

governing the taking of soft shell clams in Maryland, establishing a uniform law applicable in all counties where such taking is not prohibited and providing exceptions in certain waters.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Sections 713 through 715C, inclusive, of Article 66C of the Annotated Code of Maryland (1967 Replacement Volume and 1969 Supplement), title "Natural Resources," subtitle "Oysters and Clams," be and they are hereby repealed; and that new Section 713 be and it is hereby enacted in lieu thereof, to stand in the place of the section so repealed, and to read as follows:*

713.

(a) *As used in Section 713, unless the context otherwise requires:*

(1) *"Bushel" means U. S. Standard Bushel of 2150.42 cubic inches.*

(2) *"Department" means the Department of Chesapeake Bay Affairs or its successor agency.*

(3) *"Hydraulic clam dredge" means the device described as such in Resource Study Report No. 11, Department of Research and Education, 1957, or any device substantially conforming to that description, including the vessel on which the dredge is carried.*

(4) *"Operate" means to physically control.*

(5) *"Person" means any person, firm, copartnership, association, or corporation.*

(6) *"Resident" means a person who has principally resided in the State and/or the county in which he claims residency, as evidenced by the extent of his physical presence therein, his status as a taxpayer, the ownership of real property, and registration as a voter. For the purposes of this section, the Department is the sole judge of the validity of claims to residency.*

(7) *"Soft shell clams" means mollusks of the species *Mya arenaria*.*

(8) *"Take" means to catch, remove, or harvest.*

License To Dredge; Privileges; Qualifications

(b) *The Department of Chesapeake Bay Affairs is authorized to issue to any ~~qualified citizen~~ RESIDENT of Maryland a license to take soft shell clams with a hydraulic clam dredge in the waters of Chesapeake Bay, as defined in this Article, and in the territorial waters of any county of which he has been a resident during the whole of the immediately preceding year, subject to all restrictions imposed by this Article. Application for license shall be made as prescribed by, and the applicant must submit such evidence of his qualifications as may be required by, the Department. The fee for issuance and for annual renewal of the license shall be \$25.00. All licenses shall expire on June 30 next following the date of issuance. A person licensed to take soft shell clams with a hydraulic clam dredge may sell his catch to any person licensed in Maryland to deal in soft shell clams, but to none other unless the person licensed to take such clams is also licensed to deal in soft shell clams under the provisions of subsection (g) or regulations adopted pursuant thereto.*