

Bruce decision. Apparently, this provision was intended to confer a substantial benefit upon the residents of the county where the seed area was located who could not catch oysters outside the county prior to Bruce. The department, accordingly, is presently ignoring the 50 percent requirement. The reference to the 25 percent requirement for 1969-1970 is proposed for deletion because it is obsolete.

Subsection (e) is new language derived from the second sentence of Article 66C, section 707(d) of the Code. The only other changes made are in style.

4-1104. DEPARTMENT AUTHORIZED TO RESERVE AREAS FOR EXPERIMENTAL OYSTER FARMING BY PUBLIC HIGH SCHOOLS.

THE DEPARTMENT MAY SET ASIDE FOR EACH TIDEWATER PUBLIC HIGH SCHOOL NO MORE THAN FIVE ACRES OF SUBMERGED BARREN TIDEWATER LANDS TO BE USED FOR THE SOLE PURPOSE OF EXPERIMENTAL OYSTER FARMING OR FOR THE CULTIVATION OF OTHER SHELLFISH IN CONJUNCTION WITH REGULAR SCHOLASTIC CONSERVATION STUDIES. THESE AREAS SHALL BE SET ASIDE PURSUANT TO THE PROCEDURES ESTABLISHED IN §4-1103 AND MARKED IN THE MANNER PROVIDED IN §4-1113 OF THIS SUBTITLE. THESE HIGH SCHOOLS MAY INTRODUCE AND USE MODERN METHODS OF PLANTING, HARVESTING, OR MARKETING FISHERY PRODUCTS WITHOUT REGARD TO THE RESTRICTIVE PROVISIONS OF THIS SUBTITLE. IF A SUBJECT SCHOOL DOES NOT USE A BARREN BOTTOM FOR ITS STUDIES FOR THREE YEARS OR IF STUDIES ARE DISCONTINUED, THE SUBMERGED LANDS SHALL REVERT TO THE STATE.

REVISOR'S NOTE: This section presently appears as Article 66C, section 707(h) of the Code and is set forth here for organizational purposes.

The adjective "submerged" is added to this and subsequent sections to identify "lands" as those lying beneath the waters of the State.

At present no high schools are offering courses in experimental oyster farming and, consequently, the last sentence is proposed for deletion. The department, however,