

Chapter 431

(House Bill 1472)

AN ACT concerning

Hunting Wild Waterfowl – Dorchester, St. Mary's, Somerset, and Wicomico Counties

FOR the purpose of altering the location in which a person may hunt wild waterfowl by certain methods in the waters of Dorchester, St. Mary's, Somerset, and Wicomico counties; decreasing the distance from shore that the Department of Natural Resources prescribes by regulation for the hunting of wild waterfowl by certain methods in the waters of Dorchester, St. Mary's, Somerset, and Wicomico counties; and generally relating to hunting wild waterfowl in the waters of Dorchester, St. Mary's, Somerset, and Wicomico counties.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–604 through 10–606
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

Article – Natural Resources

10–604.

(a) A person may hunt wild waterfowl while standing in water on the natural bottom only in the waters of the Susquehanna Flats, the nontidal waters of the Potomac River, **THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES**, and in other waters of the State in areas and on days the Department prescribes by regulation.

(b) A person may hunt wild waterfowl while standing in water on the natural bottom at a licensed offshore stationary blind or blind site.

(c) A person hunting wild waterfowl while standing in water on the natural bottom shall remain at least 250 yards from all offshore stationary blinds or blind sites or another person hunting wild waterfowl offshore.

(d) (1) A person hunting wild waterfowl while standing in water on the natural bottom shall be at least 800 yards from shore including shore emerging at mean low water except in the waters of the Potomac River, in the waters of the Susquehanna Flats, in the waters of Harford and Baltimore counties, **IN THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES**, or while hunting at a licensed stationary blind or blind site.

(2) A person hunting wild waterfowl while standing in water on the natural bottom shall be at least 400 yards from shore, including shore emerging at mean low water, in the following areas:

(i) The waters of the Susquehanna Flats;

(ii) The tidal waters of the Potomac River that the Department by regulation prescribes for hunting under subsection (a) of this section; **[and]**

(iii) The waters of Harford ~~and~~, Baltimore, **AND ST. MARY'S** counties that the Department by regulation prescribes for hunting under subsection (a) of this section; **AND**

(IV) THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES FOR HUNTING UNDER SUBSECTION (A) OF THIS SECTION.

(e) A person may not hunt wild waterfowl while standing in State waters on the natural bottom when the natural bottom is privately owned, unless the hunter has the written permission of the landowner.

(f) Except at a licensed stationary blind or blind site, a nonresident may not hunt wild waterfowl while standing in water on the natural bottom unless accompanied by a Maryland resident.

10-605.

(a) A person may hunt wild waterfowl from a boat that is drifting or being sculled, only in:

(1) The nontidal waters of the Potomac River, Conococheague Creek, and the Monocacy River;

(2) The Susquehanna Flats, Elk River, and that portion of the Sassafras River in Cecil County located west of 75 degrees 58 minutes 45 seconds;

(3) Chincoteague Bay, Sinepuxent Bay, Isle of Wight, Assawoman Bay, and their respective tributaries in Worcester County;

(4) THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES; or

[(4)] (5) Zones prescribed by the Department by regulation.

(b) While hunting wild waterfowl from a boat that is drifting or being sculled, a person shall remain at least 250 yards from all offshore stationary blinds or blind sites or another person hunting wild waterfowl offshore.

(c) (1) A person hunting wild waterfowl from a boat that is drifting or being sculled shall be at least 800 yards from shore including shore emerging at mean low water except in the waters of the Potomac River, in the waters of the Susquehanna Flats, in the waters of Harford ~~and~~ Baltimore, AND ST. MARY'S counties, **IN THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES**, in Conococheague Creek, and in the Monocacy River.

(2) A person hunting wild waterfowl from a boat that is drifting or being sculled shall be at least 400 yards from shore, including shore emerging at mean low water, in the following areas:

(i) The waters of the Susquehanna Flats;

(ii) The tidal waters of the Potomac River that the Department by regulation prescribes for hunting under subsection **[(a)(4)] (A)(5)** of this section; **[and]**

(iii) The waters of Harford ~~and~~ Baltimore, AND ST. MARY'S counties that the Department by regulation prescribes for hunting under subsection **[(a)(4)] (A)(5)** of this section; **AND**

(IV) THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES FOR HUNTING UNDER SUBSECTION (A)(5) OF THIS SECTION.

(d) A nonresident may not hunt wild waterfowl from a boat that is drifting or being sculled unless accompanied by a Maryland resident.

10-606.

(a) A person may hunt wild waterfowl from a boat that is anchored only in:

(1) The nontidal waters of the Potomac River;

(2) The waters of the Susquehanna Flats, Elk River, and that portion of the Sassafras River in Cecil County located west of 75 degrees 58 minutes 45 seconds;

(3) The waters of Chincoteague Bay, Sinepuxent Bay, Isle of Wight, Assawoman Bay, and their respective tributaries in Worcester County;

(4) THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES; or

[(4)] (5) Zones prescribed by the Department by regulation.

(b) A person may hunt wild waterfowl from a boat that is anchored at a licensed offshore stationary blind or blind site.

(c) A person hunting wild waterfowl from a boat that is anchored shall remain 250 yards from all offshore stationary blinds or blind sites or another person hunting wild waterfowl offshore.

(d) (1) A person hunting wild waterfowl from a boat that is anchored shall be at least 800 yards from shore including shore emerging at mean low water except in the waters of the Potomac River, in the waters of the Susquehanna Flats, in the waters of Harford and Baltimore counties, **IN THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES**, or unless anchored at a licensed offshore stationary blind or blind site.

(2) A person hunting wild waterfowl from a boat that is anchored shall be at least 400 yards from shore, including shore emerging at mean low water, in the following areas:

(i) The waters of the Susquehanna Flats;

(ii) The tidal waters of the Potomac River that the Department by regulation prescribes for hunting under subsection [(a)(4)] **(A)(5)** of this section; [and]

(iii) The waters of Harford ~~and~~, Baltimore, AND ST. MARY'S counties that the Department by regulation prescribes for hunting under subsection [(a)(4)] **(A)(5)** of this section; AND

(IV) THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES FOR HUNTING UNDER SUBSECTION (A)(5) OF THIS SECTION.

(e) Except at a licensed stationary blind or blind site, a nonresident may not hunt wild waterfowl from a boat that is anchored unless accompanied by a Maryland resident.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

Approved by the Governor, May 4, 2010.