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**By: Delegate Edwards**

Introduced and read first time: January 31, 1996

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

**2 Jennings Randolph Lake - Department of Natural Resources - Regulatory Authority**

3 FOR the purpose of authorizing the Department of Natural Resources to adopt boating  
4 regulations exclusively applicable to Jennings Randolph Lake; requiring that the  
5 regulations be developed in coordination with the State of West Virginia and allow  
6 for joint enforcement in accordance with the Jennings Randolph Lake Project  
7 Compact; providing that the regulations may differ from certain Maryland laws that  
8 would otherwise apply; specifying matters the regulations may address; and  
9 generally relating to the Department of Natural Resources' regulatory authority and  
10 implementation of the Jennings Randolph Lake Project Compact.

11 BY adding to

12 Article - Natural Resources  
13 Section 8-703.2  
14 Annotated Code of Maryland  
15 (1990 Replacement Volume and 1995 Supplement)

16 Preamble

17 WHEREAS, The legislatures of Maryland and West Virginia have both enacted the  
18 Jennings Randolph Lake Project Compact, relating to the joint management of Jennings  
19 Randolph Lake located in Garrett County, Maryland and Mineral County, West Virginia,  
20 and ratification of the Compact is currently pending in Congress; and

21 WHEREAS, Under the Compact, each state is to have concurrent jurisdiction for  
22 the purpose of enforcing the laws of the respective states pertaining to natural resources  
23 and boating activities at the Lake; and

24 WHEREAS, Differences in the boating laws of the respective states would result in  
25 an untenable situation for boaters on the Lake; and

26 WHEREAS, In order to effectively coordinate management and enforcement of  
27 boating activities on the Lake in accordance with the intent of the Compact, it is  
28 necessary that the Department of Natural Resources have flexibility in regulating boating  
29 activities on the Lake in coordination with the State of West Virginia; now, therefore,

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1       SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3           **Article - Natural Resources**

4 8-703.2.

5           (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, THE  
6 DEPARTMENT MAY ADOPT BOATING REGULATIONS EXCLUSIVELY APPLICABLE TO  
7 JENNINGS RANDOLPH LAKE.

8           (B) REGULATIONS ADOPTED UNDER THIS SECTION:

9               (1) SHALL BE DEVELOPED IN COORDINATION WITH THE STATE OF  
10 WEST VIRGINIA;

11               (2) SHALL ALLOW FOR JOINT ENFORCEMENT OF BOATING ACTIVITIES  
12 BY MARYLAND AND WEST VIRGINIA AUTHORITIES IN ACCORDANCE WITH THE  
13 JENNINGS RANDOLPH LAKE PROJECT COMPACT; AND

14               (3) MAY DIFFER FROM MARYLAND BOATING LAWS THAT WOULD  
15 OTHERWISE APPLY.

16           (C) REGULATIONS ADOPTED UNDER THIS SECTION MAY:

17               (1) PROVIDE AGE LIMITS FOR THE OPERATION OF A VESSEL;

18               (2) ESTABLISH VESSEL NOISE LIMITS;

19               (3) IMPOSE SAFETY REQUIREMENTS REGARDING VESSELS;

20               (4) IMPOSE OTHER STANDARDS AND REQUIREMENTS FOR THE  
21 OPERATION OF A VESSEL;

22               (5) PROVIDE FOR RULES OF THE ROAD FOR VESSELS;

23               (6) PROVIDE REQUIREMENTS REGARDING THE OPERATION OF  
24 PERSONAL WATERCRAFT;

25               (7) IMPOSE RESTRICTIONS ON THE OPERATION OF VESSELS WHILE  
26 TOWING AN INDIVIDUAL ON WATER SKIS OR SIMILAR DEVICES; AND

27               (8) ADDRESS OTHER AREAS PERTAINING TO ACTIVITIES AT THE  
28 JENNINGS RANDOLPH LAKE PROJECT THAT THE DEPARTMENT CONSIDERS  
29 APPROPRIATE.

30       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 July 1, 1996.