

derived from a similar definition presently set forth in Article 66C, section 708(b) of the Code, as amended by Chapter 331, H.B. 974, Acts of 1973.

(I) "NATURAL OYSTER BAR" MEANS ANY SUBMERGED OYSTER BAR, REEF, ROCK, OR AREA REPRESENTED AS AN OYSTER BAR ON THE CHARTS OF THE OYSTER SURVEY OF 1906 TO 1912, AND ITS AMENDMENTS, OR ANY AREA DECLARED BY ANY CIRCUIT COURT TO BE A NATURAL OYSTER BAR, OR ANY AREA ON WHICH THE DEPARTMENT PLANTS OYSTERS OR SHELLS. A NATURAL OYSTER BAR ALSO MEANS ANY BAR BENEATH THE WATERS OF THE STATE WHERE THE NATURAL GROWTH OF OYSTERS ACCORDS TO THE EXTENT THAT THE PUBLIC HAS RESORTED TO THE BAR FOR A LIVELIHOOD, WHETHER CONTINUOUSLY OR AT INTERVALS, DURING ANY OYSTER SEASON WITHIN FIVE YEARS PRIOR TO THE FILING OF ANY APPLICATION FOR A LEASE OF THE AREA IN QUESTION, OR WITHIN FIVE YEARS PRIOR TO MAKING OF A RESURVEY UNDER § 4-1102. THE ACTUAL CONDITION OF THE AREA IN QUESTION AT ANY TIME WITHIN THE FIVE-YEAR PERIOD SHALL BE CONSIDERED IN DETERMINING WHETHER OR NOT THE AREA IS A NATURAL OYSTER BAR.

REVISOR'S NOTE: This section presently appears as Article 66C, section 696(i) of the Code. The second and third sentences of the present subsection are proposed for deletion because the substance of these provisions appear in proposed section 4-1102 of the revised Code. The only other changes made are in style.

(J) "PATENT TONGS" MEANS ANY PINNERS, NIPPERS, TONGS, OR SIMILAR DEVICE USED TO CATCH OYSTERS OR CLAMS AND RAISED WITH ROPE, CABLE, OR OTHER HOISTING GEAR.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 696(h) of the Code. New language is added to make this definition applicable to clams since clams are caught with patent tongs. The only other changes made are in style.

(K) "SHINNECOCK RAKE" MEANS A HAND TOOL USED TO CATCH HARD-SHELL CLAMS OR OYSTERS. IT USUALLY CONSISTS OF A TOOTH BAR WITH PROJECTING LONG, OUTWARDLY AND UPWARDLY CURVING TEETH WHICH ARE PROGRESSIVELY SMALLER TOWARD THE ENDS, FORM A BASKET, AND ARE SET TRANSVERSELY AT THE END OF A LONG, USUALLY