HOUSE BILL 800

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
   Resources—Waters of the State—Mobile Locator Application

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

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

5 BY repealing and reenacting, with amendments,
   Article—Natural Resources
   Section 4–11A–12(d)
   Annotated Code of Maryland
   (2018 Replacement Volume and 2020 Supplement)

6 BY adding to
   Article—Natural Resources
   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.
Annotated Code of Maryland
(2018 Replacement Volume and 2020 Supplement)

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

Article – Natural Resources

4–11A–10.
(a) A leaseholder shall:
(2) Mark each lease area with an 8-inch by 12-inch marker displaying the
initials of the leaseholder and posted on a minimum of four poles;
(3) Comply with any other marking requirements established by the
Department for the protection of navigation;

4–11A–12.
(a) The Department shall maintain a record of leases issued under this subtitle.
(d) (1) In consultation with the Department of the Environment and the
Wetlands Administrator of the Board of Public Works, the Department shall adopt
regulations to implement this subtitle.
(2) (4) In addition to the regulations adopted under
paragraph (1) of this subsection, the

4–222.
(A) The Department shall develop a mobile application for use
by an individual while on the waters of the State.

(B) The purpose of the mobile application developed under this
paragraph section is to use interactive maps to aid an individual who is
on the waters of the State in determining the individual’s location, in
real time, relative to:

1. (1) Aquaculture Enterprise Zones;
2. Aquaculture leases;
3. (2) Demonstration leases;
4. (3) Fixed fishing devices Registered pound net sites;
5. (4) Natural Clam or Oyster bars;
6. (5) Oyster sanctuaries;
7. (6) Public shellfish fishery areas;
8. (7) SAV protection zones;
9. (8) Yates bars; or

10. (9) Any other data areas that the Department deems relevant.

(III) (C) The Department may contract with a third party to develop the mobile application required under this paragraph section.

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.