

DEPARTMENT OF AGRICULTURE

HARNESS RACING COMMISSION

PUBLIC NOTICE

501 Harness Racing Rules and Regulations

The Delaware Harness Racing Commission (DHRC) pursuant to 3 Del.C. §10005, proposes to amend its rules and regulations. The proposed regulation changes address needed amendments to the "Lasix rules" thereby allowing rules more favorable to the welfare of the horse.

After discussions, which included technical experts, regulatory officials, and harness racing stakeholders, on April 6, 2018, the DHRC Rules Committee voted to recommend this rule amendment package to the full DHRC. On April 10, 2018, at its regular monthly meeting, the DHRC unanimously approved these proposed amendments. The DHRC rules committee meetings and DHRC regular monthly meetings are publicly noticed open meetings. Subsequent to the initial 30-day comment period from May 1 to 31, 2018 and notice in the *Register of Regulations*, the DHRC plans to finalize the regulations on June 12, 2018 during its regularly scheduled monthly meeting. The meetings are held at the Delaware Department of Agriculture, 2320 South DuPont Highway Dover, DE at 10:00am. Written comments must be received by COB June 1, 2018. Those comments should be sent to the same address listed above for meeting location, attention Mr. Mark Davis.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, May 17, 2018 at 5:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE

PUBLIC NOTICE

Long Term Care Medicaid

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Medicaid and Medical Assistance (DMMA) is proposing to amend Long Term Care Medicaid, specifically, to add additional application methods.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to, Planning, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to Nicole.M.Cunningham@state.de.us, or by fax to 302-255-4413 by 4:30 p.m. on May 31, 2018. Please identify in the subject line: Long Term Care Medicaid.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

DIVISION OF PUBLIC HEALTH

PUBLIC NOTICE

4458A Cottage Food Regulations

Health Systems Protection Section (HSP), Division of Public Health, Department of Health and Social Services, is proposing revisions to the regulations governing Cottage Foods. On May 1, 2018, the Division of Public Health plans to publish as "proposed" revised Cottage Food Regulations. The revisions include requirements related to food allergens, the length of time permits are valid for and other technical corrections.

Copies of the proposed regulations are available for review in the May 1, 2018 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Division of Public Health at (302) 744-4951.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Elisabeth Scheneman by Friday, June 8, 2018, at:

Elisabeth Scheneman
Division of Public Health
417 Federal Street
Dover, DE 19901
Email: Elisabeth.scheneman@state.de.us
Phone: (302) 744-4951

DEPARTMENT OF LABOR
DIVISION OF INDUSTRIAL AFFAIRS
OFFICE OF LABOR LAW ENFORCEMENT
PUBLIC NOTICE
1322 Prevailing Wage Regulations

The State of Delaware, Department of Labor's Division of Industrial Affairs ("the Division") hereby gives notice of its intention to adopt amended regulations pursuant to the General Assembly's delegation of authority to do so found at 29 **Del.C.** §10111(1).

The Department solicits, and will consider, timely filed written comments from interested individuals and groups concerning these proposed amended regulations. The deadline for the filing of such written comments will be fifteen (15) days after the public hearing is held on these regulations on May 21, 2018. Members of the public may receive a copy of the proposed regulation at no charge by United States Mail by writing or calling Anthony DeLuca, Division of Industrial Affairs, Delaware Department of Labor, 4425 North Market Street, Wilmington Delaware 19802, telephone number 302-761-8317. Members of the public may present written comments on the proposed regulation by submitting such written comments to Mr. DeLuca at the address of the Delaware Department of Labor as set forth above. Written comments must be received on or before June 5, 2018.

In accordance with procedures set forth in 29 **Del.C.**, Ch. 11, Subch. III and 29 **Del.C.** §10111(1), the Department of Labor is proposing to amend its regulations for the Prevailing Wage Law as described in 29 **Del.C.** §6960. The proposed amendments will limit the number of fringe benefits deductions the Department will recognize; expand the scope of the circumstances under which the Department shall hold administrative hearings; and make minor changes to the conduct of those hearings themselves.

DEPARTMENT OF STATE
DIVISION OF HISTORICAL AND CULTURAL AFFAIRS
PUBLIC NOTICE
902 Curation Fee For Archaeological Collections

The purpose of these proposed regulations is to establish a fee structure to help offset the ever-rising costs associated with the long-term care, management and conservation of the State's preexisting and future archaeological collections and associated documents. These collections are generated through federally-mandated regulation, municipal directive and by professional, semi-professional and avocational endeavors within the State. Archaeological collections are regarded as an irreplaceable, non-renewable resource.

The Department of State has charged the Division of Historical and Cultural Affairs with the duties relative to archaeology in the state (7 **Del.C.** Ch.53, and 29 **Del.C.** §8705) and defines the Division as a qualified repository for the State's archeological collections (7 **Del.C.** §5311). To care for Delaware's archaeological collections the Division adheres to modern professional practices and collections standards. Foremost of these are the federal regulations defined in Title 36 CFR Part 79, Curation of Federally-Owned and Administered Archaeological Collections. These regulations provide methods to fund curatorial services (36 CFR §79.7) and specify, in general, that charging costs for curatorial activities is a reasonable means of funding long-term care of collections.

The statutory authority through which these proposed regulations are created are pursuant to 7 **Del.C.** §5302 which authorizes the Division, with the approval of the Department of State, to promulgate regulations as it deems necessary for the effective execution of its purpose under the chapter, Archaeological Resources in the State. New archaeological collections accepted by the Division will be subject to the curation fee established here, unless waived by the Division Director. This fee will be applied in its entirety to the long-term care, management and conservation of the State's preexisting and future archaeological collections and associated documents.

PLEASE TAKE NOTICE, pursuant to 29 **Del.C.** Ch. 101, the Division of Historical and Cultural Affairs proposes regulations pursuant to its authority under 7 **Del.C.** Ch. 53, 7 **Del.C.** §5302, 29 **Del.C.** §8705. The Division will receive and

consider all written comments on the proposed rules and regulations related to implementation of a Curation Fee for Archaeological Collections. Submit comments to the Division in care of Timothy A. Slavin, Director, Division of Historical and Cultural Affairs, 21 The Green, Dover, DE 19901. The final date to submit comments is May 31, 2018. Anyone wishing to obtain a copy of the proposed rules and regulations should notify Timothy A. Slavin at the above address or call 302-736-7400. This notice will be published in two newspapers of general circulation.