

NOT IMPORT FROM THE WATERS OF NORTHAMPTON OR ACCOMAC COUNTIES, VIRGINIA, OYSTERS OR SEED OYSTERS INFECTED WITH OYSTER DRILLS, SCREW BORERS, OR THEIR EGGS FOR PLANTING IN THE WATERS OF THE STATE. DURING THE PERIOD BETWEEN MAY 1 AND SEPTEMBER 30, THE DEPARTMENT SHALL INSPECT ALL IMPORTED OYSTERS INTENDED FOR PLANTING IN THE WATERS OF THE STATE AND SHALL ISSUE A CERTIFICATE ATTESTING THAT THE OYSTERS ARE FREE OF DRILLS OR THEIR EGGS. THE DEPARTMENT MAY SEIZE, CONDEMN, AND DESTROY ANY OYSTER INFECTED WITH OYSTER DRILLS OR ITS EGGS.

REVISOR'S NOTE: Subsection (a) presently appears as Article 66C, section 708(f) of the Code. The present provision has been revised to address the section to the lessee since he is the one who cultivates oysters. In addition, the reference to Ostrea Virginica is proposed for deletion and the current scientific name is substituted therefor. The scientific name has been retained here, at the request of the department, to ensure that no other type of oyster is introduced into the State waters. The present provision prohibiting the introduction of any other species is proposed for deletion because the initial prohibitions encompass "introduction". Language is added to make the prohibition of this section applicable to the waters of the State, not merely to Worcester County.

Subsection (b) presently appears as Article 66C, section 708(g) of the Code and is set forth here for organizational purposes. The second paragraph of the present subsection is proposed for deletion in light of the uniform penalty provision of this title.

The only other changes made are in style.

#### 4-1116. CATCHING OYSTERS ON LEASED OYSTER BOTTOMS.

(A) METHODS. — A LESSEE MAY CULTIVATE OR REMOVE OYSTERS PLANTED ON HIS LEASED OYSTER BOTTOM IN ANY MANNER HE DEEMS PROPER, IF HE COMPLIES WITH THE PROVISIONS OF THIS SUBTITLE RELATING TO CREDGING AND TONGING WHEN TRANSPLANTING OYSTERS OR CATCHING THEM FOR COMMERCIAL PURPOSES. HOWEVER, A LESSEE IN DORCHESTER, CHARLES (IN WATERS OTHER THAN THE PATUXENT