

CHAPTER 776

(House Bill 33)

AN ACT to repeal and re-enact, with amendments, Sections 708(j), (l), (n), (p), and (r) of Article 66C of the Annotated Code of Maryland (1957 Edition and 1964 Supplement), title "Natural Resources," subtitle "Oysters and Clams," to change or to impose various fees in connection with applications for leasing of private oyster lands in the State for renewal, transfer or assignment of such leases, for resurveys of leased lands, clarifying the provisions thereof, and correcting an error therein.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 708(j), (l), (n), (p), and (r) of Article 66C of the Annotated Code of Maryland (1957 Edition and 1964 Supplement), title "Natural Resources," subtitle "Oysters and Clams," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

708.

(j) Upon receipt of application and an application fee of **[five dollars (\$5.00)]** *Twenty-five dollars (\$25.00) to cover costs of advertising,* the Department of **[Tidewater Fisheries]** *Chesapeake Bay Affairs* shall proceed to advertise the application once a week for four successive weeks in a newspaper published in the county in which or nearest to which the area applied for is located; said advertisement to describe the location of the area applied for, the location of the stake marker and to give the name and **[resident]** *residence* of the applicant; and said Department shall have no authority to issue any lease without such advertisement. The application fee shall remain with the Department until final disposition of the application, and, whenever for any reason, an applicant is not granted a lease said application fee shall be returned to the applicant.

(l) Immediately after the termination of the respective periods prescribed for the filing of petitions or appeals, as above provided, or immediately after the final decision upon any protests or appeals that the area in question may be lawfully leased, it shall be the duty of the Department of **[Tidewater Fisheries]** *Chesapeake Bay Affairs* to notify the applicant by letter that said Department is ready to issue the lease applied for; and upon the payment by the applicant of a **further fee of [two dollars and fifty cents (\$2.50)]** *Five Dollars (\$5.00) as a recording fee, and Twenty Dollars (\$20.00) to cover costs of survey,* the said Department shall cause an accurate survey to be made of the area, shall execute a lease, shall enter such lease upon a book to be known as the "Register of Titles to Oyster Lands," and shall mail said lease to the applicant for his signature.

(n) The term of leases provided under this section shall be twenty years and the annual rent therefor shall be such sum as in the judgment of the Department is proper and commensurate with the value of the leased land; provided, however, that no such land shall be leased at a price less than ~~one dollar (\$1.00)~~ **TWO DOLLARS (\$2.00)** per acre. At the expiration of any lease in force on January first, nineteen hundred and forty-five, there shall be allowed an additional period of three years to all such lessees, and at the expiration of