
By: **Delegates Guns and Weir**

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Committee Report: Favorable with amendments

House action: Adopted

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CHAPTER _____

1 AN ACT concerning

2 **Natural Resources - Wild Waterfowl - Issuance of Fishing and Hunting**
3 **Licenses**

4 FOR the purpose of authorizing the Secretary of Natural Resources to delegate the
5 authority to issue certain fishing or hunting licenses; prohibiting the Secretary
6 from designating the authority to issue certain fishing or hunting licenses to a
7 clerk of a circuit court; repealing provisions allowing certain clerks to issue
8 certain fishing or hunting licenses; repealing certain provisions requiring
9 certain clerks to transmit to the Department of Natural Resources certain
10 money collected from the issuance of certain fishing or hunting licenses;
11 repealing certain provisions regarding the hunting of wild waterfowl;
12 authorizing a person to hunt wild waterfowl under certain conditions and with
13 certain weapons; restricting a person from shooting wild waterfowl under
14 certain conditions; establishing the areas and the circumstances from where
15 and under which a person may hunt wild waterfowl in waters on the natural
16 bottom, in a boat that is drifting or being sculled, and from a boat that is
17 anchored; prohibiting nonresidents from hunting wild waterfowl except under
18 certain circumstances; authorizing certain riparian landowners to license their
19 riparian shoreline to establish certain stationary blinds or blind sites ~~to prevent~~
20 ~~other persons from hunting wild waterfowl for certain purposes~~; establishing
21 the conditions under which a riparian landowner may erect a stationary blind or
22 blind site; requiring certain riparian landowners to license their shorelines for
23 certain purposes under certain circumstances; prohibiting a certain State or
24 federal unit or a certain assignee from licensing certain riparian shoreline;
25 authorizing a certain federal or State unit that owns certain riparian land to
26 apply to the Department to establish a certain wild waterfowl safety zone;
27 establishing certain licensing procedures; providing for the resolution of

1 conflicts between certain applicants; establishing certain requirements for the
 2 placement and marking of certain offshore stationary blinds and offshore blind
 3 sites; requiring the Department to construct blinds in certain locations under
 4 certain circumstances; authorizing the Department to allow hunting of wild
 5 waterfowl from a boat that is drifting or anchored in certain waters; requiring
 6 the Department to encourage in a certain manner local and federal government
 7 to make opportunities to hunt waterfowl from blinds; prohibiting the
 8 Department from allowing waterfowl hunting on certain lands unless the land is
 9 open to public hunting; providing that a licensee whose stationary blind, blind
 10 site, or stake is destroyed in a certain manner may not lose the location and may
 11 reestablish the stationary blind, blind site, or stake; prohibiting offshore
 12 stationary blinds or blind sites in certain locations; prohibiting a person from
 13 entering, using, or occupying certain stationary blinds, blind sites, or stakes
 14 except under certain circumstances; requiring the Department to inspect certain
 15 blind sites to determine the validity of certain certification under certain
 16 circumstances; defining certain terms; providing for a delayed effective date;
 17 and generally relating to the issuance of fishing and hunting licenses and wild
 18 waterfowl.

19 BY repealing

20 Article - Natural Resources
 21 Section 10-601, 10-603, 10-603.1, 10-604 through 10-611, 10-612(a), (b), and
 22 (c), 10-612.1, 10-612.2, and 10-613 through 10-625
 23 Annotated Code of Maryland
 24 (1990 Replacement Volume and 1998 Supplement)

25 BY repealing and reenacting, with amendments,
 26 Article - Natural Resources
 27 Section 1-104(h), 4-208, and 4-11A-19(a)
 28 Annotated Code of Maryland
 29 (1997 Replacement Volume and 1998 Supplement)

30 BY repealing and reenacting, with amendments,
 31 Article - Natural Resources
 32 Section 10-209, 10-301(c), (f)(1), and (g), 10-305, 10-308(d) and (e),
 33 10-308.1(d)(1), 10-309(d) and (f), and 10-502(c)
 34 Annotated Code of Maryland
 35 (1990 Replacement Volume and 1998 Supplement)

36 ~~BY repealing~~

37 ~~Article - Natural Resources~~
 38 ~~Section 10-601, 10-603, 10-603.1, 10-604 through 10-611, 10-612.1, 10-612.2,~~
 39 ~~10-613 through 10-615, and 10-621 through 10-625~~
 40 ~~Annotated Code of Maryland~~
 41 ~~(1990 Replacement Volume and 1998 Supplement)~~

1 BY adding to
 2 Article - Natural Resources
 3 Section 10-601, 10-602(c) through (h), 10-603 through 10-611, 10-612(a) and
 4 (b), and 10-613 through 10-615
 5 Annotated Code of Maryland
 6 (1990 Replacement Volume and 1998 Supplement)

7 ~~BY repealing and reenacting, with amendments,~~
 8 ~~Article - Natural Resources~~
 9 ~~Section 10-612(e)~~
 10 ~~Annotated Code of Maryland~~
 11 ~~(1990 Replacement Volume and 1998 Supplement)~~

12 ~~BY repealing~~
 13 ~~Article - Natural Resources~~
 14 ~~Section 10-612(a) and (b) and 10-616 through 10-620~~
 15 ~~Annotated Code of Maryland~~
 16 ~~(1990 Replacement Volume and 1998 Supplement)~~

17 ~~BY adding to~~
 18 ~~Article - Natural Resources~~
 19 ~~Section 10-612(a) and (b)~~
 20 ~~Annotated Code of Maryland~~
 21 ~~(1990 Replacement Volume and 1998 Supplement)~~

22 ~~BY repealing and reenacting, with amendments,~~
 23 ~~Article - Natural Resources~~
 24 ~~Section 10-612(e)~~
 25 ~~Annotated Code of Maryland~~
 26 ~~(1990 Replacement Volume and 1998 Supplement)~~
 27 ~~(As enacted by Section 3 of this Act)~~

28 BY renumbering
 29 Article - Natural Resources
 30 Section 10-612(d) through (h), respectively
 31 to be Section 10-612(c) through (g), respectively
 32 Annotated Code of Maryland
 33 (1990 Replacement Volume and 1998 Supplement)

34 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 35 MARYLAND, That Section(s) 10-601, 10-603, 10-603.1, 10-604 through 10-611,
 36 10-612(a), (b), and (c), 10-612.1, 10-612.2, and 10-613 through 10-625 of Article -
 37 Natural Resources of the Annotated Code of Maryland be repealed.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article - Natural Resources**

4 1-104.

5 (h) (1) The authority, powers, duties, and functions granted to the Secretary
6 or the Department shall be exercised and performed by the Secretary or by any unit
7 or official within the Department designated by the Secretary.

8 (2) (I) THE SECRETARY MAY DELEGATE TO A PERSON THE
9 AUTHORITY TO ISSUE LICENSES PERTAINING TO FISHING OR HUNTING.

10 (II) THE SECRETARY MAY NOT DELEGATE THE AUTHORITY TO
11 ISSUE A FISHING OR HUNTING LICENSE TO A CLERK OF A CIRCUIT COURT.

12 4-208.

13 [(a)] There is a State Fisheries Management and Protection Fund in the
14 Department. Any money received from any fish and fisheries license, stamp, permit,
15 or application fee as provided in this title, unless otherwise provided shall be credited
16 to the Fund and used only for the scientific investigation, protection, propagation, and
17 management of nontidal finfish.

18 [(b)] The clerks of the courts shall transmit to the Department on the first day
19 of each month any money received by them for sport fishing licenses and stamps. The
20 Department shall account for these funds to the Treasurer who then shall credit
21 amounts received to the State Fisheries Management and Protection Fund. The
22 Treasurer shall pay out funds on the warrant of the Comptroller upon requisition of
23 the Department.]

24 4-11A-19.

25 (a) Any person desiring to sell live bait in Montgomery, Frederick, or
26 Washington County shall apply to [the clerk of the circuit court for the county] A
27 PERSON DESIGNATED BY THE DEPARTMENT for a live bait dealer's license. The
28 application shall be in the form the Department prescribes, and contain an affidavit
29 signed by the applicant that he is a resident of the county. Upon payment by the
30 applicant of an annual fee of \$10.50, the [clerk of the circuit court] DESIGNATED
31 PERSON may issue a license supplied by the Department to the [clerk] DESIGNATED
32 PERSON. As compensation for each bait dealer's license issued, the [clerk of the
33 circuit court] DESIGNATED PERSON shall retain 50 cents. Any money collected for
34 license fees during a month shall be forwarded to the Department on the first day of
35 each succeeding month. The Department shall account for the money to the State
36 Treasurer.

1 10-209.

2 [(a)] There is a State Wildlife Management and Protection Fund in the
3 Department. Any money accruing to the Fund from any license, stamp, application, or
4 permit fee provided in this title shall be credited, unless otherwise provided, to this
5 Fund and used only for the scientific investigation, protection, propagation, and
6 management of wildlife.

7 [(b)] The clerks of the courts shall transmit to the Department on the first day
8 of each month all moneys received by the clerks for hunting licenses and stamps. The
9 Department shall account for these funds to the Treasurer who then shall credit
10 amounts received to the State Wildlife Management and Protection Fund. The
11 Treasurer shall pay out funds on the warrant of the Comptroller upon requisition of
12 the Department.]

13 10-301.

14 (c) A person may apply for a hunter's license [to the clerk of the circuit court
15 for any county or] to any person designated by the Department. The application shall
16 be on a form the Department prepares and supplies. The applicant shall fill out, sign,
17 and submit the application to the [court clerk or] person designated to issue the
18 hunter's license. A person may apply by mail.

19 (f) (1) There shall be the following types of hunting licenses in the State:

20 (i) A resident consolidated hunting license that enables the
21 purchaser to hunt all legal game birds and mammals during any appropriate season
22 in Maryland without the purchase of additional stamps, except that to hunt wild
23 waterfowl the purchaser must also buy a Maryland migratory wild waterfowl stamp
24 and a federal migratory bird hunting and conservation stamp.

25 (ii) A resident basic hunting license that enables the purchaser to
26 hunt all legal game birds and mammals during any appropriate season without the
27 purchase of additional stamps unless the purchaser is hunting deer or wild waterfowl.
28 This license enables the purchaser to hunt deer only with the purchase of the
29 appropriate deer stamps and to hunt wild waterfowl only with the purchase of a
30 Maryland migratory wild waterfowl stamp and a federal migratory bird hunting and
31 conservation stamp.

32 (iii) A nonresident basic hunting license that enables the purchaser
33 to hunt all legal game birds and mammals during any appropriate season without the
34 purchase of additional stamps unless the purchaser is hunting wild waterfowl or deer
35 during bow and arrow season or black powder season. This license enables the
36 purchaser to hunt wild waterfowl only with the purchase of a Maryland migratory
37 wild waterfowl stamp and a federal migratory bird hunting and conservation stamp.
38 This license enables the purchaser to hunt deer during bow and arrow season and
39 black powder season only with the purchase of the appropriate deer stamp.

40 (iv) A nonresident 3-day hunting license that enables the purchaser
41 to hunt all legal game birds and mammals except deer and turkey for the 3

1 consecutive legal hunting days in a single season that are specified on the license by
2 the issuing [court clerk or] agent. The purchaser must also purchase a Maryland
3 migratory wild waterfowl stamp and a federal migratory bird hunting and
4 conservation stamp to hunt wild waterfowl with this license. Under no circumstance
5 does this license authorize the purchaser to hunt deer and turkey.

6 (g) The [court clerk or] person designated to sell the hunting licenses and
7 individual hunting stamps shall issue the hunting licenses and individual hunting
8 stamps and collect the fee prescribed in subsection (f) of this section. A hunting license
9 may not be issued to any person under the age of 16 years without the written consent
10 of the person's parent or guardian. The Department shall furnish the hunting licenses
11 and individual hunting stamps to the [court clerk or] designated person. The issuing
12 [clerk or] person shall countersign the license, and retain the duplicate copy of the
13 license. The duplicate copies and money collected every month shall be mailed to the
14 Department on the first day of the succeeding month each year. The [court clerk or]
15 designated person who sells and issues the hunting licenses and individual hunting
16 stamps shall retain as compensation 50 cents for each senior consolidated annual
17 license, senior consolidated lifetime license, resident and nonresident basic, or
18 nonresident 3-day hunting license, and individual hunting stamp sold and issued and
19 shall retain as compensation \$1 for each consolidated hunting license sold and issued,
20 except a senior consolidated annual license and a senior consolidated lifetime license.
21 10-305.

22 If any person loses the person's hunter's license, the person may make affidavit
23 stating the date the license was issued, its number, description, and the name of the
24 [court clerk or] designated person who issued the license. Upon receipt of this
25 information the Department may issue a duplicate hunting license for a \$1 fee.

26 10-308.

27 (d) (1) A person may obtain the consolidated hunting license, the resident
28 and nonresident basic license, and individual hunting stamp [from the clerk of the
29 circuit court of any county or] from any person designated by the Department.

30 (2) The issuing [clerk or] person designated shall retain the sum of 50
31 cents as compensation for issuing each resident and nonresident basic hunting license
32 and an individual hunting stamp and \$1 as compensation for issuing each
33 consolidated hunting license. The balance of the fee is paid over and accounted for in
34 the same manner as hunting licenses.

35 (3) The Department shall use \$1 from the sale of each consolidated
36 hunting license and, except for the fee retained by the issuing [clerk] PERSON, all of
37 the money derived from the sale of bow and arrow and black powder stamps as
38 follows:

39 (i) Up to 40 percent to:

40 1. Provide bow hunter education;

1 2. Acquire, construct, and maintain public archery ranges; or

2 3. Perform any study necessary to evaluate any program or
3 project related to bow or muzzle loader hunting; and

4 (ii) The remaining percentage to:

5 1. Establish an effective and efficient deer checking system
6 during the muzzle loader and bow hunting deer season;

7 2. Acquire additional hunter access during the muzzle loader
8 and bow hunting season by:

9 A. The opening of additional State-owned lands to muzzle
10 loader and bow hunting;

11 B. The purchase of rights-of-way or access roads to reach
12 areas not open to muzzle loader and bow hunting;

13 C. The acquisition of additional lands for muzzle loader and
14 bow hunting; and

15 D. The administration of a permit system applicable to newly
16 opened areas; and

17 3. Police hunting lands during the muzzle loader and bow
18 hunting season and provide additional law enforcement personnel as necessary to
19 accomplish additional hunter access under item 2 of this subparagraph.

20 (e) The [court clerk or] designated person shall write or stamp the date of
21 issuance on the face of every consolidated hunting license, resident and nonresident
22 basic hunting license, and individual hunting stamp issued under this section. Each
23 individual hunting stamp shall be affixed in the manner that the Department
24 provides. The recipient shall sign the consolidated hunting license or resident or
25 nonresident basic hunting license in ink.

26 10-308.1.

27 (d) (1) A person may obtain a Maryland migratory wild waterfowl stamp for
28 a fee of \$6 [from the clerk of the circuit court of any county or] from any person
29 designated by the Department. The issuing [clerk or] person designated shall retain
30 the sum of 10 cents as compensation for issuing each stamp. The balance of the fee is
31 paid over and accounted for to the State Treasurer. The Treasurer shall credit all such
32 fees received to the State Wildlife Management and Protection Fund, in accordance
33 with § 10-209 of this title.

34 10-309.

35 (d) (1) To apply for a license as a master hunting guide, an applicant shall:

1 (i) Submit an application [to the clerk of the circuit court or] to
2 any person designated by the Department;

3 (ii) Furnish any information required by the Department on the
4 application, including the oath provided in subsection (e) of this section; and

5 (iii) Pay to the [clerk of the circuit court or] person designated to
6 issue the master hunting guide license a fee of \$100.

7 (2) As compensation for issuing the license, the [issuing clerk or
8 designee] DESIGNATED PERSON shall retain 25 cents of each \$100 fee received under
9 this section.

10 (3) On the first day of each month, the [clerk or designee] DESIGNATED
11 PERSON shall send to the Department the remainder of the fees received for master
12 hunting guide licenses.

13 (f) The [clerk of the circuit court or the] person designated by the
14 Department shall issue a master hunting guide license to any applicant who meets
15 the requirements of this section.

16 10-502.

17 (c) In addition to the license fee, the [court clerk or] designated person who
18 sells and issues the license may collect a processing fee equal to 10% of the license fee,
19 and the balance of the fee shall be paid and accounted for in the manner provided by
20 § 10-209 of this title.

21 ~~SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 10-601,~~
22 ~~10-603, 10-603.1, 10-604 through 10-611, 10-612.1, 10-612.2, 10-613 through~~
23 ~~10-615, and 10-621 through 10-625 of Article — Natural Resources of the Annotated~~
24 ~~Code of Maryland be repealed.~~

25 ~~SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland~~
26 ~~read as follows:~~

27 ~~**Article — Natural Resources**~~

28 10-601.

29 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
30 INDICATED.

31 (B) "BOAT" INCLUDES ANY RAFT, CANOE, FLOATING BLIND, SKIFF, OR OTHER
32 FLOATING DEVICE.

33 (C) "OFFSHORE" MEANS ANY PLACE ON WATERS OF THE STATE BELOW THE
34 MEAN HIGH TIDE MARK ON TIDAL WATERS OR BELOW THE MEAN HIGH WATER MARK
35 ON NONTIDAL WATERS.

1 (D) "OFFSHORE BLIND SITE" MEANS A SPECIFIC LOCATION IN THE WATER
2 WHERE A PERSON MAY HUNT WILD WATERFOWL FROM A BOAT THAT IS TIED TO OR
3 ANCHORED AT A STAKE WHICH HAS BEEN LICENSED PURSUANT TO THIS SUBTITLE.

4 (E) "OFFSHORE STATIONARY BLIND" MEANS AN OFFSHORE STRUCTURE
5 BUILT ON PILINGS OR STAKES THAT HAS BEEN LICENSED PURSUANT TO THIS
6 SUBTITLE AND USED FOR HUNTING WILD WATERFOWL.

7 (F) "WATERFOWL SAFETY ZONE" MEANS:

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

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

11 10-602.

12 (C) (1) A PERSON MAY NOT SHOOT A WILD WATERFOWL RESTING ON LAND
13 OR WATER.

14 (2) A PERSON WHO WOUNDS AND CRIPPLES A WILD WATERFOWL MAY
15 SHOOT THE WATERFOWL.

16 (D) A PERSON MAY NOT HUNT WILD WATERFOWL FROM A POSITION LOCATED
17 MORE THAN 10 FEET IN THE AIR.

18 (E) (1) THE ONLY FIREARM THAT A PERSON MAY USE TO HUNT WILD
19 WATERFOWL IS A SHOTGUN FIRED FROM THE SHOULDER.

20 (2) A SHOTGUN USED TO HUNT WILD WATERFOWL MAY NOT BE LARGER
21 THAN A 10 GAUGE OR LOADED WITH SHOT NOT APPROVED BY THE UNITED STATES
22 FISH AND WILDLIFE SERVICE.

23 (F) (1) SUBJECT TO FEDERAL RULE OR REGULATION, THE PROHIBITION OF
24 THIS SUBSECTION DOES NOT APPLY TO AN AUTOMATIC LOADING OR
25 HAND-OPERATED REPEATING SHOTGUN WITH A MAGAZINE THAT IS CUT OFF OR
26 THAT IS PLUGGED WITH A ONE-PIECE FILLER INCAPABLE OF REMOVAL THROUGH
27 THE LOADING END THAT REDUCES THE CAPACITY OF THE GUN TO HOLD NO MORE
28 THAN THREE SHELLS AT ANY ONE TIME IN THE MAGAZINE AND CHAMBER
29 COMBINED.

30 (2) A PERSON MAY NOT HUNT A WILD WATERFOWL WITH AN
31 AUTOMATIC LOADING OR HAND-OPERATED REPEATING SHOTGUN CAPABLE OF
32 HOLDING MORE THAN THREE SHELLS.

33 (3) A PERSON MAY NOT POSSESS A RIFLE OR PISTOL WHILE HUNTING
34 WILD WATERFOWL.

35 (G) (1) A PERSON MAY HUNT WILD WATERFOWL WITH ANY BOW AND
36 ARROW.

1 (2) A PERSON MAY NOT HUNT WILD WATERFOWL WITH A CROSSBOW.

2 (H) (1) A PERSON MAY HUNT WILD WATERFOWL WITH THE AID OF A DOG OR
3 WITH AN ARTIFICIAL DECOY.

4 (2) A PERSON MAY NOT HUNT WILD WATERFOWL USING A LIVE DECOY.

5 10-603.

6 (A) EXCEPT WHILE LAWFULLY HUNTING UNDER THE REQUIREMENTS OF
7 THIS SUBTITLE, A PERSON IN A BOAT MAY NOT PURPOSELY OR UNNECESSARILY
8 DISTURB WILD WATERFOWL.

9 (B) A PERSON MAY NOT HUNT WILD WATERFOWL WHILE USING A FLOATING
10 DEVICE TOWED BY A POWER BOAT OR A SAILBOAT.

11 (C) A PERSON MAY NOT HUNT WILD WATERFOWL FROM A BOAT, SINKBOX, OR
12 DEVICE THAT ALLOWS THE HUNTER TO BE COMPLETELY CONCEALED BENEATH THE
13 WATER.

14 (D) (1) A PERSON MAY NOT HUNT WILD WATERFOWL FROM A BOAT THAT IS
15 PROPELLED BY A MOTOR OR UNDER SAIL.

16 (2) A PERSON MAY SHOOT AND IMMEDIATELY RETRIEVE LAWFULLY
17 WOUNDED OR KILLED WILD WATERFOWL WHILE IN A BOAT IF ALL FORWARD
18 PROGRESS OF THE BOAT HAS CEASED AND THE MOTOR HAS BEEN SHUT OFF.

19 (3) CRIPPLED BIRDS MAY BE SHOT FROM A BOAT UNDER POWER IN THE
20 AREA OPEN FOR THE SPECIAL SEA DUCK SEASON.

21 10-604.

22 (A) A PERSON MAY HUNT WILD WATERFOWL WHILE STANDING IN WATER ON
23 THE NATURAL BOTTOM ONLY IN THE WATERS OF THE SUSQUEHANNA FLATS, THE
24 NONTIDAL WATERS OF THE POTOMAC RIVER, AND IN OTHER WATERS OF THE STATE
25 IN AREAS AND ON DAYS THE DEPARTMENT PRESCRIBES BY REGULATION.

26 (B) A PERSON MAY HUNT WILD WATERFOWL WHILE STANDING IN WATER ON
27 THE NATURAL BOTTOM AT A LICENSED OFFSHORE STATIONARY BLIND OR BLIND
28 SITE.

29 (C) A PERSON HUNTING WILD WATERFOWL WHILE STANDING IN WATER ON
30 THE NATURAL BOTTOM SHALL REMAIN AT LEAST 250 YARDS FROM ALL OFFSHORE
31 STATIONARY BLINDS OR BLIND SITES OR ANOTHER PERSON HUNTING WILD
32 WATERFOWL OFFSHORE.

33 (D) A PERSON HUNTING WILD WATERFOWL WHILE STANDING IN WATER ON
34 THE NATURAL BOTTOM SHALL BE AT LEAST 800 YARDS FROM SHORE INCLUDING
35 SHORE EMERGING AT MEAN LOW WATER EXCEPT IN NONTIDAL WATERS OF THE

1 POTOMAC RIVER OR WHILE HUNTING AT A LICENSED STATIONARY BLIND OR BLIND
2 SITE.

3 (E) A PERSON MAY NOT HUNT WILD WATERFOWL WHILE STANDING IN STATE
4 WATERS ON THE NATURAL BOTTOM WHEN THE NATURAL BOTTOM IS PRIVATELY
5 OWNED, UNLESS THE HUNTER HAS THE WRITTEN PERMISSION OF THE LANDOWNER.

6 (F) ~~ON THE NONTIDAL WATERS OF THE POTOMAC RIVER EXCEPT AT A~~
7 LICENSED STATIONARY BLIND OR BLIND SITE, A NONRESIDENT MAY NOT HUNT
8 WILD WATERFOWL WHILE STANDING IN WATER ON THE NATURAL BOTTOM UNLESS
9 ACCOMPANIED BY A MARYLAND RESIDENT.

10 10-605.

11 (A) A PERSON MAY HUNT WILD WATERFOWL FROM A BOAT THAT IS DRIFTING
12 OR BEING SCULLED, ONLY IN:

13 (1) THE NONTIDAL WATERS OF THE POTOMAC RIVER, CONOCOCHUEGUE
14 CREEK, AND THE MONOCACY RIVER;

15 (2) THE SUSQUEHANNA FLATS, ELK RIVER, AND THAT PORTION OF THE
16 SASSAFRAS RIVER IN CECIL COUNTY LOCATED WEST OF 75 DEGREES 58 MINUTES 45
17 SECONDS;

18 (3) CHINCOTEAGUE BAY, SINEPUXENT BAY, ISLE OF WIGHT,
19 ASSAWOMAN BAY, AND THEIR RESPECTIVE TRIBUTARIES IN WORCESTER COUNTY;
20 OR

21 (4) ZONES PRESCRIBED BY THE DEPARTMENT BY REGULATION.

22 (B) WHILE HUNTING WILD WATERFOWL FROM A BOAT THAT IS DRIFTING OR
23 BEING SCULLED, A PERSON SHALL REMAIN AT LEAST 250 YARDS FROM ALL
24 OFFSHORE STATIONARY BLINDS OR BLIND SITES OR ANOTHER PERSON HUNTING
25 WILD WATERFOWL OFFSHORE.

26 (C) A PERSON HUNTING WILD WATERFOWL FROM A BOAT THAT IS DRIFTING
27 OR BEING SCULLED SHALL BE AT LEAST 800 YARDS FROM SHORE INCLUDING SHORE
28 EMERGING AT MEAN LOW WATER EXCEPT IN THE NONTIDAL WATERS OF THE
29 POTOMAC RIVER, IN CONOCOCHUEGUE CREEK, AND IN THE MONOCACY RIVER.

30 (D) ~~ON THE NONTIDAL WATERS OF THE POTOMAC RIVER, CONOCOCHUEGUE~~
31 ~~CREEK, AND THE MONOCACY RIVER~~, A NONRESIDENT MAY NOT HUNT WILD
32 WATERFOWL FROM A BOAT THAT IS DRIFTING OR BEING SCULLED UNLESS
33 ACCOMPANIED BY A MARYLAND RESIDENT.

34 10-606.

35 (A) A PERSON MAY HUNT WILD WATERFOWL FROM A BOAT THAT IS
36 ANCHORED ONLY IN:

1 (1) THE NONTIDAL WATERS OF THE POTOMAC RIVER;

2 (2) THE WATERS OF THE SUSQUEHANNA FLATS, ELK RIVER, AND THAT
3 PORTION OF THE SASSAFRAS RIVER IN CECIL COUNTY LOCATED WEST OF 75
4 DEGREES 58 MINUTES 45 SECONDS;

5 (3) THE WATERS OF CHINCOTEAGUE BAY, SINEPUXENT BAY, ISLE OF
6 WIGHT, ASSAWOMAN BAY, AND THEIR RESPECTIVE TRIBUTARIES IN WORCESTER
7 COUNTY; OR

8 (4) ZONES PRESCRIBED BY THE DEPARTMENT BY REGULATION.

9 (B) A PERSON MAY HUNT WILD WATERFOWL FROM A BOAT THAT IS
10 ANCHORED AT A LICENSED OFFSHORE STATIONARY BLIND OR BLIND SITE.

11 (C) A PERSON HUNTING WILD WATERFOWL FROM A BOAT THAT IS ANCHORED
12 SHALL REMAIN 250 YARDS FROM ALL OFFSHORE STATIONARY BLINDS OR BLIND
13 SITES OR ANOTHER PERSON HUNTING WILD WATERFOWL OFFSHORE.

14 (D) A PERSON HUNTING WILD WATERFOWL FROM A BOAT THAT IS ANCHORED
15 SHALL BE AT LEAST 800 YARDS FROM SHORE INCLUDING SHORE EMERGING AT
16 MEAN LOW WATER EXCEPT IN NONTIDAL WATERS OF THE POTOMAC RIVER OR
17 UNLESS ANCHORED AT A LICENSED OFFSHORE STATIONARY BLIND OR BLIND SITE.

18 (E) EXCEPT AT A LICENSED STATIONARY BLIND OR BLIND SITE, A
19 NONRESIDENT MAY NOT HUNT WILD WATERFOWL FROM A BOAT THAT IS ANCHORED
20 UNLESS ACCOMPANIED BY A MARYLAND RESIDENT.

21 10-607.

22 (A) (1) THIS SECTION SHALL APPLY ONLY TO OWNERS OF RIPARIAN
23 PROPERTY IN MARYLAND REGARDLESS OF THE RESIDENCY OF THE OWNER.

24 (2) PERSONS OWNING RIPARIAN PROPERTY IN VIRGINIA OR WEST
25 VIRGINIA THAT IS ADJACENT TO THE POTOMAC RIVER MAY NOT LICENSE THEIR
26 SHORELINE ~~IN THIS STATE~~ UNDER THIS SUBTITLE.

27 (B) RIPARIAN LANDOWNERS MAY LICENSE THEIR RIPARIAN SHORELINE:

28 (1) TO ESTABLISH OFFSHORE STATIONARY BLINDS OR BLIND SITES FOR
29 HUNTING WILD WATERFOWL; AND

30 (2) TO PREVENT OTHER PERSONS FROM LICENSING THE RIPARIAN
31 SHORELINE FOR THE PURPOSE OF HUNTING WILD WATERFOWL OFFSHORE.

32 (C) (1) ~~ON THE NONTIDAL WATERS OF THE POTOMAC RIVER,~~
33 ~~CONOCOCHIEGUE CREEK, AND THE MONOCACY RIVER, RIPARIAN SHORELINE~~
34 ~~OWNED BY STATE OR FEDERAL UNITS OR THEIR ASSIGNEES MAY NOT BE LICENSED~~
35 ~~FOR THE PURPOSE OF EXCLUDING OTHERS FROM HUNTING OFFSHORE FOR WILD~~
36 ~~WATERFOWL.~~

1 (2) (4) STATE OR FEDERAL UNITS MAY APPLY IN WRITING TO THE
2 DEPARTMENT TO ESTABLISH SAFETY ZONES IN SPECIFIC AREAS.

3 (II) THE SECRETARY SHALL REVIEW EACH REQUEST AND
4 ~~DETERMINE WHETHER SUFFICIENT NEED FOR A SAFETY ZONE EXISTS. ON THE~~
5 NONTIDAL WATERS OF THE POTOMAC RIVER, CONOCOHEAGUE CREEK, AND THE
6 MONOCACY RIVER, THE DEPARTMENT MAY NOT LICENSE RIPARIAN SHORELINE
7 OWNED BY A FEDERAL OR STATE UNIT OR THE ASSIGNEE OF THE FEDERAL OR STATE
8 UNIT.

9 (2) (1) A FEDERAL OR STATE UNIT THAT OWNS RIPARIAN SHORELINE
10 ON THE NONTIDAL WATERS OF THE POTOMAC RIVER, CONOCOHEAGUE CREEK, AND
11 THE MONOCACY RIVER MAY APPLY TO THE DEPARTMENT TO ESTABLISH A
12 WATERFOWL SAFETY ZONE IN A SPECIFIED AREA OF THE SHORELINE.

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

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

17 (D) ~~ONLY~~

18 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ONLY
19 PERSONS OWNING AT LEAST 250 YARDS OF ~~CONTIGUOUS~~ CONTINUOUS SHORELINE
20 MAY ERECT AN OFFSHORE STATIONARY BLIND OR BLIND SITE, ~~EXCEPT THAT~~
21 RIPARIAN OWNERS WHO OWN

22 (2) A RIPARIAN LANDOWNER WHO OWNS LESS THAN 250 YARDS OF
23 ~~CONTIGUOUS~~ CONTINUOUS SHORELINE MAY ERECT AN OFFSHORE STATIONARY
24 BLIND OR BLIND SITE FOR A DISTANCE OF AT LEAST 250 YARDS IF THE PERSON
25 RIPARIAN LANDOWNER HAS THE WRITTEN CONSENT OF THE ADJACENT ADJOINING
26 RIPARIAN LANDOWNERS TO ACHIEVE THE REQUIRED 250 YARDS OF CONTINUOUS
27 SHORELINE.

28 (E) RIPARIAN LANDOWNERS MAY LEASE OR ASSIGN THEIR RIGHTS TO AN
29 OFFSHORE STATIONARY BLIND OR BLIND SITE.

30 (F) WITHOUT THE WRITTEN PERMISSION OF THE ADJACENT LANDOWNER,
31 RIPARIAN LANDOWNERS MAY NOT LOCATE AN OFFSHORE STATIONARY BLIND OR
32 BLIND SITE WITHIN 125 YARDS OF THE PROPERTY LINE OR WHERE THE LINE WOULD
33 BE IF IT WERE EXTENDED OUT OVER THE WATER PERPENDICULAR TO THE SHORE AT
34 THE POINT WHERE THE PROPERTY LINE REACHES THE WATER'S EDGE.

35 (G) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS SECTION, WHERE
36 CIRCUMSTANCES REQUIRE, SUCH AS IN COVES AND WHEN TWO PROPERTIES
37 EXTEND ONTO A POINT OF LAND, THE SECRETARY MAY DETERMINE WHERE AN
38 OFFSHORE STATIONARY BLIND OR BLIND SITE LICENSE SHALL BE LOCATED. THE
39 SECRETARY SHALL TRY TO LOCATE THE SITES SO THAT EACH RIPARIAN

1 LANDOWNER GETS A SITE AND MAY LOCATE THE BLINDS CLOSER THAN 250 YARDS
2 APART WITH THE WRITTEN CONSENT OF THE TWO RIPARIAN LANDOWNERS.

3 (H) (1) RIPARIAN LANDOWNERS, INCLUDING GOVERNMENT AGENCIES,
4 SHALL LICENSE THEIR SHORELINE ANNUALLY IN ACCORDANCE WITH THIS SECTION.

5 (2) AN APPLICANT FOR A LICENSE SHALL:

6 (I) SUBMIT TO THE DEPARTMENT:

7 1. AN APPLICATION BY MAIL PRIOR TO JUNE 1 OF EACH
8 YEAR ON A FORM PROVIDED BY THE DEPARTMENT;

9 2. A MAP SHOWING THE EXACT LOCATION OF THE
10 SHORELINE TO BE LICENSED AND THE EXACT LOCATION OF THE PROPOSED
11 OFFSHORE STATIONARY BLINDS OR BLIND SITES, IF ANY;

12 3. THE WRITTEN PERMISSION OF ADJACENT LANDOWNERS
13 IF NECESSARY; AND

14 4. THE WRITTEN LEASE OR ASSIGNMENT OF THE RIPARIAN
15 LANDOWNER IF NECESSARY; AND

16 (II) PAY TO THE DEPARTMENT A FEE OF \$20.

17 (3) A UNIT OF GOVERNMENT IS EXEMPT FROM THE APPLICATION FEE
18 REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

19 (I) (1) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES ON JUNE 30 OF
20 EACH YEAR, THE DEPARTMENT SHALL MAIL A RENEWAL NOTICE AND A RENEWAL
21 APPLICATION TO ALL RIPARIAN LANDOWNERS WHO RECEIVED A LICENSE THE
22 PREVIOUS YEAR.

23 (2) THE RENEWAL NOTICE SHALL STATE:

24 (I) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;

25 (II) THE DATE BY WHICH THE DEPARTMENT MUST RECEIVE THE
26 RENEWAL APPLICATION FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE THE
27 LICENSE EXPIRES; AND

28 (III) THE AMOUNT OF THE RENEWAL FEE.

29 (J) BEFORE THE LICENSE EXPIRES, THE LICENSEE MAY RENEW THE LICENSE
30 FOR AN ADDITIONAL 1-YEAR TERM, IF THE LICENSEE:

31 (1) IS OTHERWISE ENTITLED TO BE LICENSED;

32 (2) PAYS TO THE DEPARTMENT A RENEWAL FEE OF \$20; AND

1 (3) SUBMITS TO THE DEPARTMENT A RENEWAL APPLICATION ON THE
2 FORM THAT THE DEPARTMENT REQUIRES.

3 (K) WHENEVER CONFLICTS OCCUR BETWEEN APPLICANTS AND THOSE
4 CONFLICTS CANNOT BE RESOLVED BY APPLICATION OF SUBSECTION (G) OF THIS
5 SECTION, THE APPLICANT APPLYING FIRST SHALL PREVAIL. IF BOTH APPLICATIONS
6 ARRIVE IN THE MAIL ON THE SAME DAY A COIN TOSS SHALL DETERMINE WHICH
7 APPLICANT SHALL PREVAIL. THE APPLICANTS MAY BE PRESENT FOR THE COIN TOSS.

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

12 10-608.

13 (A) ~~MARYLAND RESIDENTS AND OWNERS OF A MARYLAND RESIDENT OR A~~
14 ~~PERSON WHO OWNS RIPARIAN PROPERTY IN MARYLAND, REGARDLESS OF STATE~~
15 ~~RESIDENCY, MAY APPLY TO THE DEPARTMENT TO LICENSE RIPARIAN SHORELINE~~
16 ~~FOR THE PURPOSE OF ESTABLISHING AN OFFSHORE BLIND SITE.~~

17 (B) AN APPLICANT FOR A LICENSE SHALL:

18 (1) SUBMIT TO THE DEPARTMENT:

19 (I) AN APPLICATION ON A FORM PROVIDED BY THE DEPARTMENT;
20 AND

21 (II) A SIGNED STATEMENT THAT:

22 1. THE LOCATION OF THE BLIND SITE IS AT LEAST 125 YARDS
23 FROM ALL OTHER PREVIOUSLY LICENSED RIPARIAN SHORELINE; AND

24 2. THE OFFSHORE BLIND SITE COMPLIES WITH ALL OTHER
25 PERTINENT LAWS AND REGULATIONS; AND

26 (2) PAYS TO THE DEPARTMENT AN APPLICATION FEE OF \$20 FOR EACH
27 LICENSE REQUESTED.

28 (C) (1) THE COMPLETED APPLICATION SHALL BE SUBMITTED TO
29 DEPARTMENT REGIONAL SERVICE CENTERS OR OTHER DESIGNATED LOCAL SITES
30 ON DAYS DESIGNATED BY THE DEPARTMENT.

31 (2) THE DEPARTMENT SHALL ESTABLISH AND ADEQUATELY STAFF A
32 SITE IN EACH COUNTY WHERE LICENSING OCCURS.

33 (3) THE DEPARTMENT SHALL POST NOTICES OF DATES AND LOCATIONS
34 FOR LICENSING OF BLIND SITES IN THE OFFICE OF THE CLERK OF THE COURT IN
35 EACH COUNTY.

1 (4) LICENSING SHALL BEGIN ON OR BEFORE THE FIRST TUESDAY IN
2 AUGUST OF EACH YEAR ON DATES SET BY THE DEPARTMENT.

3 (D) EACH DESIGNATED SITE OR REGIONAL SERVICE CENTER SHALL HAVE
4 MAPS AVAILABLE BY JULY 15 OF EACH YEAR THAT SHOW THE LOCATION OF ALL
5 SHORELINE LICENSED BY RIPARIAN LANDOWNERS.

6 (E) EXCEPT FOR RIPARIAN LANDOWNERS LICENSING THEIR OWN PROPERTY,
7 A PERSON MAY NOT OBTAIN MORE THAN TWO LICENSES PER DAY.

8 (F) EACH LICENSE SHALL APPLY TO 250 YARDS OF SHORELINE. BLIND SITES
9 SHALL BE LOCATED EQUIDISTANT FROM THE BOUNDARIES DESCRIBED BY THE
10 LICENSE.

11 (G) ~~ONLY RIPARIAN LANDOWNERS MAY LICENSE RIPARIAN SHORELINE IN~~
12 ~~KENT AND QUEEN ANNE'S COUNTIES AND ON THE NONTIDAL WATERS OF THE~~
13 ~~POTOMAC RIVER AND ITS NONTIDAL TRIBUTARIES IN KENT COUNTY AND QUEEN~~
14 ~~ANNE'S COUNTY AND ON THE NONTIDAL WATERS OF THE POTOMAC RIVER AND ITS~~
15 ~~NONTIDAL TRIBUTARIES, ONLY A RIPARIAN LANDOWNER OWNING THE AMOUNT OF~~
16 ~~SHORELINE REQUIRED UNDER § 10-607(D) OF THIS SUBTITLE OR A LANDOWNER'S~~
17 ~~LESSEE, LICENSEE, OR ASSIGNEE MAY ERECT AND MAINTAIN A STATIONARY BLIND~~
18 ~~OR BLIND SITE.~~

19 (H) LICENSES ARE VALID UNTIL JUNE 30 OF THE FOLLOWING YEAR AND
20 SHALL BE ISSUED IN THE ORDER THE APPLICATIONS ARE RECEIVED IN PERSON.

21 10-609.

22 (A) OFFSHORE STATIONARY BLINDS AND OFFSHORE BLIND SITES SHALL BE
23 AT LEAST 250 YARDS APART FROM EACH OTHER.

24 (B) OFFSHORE STATIONARY BLINDS AND OFFSHORE BLIND SITES SHALL BE
25 LOCATED WITHIN 300 YARDS OF THE SHORELINE OR ONE-THIRD THE DISTANCE TO
26 THE OPPOSITE SHORE, WHICHEVER IS LESS, EXCEPT THAT IN THE CHESAPEAKE BAY
27 IN ANNE ARUNDEL AND CALVERT COUNTIES, AND IN PROSPECT BAY IN QUEEN
28 ANNE'S COUNTY, ALL OFFSHORE STATIONARY BLINDS AND BLIND SITES MAY BE NO
29 MORE THAN 800 YARDS FROM THE SHORELINE.

30 (C) OFFSHORE STATIONARY BLINDS AND BLIND SITES MAY NOT BE LESS
31 THAN 150 YARDS FROM ANY DWELLING HOUSE WITHOUT THE WRITTEN PERMISSION
32 OF THE OWNER OF THE HOUSE.

33 (D) OFFSHORE STATIONARY BLINDS SHALL BE MARKED WITH THE
34 LICENSEE'S NAME AND LICENSE NUMBER AND MARKED ON EACH SIDE WITH AT
35 LEAST 100 SQUARE INCHES OF CLEARLY VISIBLE REFLECTIVE MATERIAL ATTACHED
36 TO THE STATIONARY BLIND AT LEAST 3 FEET ABOVE THE HIGH WATER MARK.

37 (E) OFFSHORE BLIND SITES SHALL BE MARKED BY A STAKE SHOWING THE
38 LICENSEE'S NAME AND LICENSE NUMBER. EACH STAKE SHALL BE MARKED ON ALL
39 SIDES WITH REFLECTIVE MATERIAL AT LEAST 4 INCHES WIDE AND LOCATED AT

1 LEAST 3 FEET ABOVE THE HIGH WATER MARK. ALL STAKES SHALL BE REMOVED
2 WITHIN 30 DAYS AFTER THE LAST WILD WATERFOWL SEASON CLOSES.

3 10-610.

4 (A) (1) IN ORDER TO PROVIDE GREATER PUBLIC ACCESS AND USE OF WILD
5 WATERFOWL BLINDS, IN EACH COUNTY OF THE STATE WHERE WILD WATERFOWL
6 ARE ADEQUATE AND HUNTING IS ALLOWED UNDER THIS SUBTITLE, THE
7 DEPARTMENT SHALL LOCATE AND CONSTRUCT BLINDS ON PUBLIC LANDS UNDER
8 THE DEPARTMENT'S CONTROL AND MAKE THE BLINDS AVAILABLE FOR PUBLIC USE.

9 (2) THE DEPARTMENT MAY ALLOW THE HUNTING OF WILD WATERFOWL
10 FROM A BOAT THAT IS DRIFTING OR ANCHORED OR WHILE STANDING IN THE WATER
11 ON THE NATURAL BOTTOM IN WATERS ADJACENT TO LANDS OWNED OR MANAGED
12 BY THE DEPARTMENT.

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

16 (B) THE DEPARTMENT SHALL ENCOURAGE LOCAL AND FEDERAL
17 GOVERNMENT TO MAKE OPPORTUNITIES AVAILABLE FOR THE PUBLIC TO HUNT
18 WATERFOWL FROM BLINDS LOCATED ON PUBLIC LANDS UNDER THE JURISDICTION
19 OF THE LOCAL OR FEDERAL GOVERNMENT BY:

20 (1) ENTERING INTO AN AGREEMENT WITH THE LOCAL OR FEDERAL
21 GOVERNMENT TO CONSTRUCT THE BLINDS AND MANAGE THEIR USE; OR

22 (2) ADVISING THE LOCAL OR FEDERAL GOVERNMENT ON THE PROPER
23 CONSTRUCTION, LOCATION, AND MANAGEMENT OF BLINDS TO BE USED BY THE
24 PUBLIC FOR HUNTING WILD WATERFOWL.

25 10-611.

26 ANY PERSON HUNTING WILD WATERFOWL FROM A STATIONARY BLIND OR
27 BLIND SITE SHALL POSSESS A HUNTER'S LICENSE.

28 10-612.

29 ~~(e) (1) [In Kent and Queen Anne's Counties only a riparian owner owning~~
30 ~~the required amount of shoreline, or the owner's lessee, licensee, or assignee, may~~
31 ~~erect and maintain a stationary blind or blind site.~~

32 ~~(2)] A resident who applies for a license for a stationary blind or blind site~~
33 ~~in the water adjacent to Bloodsworth Island in Dorchester County is not required to~~
34 ~~obtain permission from the riparian owner notwithstanding any other provision of~~
35 ~~this section.~~

36 ~~[(3)] (2) In Anne Arundel County, the County is exempt from any~~
37 ~~registration requirement of this subtitle, including the payment of fees, for any~~

1 off-shore stationary blind that the County has registered in previous years or will
 2 register in the future for any waterfront public property owned by the County and
 3 located in the County. To comply with the provisions of this subtitle, the Anne Arundel
 4 County Department of Recreation and Parks need only notify the clerk of the court in
 5 Anne Arundel County and the Department that the waterfront public property is
 6 unavailable for public registration.

7 ~~[(4)]~~ (3) ~~In Prince George's County, the Maryland National Capital~~
 8 ~~Park and Planning Commission is exempt from any registration requirement of this~~
 9 ~~subtitle, including the payment of fees, for any offshore stationary blind that the~~
 10 ~~Maryland National Capital Park and Planning Commission has registered in~~
 11 ~~previous years or will register in the future for any waterfront public property owned~~
 12 ~~by the County and located in the County. To comply with the provisions of this~~
 13 ~~subtitle, the Maryland National Capital Park and Planning Commission need only~~
 14 ~~notify the clerk of the court in Prince George's County and the Department that the~~
 15 ~~waterfront public property is unavailable for public registration.~~

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

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

22 10-613.

23 IF A LICENSEE ERECTS A STATIONARY BLIND OR BLIND SITE OR SETS A STAKE
 24 AND THE STATIONARY BLIND, BLIND SITE, OR STAKE IS LOST OR DESTROYED IN A
 25 MANNER BEYOND THE LICENSEE'S CONTROL, THE LICENSEE MAY NOT LOSE THE
 26 LICENSEE'S LOCATION AND MAY REESTABLISH THE STATIONARY BLIND, BLIND SITE,
 27 OR STAKE AT ANY TIME DURING THE CURRENT HUNTING SEASON.

28 10-614.

29 OFFSHORE STATIONARY BLINDS OR BLIND SITES MAY NOT BE ERECTED,
 30 MAINTAINED, OR LICENSED IN THE FOLLOWING WATERS:

31 (1) OFFSHORE FROM LANDS OWNED OR MANAGED BY THE
 32 DEPARTMENT EXCEPT THE DEPARTMENT MAY LOCATE AND CONSTRUCT OFFSHORE
 33 STATIONARY BLINDS OR BLIND SITES AND MAKE THE BLINDS OR BLIND SITES
 34 AVAILABLE TO THE PUBLIC;

35 (2) WHERE THE USE OF THE BLINDS MAY PRESENT A RISK TO NATIONAL
 36 SECURITY OR THE HEALTH AND SAFETY OF THE HUNTERS AS DETERMINED BY THE
 37 DEPARTMENT;

38 (3) WHERE THE LOCATION OF THE BLINDS INTERFERES WITH THE SAFE
 39 OPERATION OF AN AIRPORT; OR

1 (4) IN BALTIMORE COUNTY ON:

2 (I) THE MIDDLE RIVER AND ITS TRIBUTARIES, WESTERLY OR
3 TOWARDS SHORE FROM A STRAIGHT LINE DRAWN FROM THE TIP OF WILSON POINT
4 IN A SOUTHWESTERLY DIRECTION TO THE NORTHWEST CORNER OF CAPE MAY
5 BEACH;

6 (II) FROG MORTAR CREEK FROM A STRAIGHT LINE DRAWN FROM
7 THE TIP OF WHAT IS KNOWN AS STRAWBERRY POINT IN A SOUTHEASTERLY
8 DIRECTION ACROSS THE CREEK TO THE TIP OF WHAT IS KNOWN AS GALLOWAY
9 POINT AND EXTENDING 1,500 YARDS NORTHEAST UP THE CREEK TO THE POINT
10 WHERE GLENWOOD ROAD APPROACHES THE CREEK SHORELINE;

11 (III) BACK RIVER AND ITS TRIBUTARIES WEST OF THE EASTERN
12 AVENUE BRIDGE; OR

13 (IV) BIRD RIVER AND ITS TRIBUTARIES EXTENDING FROM THE
14 HEAD OF TIDE AT WHITEMARSH RUN AND WINDLASS RUN AND GOING GENERALLY
15 EASTERLY OR TOWARDS A LINE THAT RUNS IN A NORTHERLY DIRECTION FROM THE
16 NORTHERNMOST TIP OF A PENINSULA CALLED STUMPFS MARSH TO THE OPPOSITE
17 SHORELINE, BUT EXCLUDING AN AREA THAT LIES BETWEEN STUMPFS MARSH AND A
18 LINE 150 YARDS FROM THE SHORELINE OF STUMPFS MARSH; OR

19 (5) IN KENT COUNTY ON:

20 (I) TURNER'S CREEK; OR

21 (II) CHESTER RIVER AND ITS TRIBUTARIES, EXCEPT IN THOSE
22 WATERS LYING BETWEEN DURDING'S CREEK AND DEEP POINT OR BETWEEN THE
23 PROPERTY LINE OF WICKLIFFE FARM AND CEDAR POINT FARM NEAR THE POINT
24 KNOWN AS PINE TREE COVE AND GRAVEYARD POINT IN SPENCER HALL FARM ON
25 EASTERN NECK ISLAND AND THE CHESAPEAKE BAY BETWEEN THE NORTH END OF
26 WILSON'S POINT ON TRUMPINGTON FARM AND THE MOUTH OF THE CHESTER RIVER.
27 10-615.

28 (A) A PERSON MAY NOT ENTER, USE, OR OCCUPY ANOTHER PERSON'S
29 LICENSED STATIONARY BLIND OR BLIND SITE OR ANCHOR OR TIE TO ANOTHER
30 PERSON'S LICENSED STAKE FOR THE PURPOSE OF HUNTING WILD WATERFOWL OR
31 FOR ANY OTHER PURPOSE WITHOUT FIRST OBTAINING THE WRITTEN PERMISSION
32 OF THE LICENSEE, WHICH THE PERSON SHALL POSSESS AT THE TIME ENTRY OR USE
33 IS MADE.

34 (B) A LICENSEE MAY INSTITUTE PROCEEDINGS AGAINST OR THE
35 DEPARTMENT MAY PROSECUTE ANY PERSON WHO VIOLATES THE PROVISIONS OF
36 THIS SECTION.

37 ~~SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 10-612(a) and~~
38 ~~(b) and 10-616 through 10-620 of Article - Natural Resources of the Annotated Code~~
39 ~~of Maryland be repealed.~~

1 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article – Natural Resources**

4 10-612.

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

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

11 (e) (1) ~~[A resident who applies for a license for a stationary blind or blind~~
12 ~~site in the water adjacent to Bloodsworth Island in Dorchester County is not required~~
13 ~~to obtain permission from the riparian owner notwithstanding any other provision of~~
14 ~~this section.~~

15 (2) ~~In Anne Arundel County, the County is exempt from any registration~~
16 ~~requirement of this subtitle, including the payment of fees, for any off-shore~~
17 ~~stationary blind that the County has registered in previous years or will register in~~
18 ~~the future for any waterfront public property owned by the County and located in the~~
19 ~~County. To comply with the provisions of this subtitle, the Anne Arundel County~~
20 ~~Department of Recreation and Parks need only notify the clerk of the court in Anne~~
21 ~~Arundel County and the Department that the waterfront public property is~~
22 ~~unavailable for public registration.~~

23 [(3)] (2) ~~In Prince George's County, the Maryland National Capital~~
24 ~~Park and Planning Commission is exempt from any registration requirement of this~~
25 ~~subtitle, including the payment of fees, for any offshore stationary blind that the~~
26 ~~Maryland National Capital Park and Planning Commission has registered in~~
27 ~~previous years or will register in the future for any waterfront public property owned~~
28 ~~by the County and located in the County. To comply with the provisions of this~~
29 ~~subtitle, the Maryland National Capital Park and Planning Commission need only~~
30 ~~notify the clerk of the court in Prince George's County and the Department that the~~
31 ~~waterfront public property is unavailable for public registration.~~

32 SECTION 6. AND BE IT FURTHER ENACTED, That Sections 1, 2, and 3 of
33 this Act shall take effect July 1, 1999.

34 SECTION 7. AND BE IT FURTHER ENACTED, That Sections 4 and 5 of this
35 Act shall take effect May 1, 2000.

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

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