

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1187

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 19 and 20, strike “to prevent other persons from hunting wild waterfowl” and substitute “for certain purposes”; in line 23, after “circumstances;” insert “prohibiting a certain State or federal unit or a certain assignee from licensing certain riparian shoreline; authorizing a certain federal or State unit that owns certain riparian land to apply to the Department to establish a certain wild waterfowl safety zone;”; and in line 31, after “blinds;” insert “prohibiting the Department from allowing waterfowl hunting on certain lands unless the land is open to public hunting;”.

On page 2, in line 3, after “terms;” insert “providing for a delayed effective date;”; after line 4, insert:

“BY repealing

Article - Natural Resources

Section 10-601, 10-603, 10-603.1, 10-604 through 10-611, 10-612(a), (b), and (c), 10-612.1, 10-612.2, and 10-613 through 10-625

Annotated Code of Maryland

(1990 Replacement Volume and 1998 Supplement)”;

strike in their entirety lines 16 through 21, inclusive; in line 24, after “10-611,” insert “10-612(a) and (b).”; strike in their entirety lines 28 through 37, inclusive.

On page 3, strike in their entirety lines 1 through 11, inclusive, and substitute:

“BY renumbering

Article - Natural Resources

Section 10-612(d) through (h), respectively

(Over)

to be Section 10-612(c) through (g), respectively
Annotated Code of Maryland
(1990 Replacement Volume and 1998 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 13, after “That” insert “Section(s) 10-601, 10-603, 10-603.1, 10-604 through 10-611, 10-612(a), (b), and (c), 10-612.1, 10-612.2, and 10-613 through 10-625 of Article - Natural Resources of the Annotated Code of Maryland be repealed.”

SECTION 2. AND BE IT FURTHER ENACTED, That”.

On pages 7 and 8, strike in their entirety the lines beginning with line 31 on page 7 through line 1 on page 8, inclusive.

AMENDMENT NO. 3

On page 8, after line 15, insert:

“(F) “WATERFOWL SAFETY ZONE” MEANS:

(1) AN AREA 150 YARDS FROM ANY OCCUPIED DWELLING; OR

(2) A SECTION OF SHORELINE NOT EXCEEDING 250 YARDS IN LENGTH OWNED BY A FEDERAL OR STATE UNIT.”.

On page 9, in line 34, after “OFFSHORE” insert “STATIONARY BLIND OR”.

On page 10, in line 8, after “LICENSED” insert “STATIONARY BLIND OR”; in line 12, strike “ON THE NONTIDAL WATERS OF THE POTOMAC RIVER” and substitute “EXCEPT AT A LICENSED STATIONARY BLIND OR BLIND SITE”; and strike beginning with “ON” in line 35 down through “RIVER,” in line 36.

AMENDMENT NO. 4

On page 11, in line 13, after “OFFSHORE” insert “STATIONARY BLIND OR”; in line 20, after “OFFSHORE” insert “STATIONARY BLIND OR”; after line 20, insert:

“(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.”.

On page 11, in line 26, strike “IN THIS STATE” and substitute “UNDER THIS SUBTITLE”.

On pages 11 and 12, strike beginning with “ON” in line 32 on page 11 through “EXISTS.” in line 4 on page 12, and substitute “ON THE NONTIDAL WATERS OF THE POTOMAC RIVER, CONOCOCHUEGUE CREEK, AND THE MONOCACY RIVER, THE DEPARTMENT MAY NOT LICENSE RIPARIAN SHORELINE OWNED BY A FEDERAL OR STATE UNIT OR THE ASSIGNEE OF THE FEDERAL OR STATE UNIT.”

(2)(I) A FEDERAL OR STATE UNIT THAT OWNS RIPARIAN SHORELINE ON THE NONTIDAL WATERS OF THE POTOMAC RIVER, CONOCOCHUEGUE CREEK, AND THE MONOCACY RIVER MAY APPLY TO THE DEPARTMENT TO ESTABLISH A WATERFOWL SAFETY ZONE IN A SPECIFIED AREA OF THE SHORELINE.

(II) THE SECRETARY SHALL REVIEW EACH REQUEST AND DETERMINE WHETHER SUFFICIENT NEED FOR A WATERFOWL SAFETY ZONE EXISTS.

(3) ON OR BEFORE AUGUST 15 OF EACH YEAR, THE DEPARTMENT SHALL MARK EACH WATERFOWL SAFETY ZONE WITH CLEARLY VISIBLE SIGNS.”.

On page 12, in line 5, strike “ONLY” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ONLY”; in the same line, strike “CONTIGUOUS” and substitute “CONTINUOUS”; in line 6, after “SITE” insert a period; strike beginning with “EXCEPT” in line 6 down through “OWN” in line 7 and substitute “(2) A RIPARIAN LANDOWNER WHO OWNS”; in line 7, strike “CONTIGUOUS” and substitute “CONTINUOUS”; strike beginning with “FOR” in line 8 down through “YARDS” in line 9; in line 9, strike “PERSON” and substitute “RIPARIAN LANDOWNER”; in line 10, strike “THE ADJACENT” and substitute “ADJOINING”; in the same line, after “LANDOWNERS” insert “TO ACHIEVE THE REQUIRED 250 YARDS OF CONTINUOUS SHORELINE”.

AMENDMENT NO. 5

On page 13, after line 24, insert:

(Over)

“(L) FUNDS COLLECTED UNDER THIS SECTION SHALL BE USED TO ADMINISTER THE LICENSING PROGRAM UNDER THIS SECTION. ANY FUNDS NOT EXPENDED IN A FISCAL YEAR FOR ADMINISTERING THE LICENSING PROGRAM UNDER THIS SECTION SHALL REVERT TO THE GENERAL FUND.”;

in line 26, strike “MARYLAND RESIDENTS AND OWNERS OF” and substitute “A MARYLAND RESIDENT OR A PERSON WHO OWNS”.

On page 14, strike beginning with “ONLY” in line 25 down through “TRIBUTARIES” in line 27 and substitute “IN KENT COUNTY AND QUEEN ANNE’S COUNTY AND ON THE NONTIDAL WATERS OF THE POTOMAC RIVER AND ITS NONTIDAL TRIBUTARIES, ONLY A RIPARIAN LANDOWNER OWNING THE AMOUNT OF SHORELINE REQUIRED UNDER § 10-607(D) OF THIS SUBTITLE OR A LANDOWNER’S LESSEE, LICENSEE, OR ASSIGNEE MAY ERECT AND MAINTAIN A STATIONARY BLIND OR BLIND SITE”.

On page 15, after line 24, insert:

“(3) EXCEPT FOR THE PURPOSE OF ANIMAL CONTROL, THE DEPARTMENT MAY NOT ALLOW WATERFOWL HUNTING ON PUBLIC LAND UNDER THIS SECTION UNLESS THE PUBLIC LAND IS OPEN TO PUBLIC HUNTING.”.

On page 16, strike in their entirety lines 2 through 25, inclusive, and substitute:

“(A) THE DEPARTMENT SHALL INSPECT A LICENSED BLIND SITE TO DETERMINE THE VALIDITY OF THE CERTIFICATIONS IN AN APPLICATION UPON REQUEST OF THE OWNER OF THE SHORE FRONT PROPERTY.

(B) IF THE DEPARTMENT FINDS THAT THE CERTIFICATIONS OF THE APPLICATION ARE ERRONEOUS, THE DEPARTMENT MAY REVOKE THE LICENSE BY GIVING WRITTEN NOTICE TO THE APPLICANT.”.

AMENDMENT NO. 6

On page 17, in line 5, strike “OR”; and in line 23, after “MARSH” insert “; OR

(5) IN KENT COUNTY ON:

(I) TURNER'S CREEK; OR

(II) CHESTER RIVER AND ITS TRIBUTARIES, EXCEPT IN THOSE WATERS LYING BETWEEN DURDING'S CREEK AND DEEP POINT OR BETWEEN THE PROPERTY LINE OF WICKLIFFE FARM AND CEDAR POINT FARM NEAR THE POINT KNOWN AS PINE TREE COVE AND GRAVEYARD POINT IN SPENCER HALL FARM ON EASTERN NECK ISLAND AND THE CHESAPEAKE BAY BETWEEN THE NORTH END OF WILSON'S POINT ON TRUMPINGTON FARM AND THE MOUTH OF THE CHESTER RIVER".

AMENDMENT NO. 7

On pages 17 and 18, strike in their entirety the lines beginning with line 34 on page 17 through line 33 on page 18 and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 10-612(d) through (h), respectively, of the Natural Resources Article of the Annotated Code of Maryland be renumbered to be Section(s) 10-612(c) through (g), respectively.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect May 1, 2000."