
By: Delegate Edwards

Introduced and read first time: January 31, 1996

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 1996

CHAPTER ____

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~~

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

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

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

9 **Article - Natural Resources**

10 8-703.2.

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

14 (B) REGULATIONS ADOPTED UNDER THIS SECTION:

15 (1) SHALL BE DEVELOPED IN COORDINATION WITH THE STATE OF
16 WEST VIRGINIA;

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

20 (3) MAY DIFFER FROM MARYLAND BOATING LAWS THAT WOULD
21 OTHERWISE APPLY.

22 (C) REGULATIONS ADOPTED UNDER THIS SECTION MAY:

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

24 (2) ESTABLISH VESSEL NOISE LIMITS;

25 (3) IMPOSE SAFETY REQUIREMENTS REGARDING VESSELS;

26 (4) IMPOSE OTHER STANDARDS AND REQUIREMENTS FOR THE
27 OPERATION OF A VESSEL;

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

29 (6) PROVIDE REQUIREMENTS REGARDING THE OPERATION OF
30 PERSONAL WATERCRAFT;

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

33 (8) ADDRESS OTHER AREAS PERTAINING TO ACTIVITIES AT THE
34 JENNINGS RANDOLPH LAKE PROJECT THAT THE DEPARTMENT CONSIDERS
35 APPROPRIATE.

3

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