

SENATE BILL 1043

M2

0lr3240
CF 0lr3400

By: **Senators Stoltzfus and Colburn**

Introduced and read first time: February 26, 2010

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Hunting Wild Waterfowl – Dorchester, Somerset, and Wicomico Counties**

3 FOR the purpose of altering the location in which a person may hunt wild waterfowl
4 by certain methods in the waters of Dorchester, Somerset, and Wicomico
5 counties; decreasing the distance from shore that the Department of Natural
6 Resources prescribes by regulation for the hunting of wild waterfowl by certain
7 methods in the waters of Dorchester, Somerset, and Wicomico counties; and
8 generally relating to hunting wild waterfowl in the waters of Dorchester,
9 Somerset, and Wicomico counties.

10 BY repealing and reenacting, with amendments,
11 Article – Natural Resources
12 Section 10–604 through 10–606
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2009 Supplement)

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 10–604.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

17 (i) The waters of the Susquehanna Flats;

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

20 (iii) The waters of Harford and Baltimore counties that the
21 Department by regulation prescribes for hunting under subsection (a) of this section;
22 **AND**

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

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

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

34 10-605.

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

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

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

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

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

13 **[(4)] (5)** Zones prescribed by the Department by regulation.

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

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

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

28 (i) The waters of the Susquehanna Flats;

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

32 (iii) The waters of Harford and Baltimore counties that the
33 Department by regulation prescribes for hunting under subsection **[(a)(4)] (A)(5)** of
34 this section; **AND**

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

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

8 10-606.

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

10 (1) The nontidal waters of the Potomac River;

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

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

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

20 [[4)] (5) Zones prescribed by the Department by regulation.

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

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

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

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

4 (i) The waters of the Susquehanna Flats;

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

8 (iii) The waters of Harford and Baltimore counties that the
9 Department by regulation prescribes for hunting under subsection [(a)(4)] **(A)(5)** of
10 this section; AND

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

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

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