

REVIEW GENERAL POLICY. ONE MEETING SHALL BE HELD PRIOR TO THE OPENING OF THE ANNUAL OYSTER SEASON EACH FALL. A MEETING SHALL CONVENE WHEN CALLED BY THE SECRETARY OR REQUESTED BY A MAJORITY OF EITHER THE WATERMEN MEMBERS OR THE SEAFOOD PROCESSOR MEMBERS OF THE COMMITTEE.]]

4-701. VACANT

4-702. NONRESIDENTS' SEAFOOD BUYERS LICENSE.

THE DEPARTMENT MAY ISSUE A LICENSE AND ESTABLISH A FEE FOR EVERY NONRESIDENT BUYER OF SEAFOOD PURCHASED, WHETHER IN WHOLE SALE OR BULK QUANTITIES, FROM A BUY BOAT, TRUCK, OR OTHER VEHICLE. A FEE MAY NOT EXCEED \$50 ANNUALLY.

REVISOR'S NOTE: This section is new language derived from Article 66C, section 13A(c) of the Code and inserted here for organizational purposes.

4-703. ONLY CITIZEN OR LANDOWNER MAY ~~[[FISH]]~~ CATCH FINFISH WITH NETS IN THE TIDAL WATERS OF THE STATE.

A PERSON WHO IS NOT A RESIDENT OR LANDOWNER OF THE STATE MAY NOT ~~[[FISH]]~~ CATCH FINFISH IN THE TIDAL WATERS OF THE STATE WITH A NET OF ANY DESCRIPTION.

REVISOR'S NOTE: This section presently appears as Article 66C, section 262 of the Code.

The provision of section 262 prohibiting a resident from fishing in waters of a county of which he is not a resident and the exceptions to this rule are proposed for deletion as unconstitutional in light of Bruce v. Director, 261 Md. 585 (1971). In that case, the Maryland Court of Appeals held unconstitutional the residential and territorial restrictions placed by the State on the licensing of commercial fishermen who engage in crabbing and oystering in the tidal waters of the State. These restrictions which prohibited any resident of the State from taking crabs and oysters from waters of a county of which he was not a resident were declared an unlawful classification of persons and discriminatory among the watermen of the several counties in contravention of