

[[AND]]

(6) THE TIME FOR TAKING, LANDING, AND UNLOADING SOFT-SHELL CLAMS[.], AND

(7) PROTECTION OF SOFT-SHELL CLAMS FROM CONTAMINATION, OR FROM DETERIORATION AS A RESULT OF EXCESSIVE HEAT.

REVISOR'S NOTE: Subsection (a) is new language derived from the second paragraph of Article 66C, section 713(b) of the Code. Language is added to indicate that the department has additional rule-making authority under section 4-1004(a) of the Code. Section 4-1004(a) rule-making authority is limited to issuing licenses generally and, consequently, does not supersede the specific directives set forth in this subsection. Pursuant to its authority under section 4-1004(a), the department could issue licenses for a term other than the calendar year and, therefore, the phrase "issuing year" is used to meet this possibility instead of present language.

Subsection (b) presently appears as Article 66C, section 713(g) (7), (8) of the Code. New language is added to designate the license issued pursuant to this subsection a soft-shell clam shipper's and dealer's license.

Subsection (c) presently appears as Article 66C, section 713(g) (1)-(6) of the Code.

The only other changes made are in style.

4-1034. SUSPENSION AND REVOCATION OF HYDRAULIC CLAM DREDGE LICENSE.

IN ADDITION TO ANY OTHER PENALTY PROVIDED IN THIS TITLE, THE DEPARTMENT MAY SUSPEND OR REVOKE A HYDRAULIC CLAM DREDGE LICENSE UPON CONVICTION OF THE LICENSEE OR HIS AGENT OF MORE THAN TWO VIOLATIONS IN ANY LICENSE YEAR OF THE PROVISIONS OF THIS SUBTITLE RELATING TO SOFT-SHELL CLAMS, AFTER DUE HEARING ON AT LEAST TEN DAYS' NOTICE TO THE LICENSEE.

REVISOR'S NOTE: This section presently appears as