

HOUSE BILL 800

M2

1lr1722

By: **Delegate Clark**

Introduced and read first time: January 29, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Aquaculture Leases – Marking and Recording Requirements – Mobile**
3 **Application**

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

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

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

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

21 **Article – Natural Resources**

22 4–11A–10.

23 (a) A leaseholder shall:

24 (2) Mark each lease area with an 8–inch by 12–inch marker displaying the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 initials of the leaseholder and posted on a minimum of four poles;

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

4 4-11A-12.

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

6 (d) (1) In consultation with the Department of the Environment and the
7 Wetlands Administrator of the Board of Public Works, the Department shall adopt
8 regulations to implement this subtitle.

9 (2) (I) IN ADDITION TO THE REGULATIONS ADOPTED UNDER
10 PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL DEVELOP A
11 MOBILE APPLICATION FOR USE BY AN INDIVIDUAL WHILE ON THE WATERS OF THE
12 STATE.

13 (II) THE PURPOSE OF THE MOBILE APPLICATION DEVELOPED
14 UNDER THIS PARAGRAPH IS TO AID AN INDIVIDUAL WHO IS ON THE WATERS OF THE
15 STATE IN DETERMINING THE INDIVIDUAL'S LOCATION, IN REAL TIME, RELATIVE TO:

- 16 1. AQUACULTURE ENTERPRISE ZONES;
- 17 2. AQUACULTURE LEASES;
- 18 3. DEMONSTRATION LEASES;
- 19 4. FIXED FISHING DEVICES;
- 20 5. NATURAL CLAM OR OYSTER BARS;
- 21 6. OYSTER SANCTUARIES;
- 22 7. PUBLIC SHELLFISH FISHERY AREAS;
- 23 8. SAV PROTECTION ZONES;
- 24 9. YATES BARS; OR
- 25 10. ANY OTHER DATA THAT THE DEPARTMENT DEEMS
26 RELEVANT.

27 (III) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO

1 **DEVELOP THE MOBILE APPLICATION REQUIRED UNDER THIS PARAGRAPH.**

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