

REVISOR'S NOTE: This section presently appears as Article 66C, section 712(f-1) of the Code. The only changes made are in style.

PART IV - SOFT-SHELL CLAMS.

4-1032. COUNTY ADVISORY COMMITTEE FOR SOFT-SHELL CLAMS.

ADVISORY COMMITTEES SHALL BE FORMED IN EACH COUNTY WHERE SOFT-SHELL CLAMS MAY BE CAUGHT BY HYDRAULIC CLAM DREDGE. EACH COMMITTEE SHALL BE COMPOSED OF FIVE PERSONS, FOUR OF WHOM POSSESS A HYDRAULIC CLAM DREDGE LICENSE AND ONE WHO POSSESSES A SOFT-SHELL CLAM DEALER'S AND SHIPPER'S LICENSE. COMMITTEE MEMBERS SHALL BE ELECTED BY PERSONS POSSESSING A HYDRAULIC CLAM DREDGE LICENSE OR A SOFT-SHELL CLAM DEALER'S AND SHIPPER'S LICENSE. THE DEPARTMENT SHALL CONFER WITH THE ELECTED COMMITTEES ON ANY MATTER AFFECTING THE MANAGEMENT OF THE SOFT-SHELL CLAM FISHERY.

REVISOR'S NOTE: This section is new language derived from Article 66C, section 713(1) of the Code, which is proposed for deletion. The phrase "dealer's and shipper's license" is added to this and subsequent sections to designate a person licensed to buy, sell, or ship, or transport clams. The only other changes made are in style.

4-1033. REGULATORY POWERS AND DUTIES OF THE DEPARTMENT.

(A) HYDRAULIC CLAM DREDGE LICENSES. - IN ADDITION TO ANY RULES AND REGULATIONS ADOPTED BY THE DEPARTMENT CONCERNING THE ISSUANCE OF HYDRAULIC CLAM DREDGE LICENSES PURSUANT TO THE PROVISIONS OF SECTION 4-1004(C), THE DEPARTMENT SHALL ADOPT RULES AND REGULATIONS ASSURING, THAT A PERSON HOLDS ONLY ONE HYDRAULIC CLAM DREDGE LICENSE AND THAT HE IS NOT ISSUED ANOTHER DURING THE SAME ISSUING YEAR IF HIS LICENSE IS REVOKED. THE DEPARTMENT ALSO SHALL ADOPT RULES AND REGULATIONS PROHIBITING A HYDRAULIC CLAM DREDGE LICENSEE FROM OPERATING A HYDRAULIC CLAM DREDGE OWNED BY ANOTHER PERSON, OR SUBJECT TO A LIEN HELD BY ANOTHER PERSON, LICENSED UNDER THE PROVISIONS OF THIS SECTION, UNLESS THE OWNER OR LIEN HOLDER WAS THE OWNER OF THE HYDRAULIC CLAM DREDGE, AS EVIDENCED BY DEPARTMENT RECORDS. HOWEVER, THE DEPARTMENT MAY WAIVE THE PROHIBITIONS OF THIS SUBSECTION WHEN AN OWNER OR