

CALENDAR OF EVENTS/HEARING NOTICES

CALENDAR

June 2020

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission held a public hearing on **Wednesday, May 13, 2020** beginning at **1:30 p.m.** In light of COVID-19 mitigation measures in effect for DRBC member states, the Commission conducted the public hearing by telephone rather than at the Commission's office building in West Trenton, New Jersey as previously posted. Please check the Commission's website, www.drbc.gov, on or after April 30, 2020 for details regarding the resolutions and draft docket decisions that were the subjects of the public hearing.

The Commission's quarterly business meeting will be held on **Wednesday, June 10, 2020**, beginning at **10:30 a.m.** Although the Commission has reserved the West Trenton Volunteer Fire Company facility at 40 West Upper Ferry Road, Ewing, NJ 08628 for this meeting, COVID-19 mitigation measures then in effect may compel the Commission to conduct the meeting remotely. Please check the Commission's website, www.drbc.gov, on or after May 27, 2020 to learn whether the meeting format will be in-person or remote, and if the latter, how to attend.

For additional information, please visit the DRBC website at www.drbc.gov or contact Denise McHugh at denise.mchugh@drbc.gov or Patricia Hausler at patricia.hausler@drbc.gov.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on June 18, 2020 at a location to be determined.

DEPARTMENT OF INSURANCE

Office of the Commissioner

PUBLIC NOTICE

902 Prohibited Unfair Claim Settlement Practices

In the May 1, 2020 edition of the *Register of Regulations*, the Department published a proposal to update and clarify requirements concerning prohibited unfair claim settlement practices that are set forth in Regulation 902 (see 23 DE Reg. 920 (05/01/2020)). In that proposal, the Department proposed adding new subsection 3.1.14, which included a failure to promptly settle a claim as required under Regulation 903 as an unfair claim settlement practice. The Department also took the opportunity of the proposal to make grammatical and formatting edits throughout the regulation.

Upon further review, the Department has determined not to proceed with proposed new subsection 3.1.14 and is hereby withdrawing that proposal, as violations of Regulation 903 are already a defined unfair claims settlement practice.

Instead, the Department proposes to add new subsection 3.2, which would specifically provide that three instances of an insurer's commission of a prohibited claim settlement practice within a 36 month period, as listed in subsection 1.2.1 (to be recodified at subsection 3.1), shall give rise to a rebuttable presumption that the insurer is in violation of this regulation and 18 **Del.C.** §2304(16)f. The Department is again taking the opportunity of this re-proposal to make grammatical and formatting edits throughout the regulation.

The Delaware Code authority for the regulation is 18 **Del.C.** §§311 and 2312.

The Department has determined to hold a virtual public hearing on the proposed amendments to Regulation 902 on **Monday, June 22, 2020 at 9:00 a.m.** The hearing will be facilitated through WebEx at <https://stateofdelaware.webex.com/stateofdelaware/j.php?MTID=mdc3082cf09b007a81f58a8a9886c92a1> meeting

number (access code): 712 562 634 and meeting password: wsES2uneP24.

Holding a virtual public meeting is specifically permitted by Paragraph 5 of the Declaration of a State of Emergency for the State of Delaware due to a Public Health Threat issued by Governor John Carney on March 12, 2020 and extended without modification on April 10, 2020 and May 8, 2020.

The proposed amendments appear below and may also be viewed at the Department of Insurance website at <http://insurance.delaware.gov/information/proposedregs/>.

Any person may file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendments to the regulation. Any written submission in response to this notice and relevant to the proposed amendments must be received by the Department of Insurance no later than 4:30 p.m. EST, the 7th day of July 2020. Any such requests and any questions concerning connecting to the public hearing should be directed to:

Leslie W. Ledogar, Regulatory Specialist
Delaware Department of Insurance
ATTN: Docket 4259-2020
1351 West North Street, Suite 101
Dover, DE 19904
(302) 674-7379
Email: Leslie.Ledogar@delaware.gov

DEPARTMENT OF LABOR
Division of Unemployment Insurance
PUBLIC NOTICE
1202 Unemployment Insurance Regulations

The Delaware Department of Labor, Division of Unemployment Insurance proposes this revised regulation in accordance with Sections 3122 and 3317(a) of Title 19 of the **Delaware Code** to establish procedures for employers to provide notice to claimants at the time the individual becomes unemployed of their rights to file an unemployment claim.

The Delaware Department of Labor, Division of Unemployment Insurance solicits written comments from the public concerning the proposed revised regulation. Any such comments should be submitted to the Director of the Division of Unemployment Insurance, Darryl Scott, by mail to: Delaware Division of Unemployment Insurance, P.O. Box 9950, Wilmington, DE 19809-0950, or by email to: Darryl.Scott@delaware.gov. Written comments must be received by Mr. Scott on or before **July 1, 2020** to be considered prior to the adoption of the proposed revised regulation. Copies of the proposed revised regulation are available upon request.

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL
CONTROL**

Division of Fish and Wildlife
PUBLIC NOTICE

3503 Striped Bass Recreational Fishing Seasons; Methods of Take; Creel Limit; Possession Limit
3504 Striped Bass Possession Size Limit; Exceptions

The mandatory provisions of the Atlantic States Fisheries Commission's (ASMFC's) Addendum VI to Amendment 6 to the Atlantic Striped Bass Interstate Fishery Management Plan require a coastwide 18% reduction in striped bass removals (landings + discard mortality). The ASMFC adopted specific, prescribed coastwide management measures to meet the required 18% reduction, but these measures are not preferred for Delaware. Delaware developed two management options that were approved by the ASMFC that, if implemented by the Department, would be equivalent to the specific coastwide management measures in Addendum VI. The first

option results in a 1.8% reduction in commercial removals and a 20.4% reduction in recreational removals. The second option results in an 18% reduction in commercial removals and an 18.18% reduction in recreational removals.

The hearing record on the proposed changes to 7 **DE Admin. Code** 3503 Striped Bass Recreational Fishing Seasons; Methods of Take; Creel Limit; Possession Limit and 7 **DE Admin. Code** 3504 Striped Bass Possession Size Limit; Exceptions opens June 1, 2020 (Hearing Docket No. 2020-R-F-015). Individuals may submit comments regarding the proposed new regulation to the Hearing Officer via the online comment form at <https://dnrec.alpha.delaware.gov/public-hearings/comment-form/>, via email to DNRECHearingComments@delaware.gov, or via USPS to Theresa Newman, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE, 19901. Public comments will be received until close of business July 10, 2020.

A virtual public hearing on the proposed amendment will be held on Thursday, June 25, 2020 beginning at 6:00 PM. For additional information on this proposed regulatory promulgation, visit <https://de.gov/dnrechearings>. Please note that live comments will not be accepted during the virtual hearing.

DEPARTMENT OF STATE
Division of Professional Regulation
1900 Board of Nursing
PUBLIC NOTICE

The Delaware Board of Nursing, pursuant to 24 **Del.C.** §1904(c) and 1934(a)(1), proposes to revise its regulations to update its regulations pertaining to APRN Education Programs in Delaware. There are currently no regulations setting forth the requirements or guidelines for such programs, so the Board is proposing new regulations to do so. The proposed changes also strike redundant or unnecessary regulations or make changes to comply with current law and practice.

The Board will hold a public hearing on the proposed regulation changes on July 8, 2020 at 9:00 a.m., Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Dr. Pamela Zickafoose, Executive Director of the Delaware Board of Nursing, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until July 23, 2020 pursuant to 29 **Del.C.** §10118(a).

Public Service Commission
PUBLIC NOTICE
8003 Natural Gas Service Reliability and System Planning Standards

The Delaware Public Service Commission ("Commission") proposes to issue regulations governing distribution system planning for natural gas public utilities.

You can review the proposed regulations in the June 1, 2020 *Delaware Register of Regulations*. You can also review the Order and the proposed regulations in the Commission's electronic filing system DelaFile at <http://delafile.delaware.gov/> and for docket number input 18-0935. If you wish to obtain written copies of the Order and proposed regulations, please contact the Commission at (302) 736-7500. Copies in excess of the first 20 pages are \$0.10 per page. Payment is expected at the time of copying (if you wish the copies to be mailed) or at the time the copies are retrieve (if you wish to retrieve them in person).

Pursuant to 29 **Del.C.** §10118(a), written comments on the proposed regulations will be accepted until **Wednesday, July 1, 2020**. They can be filed electronically in DelaFile at <http://delafile.delaware.gov/> by completing the Public Comment form located under Public Links. Written comments can also be mailed to Matthew Hartigan, Public Service Commission, 861 Silver Lake Boulevard, Suite 100, Dover, DE 19904, or emailed to him at matthew.hartigan@delaware.gov with the subject line "Docket No. 18-0935".

DEPARTMENT OF TRANSPORTATION

Division of Transportation Solutions

PUBLIC NOTICE

2404 Delaware Traffic Calming Design Manual

Pursuant to the authority provided by 29 *Del. C.* §8404(8), the Delaware Department of Transportation (DelDOT), adopted the 2404 Delaware Traffic Calming Design Manual.

The Department, through its Division of Transportation Solutions ("DelDOT"), seeks to repeal Section 2404 of Title 2 of the Delaware Administrative Code. The regulation covers the design and study guidelines for traffic calming devices/applications by the Department of Transportation. Based on current operating procedures, this regulation is no longer necessary and can be repealed.

DelDOT will take written comments on these proposed general revisions to Section 2404 of Title 2, Delaware Administrative Code, from June 1, 2020 through July 1, 2020. The public may submit their comments to:

Peter Haag, Chief of Traffic Engineering, Traffic Engineering Section

(peter.haag@delaware.gov) or in writing to his attention,

Delaware Department of Transportation

169 Brick Store Landing Road

Smyrna, DE 19977
