6, 9 CB9 and 97 UTFL authorizations from license holders. Most of the buybacks have been accounted for in previous regulation packages. The proposed action increases the LCC target by 5 because the previous regulation proposals were incorrect due to being proposed prior to final calculations. Previous regulation proposals only account for 82 of the UTFL and 9 of the CB3 buybacks. The proposed action decreases the UTFL target by 15 and the CB3 by 2 in order to capture all of the authorizations that were purchased.

The target for the crab harvester 600 pot (CB6) and crab harvester 900 pot (CB9) was set on September 1, 1998 based on the number of authorizations at that time. Based on that criterion, the target for CB6 was 225 and the target for CB9 was 404. That number was not previously included in the regulation. During the license buyback period, 5 CB6 and 12 CB9 authorizations were bought back by the Department. The proposed action includes the revised number for those authorizations in the table so that all authorization targets are in one location.

The proposed action creates a category for LCC licenses that have been designated as male only (LCCM). This license type was created by regulation in 2010. At the time, there were a total of 489 LCCs designated as male only licenses. The target has been adjusted by subtracting license buybacks (27) and upgrades (1) and is proposed in this regulation.

The proposed action shows the target number for each authorization available after all of the additions and subtractions. The targets are correct as of April 1, 2014. References to the apprenticeship program have been removed in this action since the apprenticeship program was removed from the Natural Resources Code in 2012. The Tidal Fisheries Advisory Commission was consulted regarding these changes at their July 2014 meeting.

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 License Target 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 12, 2015. A public hearing has not been scheduled.

.05 Targets for the Number of Tidal Fish License Authorizations and Apprenticeship Permits.

A. The targets for the number of tidal fish license authorizations issued by the Department are the number of authorizations issued between September 1, 1998, and March 31, 1999, including adjustments made annually according to specifications listed in §B of this regulation, listed by the following categories:

Abbreviation	Authorization	Number
FGR	Fishing Guide Resident	[474] 471
FGN	Fishing Guide Nonresident	[56] 57
HLI	Finfish—Hook and Line	[282] 244
FIN	Unlimited Finfish Harvester	[261] 253
LCC	Limited Crab Harvester	[3,082] 2,598
LCCM	Limited Crab Harvester—Male Only	461
CB3	Crab Harvester—300 Pots	[249] 252
CB6	Crab Harvester—600 Pots	220
CB9	Crab Harvester—900 Pots	392
CLM	Clam Harvester	[14] 21
OYH	Oyster Harvester	[728] 686
ODB	Oyster Dredge Boat	[3] 13
CTL	Conch, Turtles, and Lobster Harvester	[10] 20
TFL	Unlimited Tidal Fish	[2,074] 2,110

B. The targets for the number of tidal fish licenses may be modified based on:

(1)—(4) (text unchanged)

(5) The number of license conversions made in accordance with Natural Resources Article, [§4-701(k)] §4-701(m), Annotated Code of Maryland; and

(6) (text unchanged)

C. Except for authorizations relinquished for conversions made in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland, authorizations that are revoked or voluntarily relinquished to the Department may be reallocated to individuals [who have completed the criteria for the tidal fish license apprenticeship program] on the commercial license waiting list maintained by the Department.

[D.] — [I.] (proposed for repeal)

JOSEPH P. GILL
Secretary of Natural Resources