

HOUSE BILL 800

M2

1lr1722

By: **Delegate Clark**

Introduced and read first time: January 29, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2021

CHAPTER _____

1 AN ACT concerning

2 ~~Aquaculture Leases – Marking and Recording Requirements – Natural~~
3 ~~Resources – Waters of the State – Mobile Locator Application~~

4 FOR the purpose of requiring the Department of Natural Resources to develop a certain
5 mobile locator application for use on the waters of the State; providing for the
6 purpose of the mobile locator application; authorizing the Department to contract
7 with a ~~third-party developer~~ third party to develop the mobile locator application;
8 and generally relating to ~~marking and recording requirements for aquaculture leases~~
9 a mobile locator application for use on the waters of the State.

10 ~~BY repealing and reenacting, without amendments,~~
11 ~~Article – Natural Resources~~
12 ~~Section 4-11A-10(a)(2) and (3) and 4-11A-12(a)~~
13 ~~Annotated Code of Maryland~~
14 ~~(2018 Replacement Volume and 2020 Supplement)~~

15 ~~BY repealing and reenacting, with amendments,~~
16 ~~Article – Natural Resources~~
17 ~~Section 4-11A-12(d)~~
18 ~~Annotated Code of Maryland~~
19 ~~(2018 Replacement Volume and 2020 Supplement)~~

20 BY adding to
21 Article – Natural Resources
22 Section 4-222

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
 2 (2018 Replacement Volume and 2020 Supplement)

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

5 **Article – Natural Resources**

6 ~~4-11A-10.~~

7 ~~(a) A leaseholder shall:~~

8 ~~(2) Mark each lease area with an 8-inch by 12-inch marker displaying the~~
 9 ~~initials of the leaseholder and posted on a minimum of four poles;~~

10 ~~(3) Comply with any other marking requirements established by the~~
 11 ~~Department for the protection of navigation;~~

12 ~~4-11A-12.~~

13 ~~(a) The Department shall maintain a record of leases issued under this subtitle.~~

14 ~~(d) (1) In consultation with the Department of the Environment and the~~
 15 ~~Wetlands Administrator of the Board of Public Works, the Department shall adopt~~
 16 ~~regulations to implement this subtitle.~~

17 ~~(2) (1) IN ADDITION TO THE REGULATIONS ADOPTED UNDER~~
 18 ~~PARAGRAPH (1) OF THIS SUBSECTION, THE~~

19 4-222.

20 **(A) THE DEPARTMENT SHALL DEVELOP A MOBILE APPLICATION FOR USE**
 21 **BY AN INDIVIDUAL WHILE ON THE WATERS OF THE STATE.**

22 ~~(B)~~ **(B) THE PURPOSE OF THE MOBILE APPLICATION DEVELOPED UNDER THIS**
 23 **PARAGRAPH SECTION IS TO USE INTERACTIVE MAPS TO AID AN INDIVIDUAL WHO IS**
 24 **ON THE WATERS OF THE STATE IN DETERMINING THE INDIVIDUAL'S LOCATION, IN**
 25 **REAL TIME, RELATIVE TO:**

26 ~~1.~~ **(1) AQUACULTURE ENTERPRISE ZONES;**

27 ~~2.~~ **AQUACULTURE LEASES;**

28 ~~3.~~ **(2) DEMONSTRATION LEASES;**

29 ~~4.~~ **(3) FIXED FISHING DEVICES REGISTERED POUND NET SITES;**

1 ~~5.~~ (4) NATURAL ~~CLAM OR~~ OYSTER BARS;

2 ~~6.~~ (5) OYSTER SANCTUARIES;

3 ~~7.~~ (6) PUBLIC SHELLFISH FISHERY AREAS;

4 ~~8.~~ (7) SAV PROTECTION ZONES;

5 ~~9.~~ (8) YATES BARS; OR

6 ~~10.~~ (9) ANY OTHER ~~DATA~~ AREAS THAT THE DEPARTMENT DEEMS
7 RELEVANT.

8 ~~(H)~~ (C) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO
9 DEVELOP THE MOBILE APPLICATION REQUIRED UNDER THIS ~~PARAGRAPH~~ SECTION.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.