
By: **Delegates Schisler, Weir, and Guns**
Introduced and read first time: February 2, 2000
Assigned to: Environmental Matters

Committee Report: Favorable
House action: Adopted
Read second time: February 23, 2000

CHAPTER _____

1 AN ACT concerning

2 **Hunting - Duck Blinds - Site Licenses**

3 FOR the purpose of repealing certain requirements for an application for a duck blind
4 site license; repealing certain requirements for obtaining a duck blind site
5 license; repealing certain requirements for the content of a duck blind site
6 license; repealing certain requirements for issuance of a duck blind site license;
7 repealing certain exceptions to requirements for a duck blind site license; and
8 generally relating to requirements for a duck blind site license.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 10-612
12 Annotated Code of Maryland
13 (1990 Replacement Volume and 1999 Supplement)
14 (As enacted by Chapter 703 of the Acts of the General Assembly of 1999)

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

17 **Article - Natural Resources**

18 10-612.

19 (a) The Department shall inspect a licensed blind site to determine the
20 validity of the certifications in an application upon request of the owner of the shore
21 front property.

1 (b) If the Department finds that the certifications of the application are
2 erroneous, the Department may revoke the license by giving written notice to the
3 applicant.

4 [(c) (1) A riparian owner owning the required amount of shoreline shall
5 certify in writing to the clerk that the riparian owner is the owner of the required
6 amount of shoreline. A lessee, licensee, or assignee of a riparian owner shall present
7 to the clerk a written statement from the riparian owner authorizing the lessee,
8 licensee, or assignee to erect a stationary blind or a blind site. The lessee, licensee, or
9 assignee also shall certify that the riparian owner owns the required amount of
10 shoreline.

11 (2) A riparian owner owning less than the required amount of shoreline
12 who desires to erect a stationary blind shall present the written permission of every
13 shoreowner having continuous shore frontage along the required amount of shoreline.

14 (3) A riparian owner owning less than the required amount of shoreline
15 applying between August 1 and August 14, inclusive, shall certify that the owner is a
16 riparian owner, that the owner desires to erect a blind site, and that there is no
17 previously licensed stationary blind or blind site within the distance prohibited by §
18 10-617 of this subtitle.

19 (4) Any other resident applying after August 14 shall certify that the
20 resident is a resident of the State, that the resident desires to erect a blind site, and
21 that there is no previously licensed stationary blind or blind site within the distance
22 prohibited by § 10-617 of this subtitle.

23 (d) (1) A stationary blind or blind site license may be obtained from the clerk
24 of the circuit court of the county within whose jurisdiction the stationary blind or
25 blind site lies.

26 (2) Application shall be made on forms, furnished by the Secretary to the
27 clerks of courts, which provide for the location of the blind and the name of the
28 riparian owner. A person may apply by mail.

29 (3) The number of stationary blind and blind site licenses that the clerk
30 shall issue to any resident nonowner during 1 day is limited to no more than two.

31 (4) The clerk shall issue the license upon payment of a \$11.00 fee. The
32 clerk shall retain \$1.00 to cover issuing costs.

33 (5) The Department shall provide each participating county with maps
34 designed for public display and indication of the geographic locations of each
35 purchased site.

36 (e) The license shall bear the Secretary's signature and be countersigned by
37 the issuing clerk. The clerk also shall fill in the name and address of the licensee and
38 the location of the blind on the attached stub and mail the stub to the Secretary.

39 (f) The clerk shall issue blind site licenses to:

1 (1) Riparian owners having less than the required amount of shoreline;
2 and

3 (2) Any other State resident in the order in which applications are
4 received.

5 (g) The license shall expire June 30 after the date of issuance.

6 (h) (1) Notwithstanding any other provisions of this subtitle, the licensing
7 provisions of this section apply to the waters of Talbot County.

8 (2) Any person desiring to erect a stationary blind or blind site in the
9 waters of Talbot County first shall obtain a license in accordance with the following
10 schedule of priorities:

11 (i) Any owner of at least 500 yards of contiguous shoreline in
12 Talbot County, or the owner's lessee, licensee, or assignee shall receive first priority to
13 license a stationary blind or blind site in front of the owner's, lessee's, licensee's, or
14 assignee's riparian property if an application is made between July 1 and November
15 1, inclusive. An owner shall certify by written application that the owner owns the
16 required amount of shoreline. A lessee, licensee, or assignee of an owner of 500 yards
17 of contiguous yards of shoreline shall certify by written application that the lessee,
18 licensee, or assignee possesses the required amount of shoreline;

19 (ii) A lessee, licensee, or assignee of 500 yards of contiguous
20 shoreline owned by more than 1 person may obtain a stationary blind or blind site
21 license if an application is made between July 1 and November 1, inclusive. An
22 applicant shall present the written consent of the owners of the shoreline;

23 (iii) An owner of riparian rights or the owner's lessees, licensees, or
24 assignees, owning less than 500 contiguous yards of shoreline shall have priority to
25 obtain a license for blind site between October 11 and 21 inclusive of each year,
26 provided the owner or the owner's lessee, licensee, or assignee complies with the
27 requirements of written consent; and

28 (iv) After November 1, any resident of Talbot County may license a
29 blind site no closer than 500 yards of the nearest licensed stationary blind or blind
30 site.

31 (3) After November 1, the clerk shall issue blind site licenses in rotation
32 as applications are received. The Department shall inspect any licensed blind site to
33 determine the validity of the certifications in any application upon request of the
34 owner of the shoreline property. If the Department finds that the certifications of the
35 application are erroneous, the Department may revoke the license by written notice to
36 the applicant.

37 (4) Any person choosing a location for a stationary blind or blind site
38 pursuant to the provisions of this section shall mark the position by erecting a stake
39 showing the licensee's name and number.

1 (5) If any licensee erects a stationary blind or blind site or sets a stake
2 and the stationary blind, blind site, or stake is lost or destroyed in any manner
3 beyond the licensee's control, the licensee may not lose the licensee's location but may
4 reestablish the stationary blind, blind site, or stake at any time during the current
5 hunting season.

6 (6) A resident who applies after November 1 shall remove any stake
7 erected pursuant to the provisions of this section within 30 days after wild waterfowl
8 season closes.

9 (7) Whenever conflicts occur between applicants within the lines
10 specified, the applicant first applying shall prevail.

11 (8) An owner of at least 500 yards of shoreline, or the owner's lessee,
12 licensee, or assignee, may not place a stationary blind or blind site within 250 yards
13 of the dividing line of any property owned by the owner, lessee, licensee, or assignee
14 and the adjoining property bordering on the waters of Talbot County without the
15 consent of the adjoining landowner. Any other person may not erect a stationary blind
16 or blind site less than 500 yards from the nearest licensed stationary blind or blind
17 site when measured in a straight line.

18 (9) A person may not erect a stationary blind or blind site at a greater
19 distance from shore than one-third of the distance from shore to the opposite shore or
20 300 yards from the shoreline, whichever is less. The Secretary shall be sole judge of
21 what constitutes "opposite shore" for the purposes of this subsection. Where
22 circumstances require and with regard for the rights of adjoining owners, the
23 Secretary may designate the points with respect to distances from shore.

24 (10) However, unless the written permission of the riparian owner is first
25 obtained, no person other than the owner shall locate a blind site closer than 300
26 yards from any dwelling house.

27 (11) Any owner of 500 yards of contiguous shoreline, or the owner's lessee,
28 licensee, or assignee, shall have the sole right to body boot or hunt from gunning rigs
29 or boat or floating blinds anchored or tied at the blind site in any area which the
30 owner, lessee, licensee, or assignee has protected by licensed stationary blind or blind
31 site. However, the owner, lessee, licensee, or assignee may not hunt closer than 500
32 yards of the nearest stationary blind or blind site of another licensee without the
33 other licensee's written consent.

34 (12) Any other person who obtains a blind site license has the sole right to
35 body boot or hunt from any gunning rig, boat, or floating blind if the gunning rig,
36 boat, or floating blind is tied or anchored at a blind site.

37 (13) A person may not hunt or occupy any blind in the waters of Talbot
38 County that is situated within 300 yards of any blind permanently constructed on
39 shore.]

40 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
41 June 1, 2000.

