

**Department of Legislative Services**

Maryland General Assembly

2004 Session

**FISCAL AND POLICY NOTE**

House Bill 129

(Delegate Edwards)

Environmental Matters

Education, Health, and Environmental  
Affairs

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**Natural Resources - Jennings Randolph Lake Project Compact - Criminal Law  
Enforcement**

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This bill amends the Jennings Randolph Lake Project Compact by authorizing the Maryland Department of Natural Resources (DNR) and the West Virginia Division of Natural Resources to concurrently enforce all criminal laws and regulations over any lands and waters of the project. The bill is contingent upon the State of West Virginia enacting a similar law.

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**Fiscal Summary**

**State Effect:** The bill's changes could be handled with existing budgeted resources.

**Local Effect:** The bill would not significantly affect local operations or finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Under the Jennings Randolph Lake Project Compact, the signatory states (Maryland and West Virginia) are responsible for the establishment, administration, and enforcement of the natural resources and boating laws and regulations applicable to the project. Although each state has concurrent jurisdiction with the U.S. Army Corps of Engineers (Baltimore District) and the other state for the purpose of enforcing the civil and criminal laws of the respective states pertaining to natural resources and boating, the states do not have concurrent jurisdiction to enforce other criminal laws.

**Background:** The Jennings Randolph Lake Project, which is located on the North Branch Potomac River in Garrett County, Maryland and Mineral County, West Virginia, was authorized by the federal Flood Control Act of 1962 for flood control, water supply, water quality, and recreation purposes. The lake is owned and operated by the U.S. Army Corps of Engineers. The dam controls a drainage area of 263 square miles. The total project, land and water, covers an area of approximately 4,500 acres (2,700 in Maryland and 1,800 in West Virginia).

According to DNR, the U.S. Army Corps of Engineers has agreed to the proposed change to the compact, and similar legislation is expected to be introduced in West Virginia.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Natural Resources, Department of State Police, Wildernet.com, Department of Legislative Services

**Fiscal Note History:** First Reader - January 26, 2004  
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