

4-1022. SHINNECOCK RAKES, PROHIBITED; EXCEPTION FOR WORCESTER COUNTY.

(A) SHINNECOCK RAKE PROHIBITED. - A PERSON MAY NOT CATCH HARD-SHELL CLAMS IN THE WATERS OF THE STATE WITH A SHINNECOCK RAKE OR SIMILAR DEVICE.

(E) EXCEPTION FOR WORCESTER COUNTY. - NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A), A PERSON MAY CATCH HARD-SHELL CLAMS WITH A HANDSCRAPE, SHINNECOCK RAKE, OR HYDRAULIC DREDGE IN THE WATERS OF WORCESTER COUNTY. UNLESS A PERSON FIRST OBTAINS THE PERMISSION OF THE SHORE OR WHARF OWNER, HE MAY NOT CATCH HARD-SHELL CLAMS WITHIN 300 FEET OF ANY SHORE OR WHARF.

REVISOR'S NOTE: Subsection (a) presently appears as Article 66C, section 698(g) of the Code, as amended by Chapter 295, H.B. 241, Acts of 1973, and is set forth here for organizational purposes. The word "except" before the phrase "in Worcester County" was omitted as a typographical error but was corrected by Chapter 295, Acts of 1973. This phrase is proposed for deletion because the exception for Worcester County appears in proposed subsection (b).

Subsection (b) presently appears as Article 66C, section 712(f)(6-1) of the Code. New language is added to indicate that the provisions of this section are exceptions to subsection (a).

The only other changes made are in style.

4-1023. DEPARTMENT MAY REGULATE CATCHING OF HARD-SHELL CLAMS IN WORCESTER COUNTY.

NOTWITHSTANDING THE PROVISIONS OF THIS SUBTITLE, THE DEPARTMENT MAY ADOPT AND MODIFY RULES AND REGULATIONS GOVERNING CATCHING HARD-SHELL CLAMS IN THE WATERS OF WORCESTER COUNTY. THESE RULES AND REGULATIONS MAY SPECIFY THE TYPE AND SIZE OF GEAR USED, MAXIMUM QUANTITY OF CLAMS CAUGHT PER DAY, MINIMUM SIZE OF CLAMS CAUGHT, SEASON FOR CATCHING CLAMS, DAYS OF THE WEEK AND HOURS OF THE DAY WHEN CLAMS MAY BE CAUGHT OR LANDED, AND THE AREAS IN WHICH CLAMS MAY BE CAUGHT WITH ANY TYPE OF GEAR. A PERSON MAY NOT CATCH CLAMS BY HANDSCRAPE, SHINNECOCK RAKE, HYDRAULIC DREDGE, OR ANY MECHANICAL MEANS FROM JUNE 1