

SENATE BILL 964

M2

EMERGENCY BILL

7lr2228

By: **Senators Klausmeier and Eckardt**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Aquaculture – Leases – Submerged Aquatic Vegetation**

3 FOR the purpose of requiring the Department of Natural Resources, in consultation with
4 interested stakeholders, to study certain conflicts that arise related to aquaculture
5 and submerged aquatic vegetation, develop certain solutions to these conflicts, and
6 report its findings and recommendations to the Governor and the General Assembly
7 on or before a certain date; requiring the Department of Natural Resources,
8 notwithstanding certain provisions of law, to adopt regulations that establish
9 standards and a process under which the Department may assess and evaluate
10 certain aquaculture leases in order to make certain determinations; making this Act
11 an emergency measure; providing for the termination of this Act; and generally
12 relating to aquaculture leases and submerged aquatic vegetation.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Department of Natural Resources, in consultation with interested stakeholders,
15 shall:

16 (1) study the conflicts that arise when implementing its policies of
17 protecting submerged aquatic vegetation and promoting aquaculture in the State;

18 (2) develop solutions to these conflicts that take into account the benefits
19 provided by both submerged aquatic vegetation and aquaculture; and

20 (3) report its findings and recommendations, including any proposed
21 legislation, to the Governor and, in accordance with § 2–1246 of the State Government
22 Article, the General Assembly on or before December 1, 2017.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
24 provisions of Title 4 of the Natural Resources Article, the Department of Natural Resources
25 may adopt regulations that establish standards and a process under which the Department
26 may assess and evaluate an aquaculture lease on which submerged aquatic vegetation has

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 encroached to determine if aquaculture activity on the lease shall be restricted or prohibited
2 due to the circumstances of the encroachment.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
4 measure, is necessary for the immediate preservation of the public health or safety, has
5 been passed by a yea and nay vote supported by three-fifths of all the members elected to
6 each of the two Houses of the General Assembly, and shall take effect from the date it is
7 enacted. It shall remain effective through May 31, 2018, and, at the end of May 31, 2018,
8 with no further action required by the General Assembly, this Act shall be abrogated and
9 of no further force and effect.