

RIVER), QUEEN ANNE'S, OR KENT COUNTIES, OR IN THE MANOKIN RIVER IN SOMERSET COUNTY, MAY NOT CATCH OYSTERS ON LEASED LAND BY ANY DEVICE OTHER THAN TONGS OR PATENT TONGS. NOTWITHSTANDING THE PROVISIONS OF SUBTITLE 10 APPLICABLE TO DORCHESTER COUNTY, A LESSEE MAY CATCH OYSTERS BY DREDGING ON LEASED OYSTER BOTTOMS IN DORCHESTER COUNTY WATERS OF THE NANTICOKE RIVER.

(P) DREDGING LICENSE REQUIRED EXCEPT IN WORCESTER COUNTY. - ANY LESSEE DESIRING TO CATCH OYSTERS FROM HIS LEASED OYSTER BOTTOM BY DREDGE OR HANDSCRAPE SHALL APPLY ANNUALLY TO THE DEPARTMENT FOR A SPECIAL LICENSE, AND SHALL PAY A FEE OF \$15. HOWEVER, A SPECIAL LICENSE IS NOT REQUIRED IN WORCESTER COUNTY.

REVISOR'S NOTE: Subsection (a) presently appears as Article 66C, section 708(u) of the Code. The reference to "holder of any submerged area" is proposed for deletion because this phrase is synonymous with "lessee". The provision prohibiting the use of any device other than tongs or patent tongs in Wicomico County is proposed for deletion. Article 66C, section 708 of the Code, appearing as section 4-1117 of the revised Code, enacted in 1968, supersedes this provision by permitting power dredging in Wicomico County.

In addition, the provision requiring the Code user to disregard other provisions of the subsection relating to dredging is proposed for deletion, and a reference to the dredging provisions of subtitle 10 is substituted therefor. The last paragraph of the present subsection is proposed for deletion in light of the Bruce decision.

Subsection (b) presently appears as Article 66C, section 708(v) of the Code. New language has been added to indicate that this license for dredging on leased areas is a distinct document from that under proposed section 4-1004 of the revised Code.

The only other changes made are in style.

4-1117. POWER DREDGING ON LEASED AREAS IN WICOMICO COUNTY; LICENSE REQUIREMENTS AND PROCEDURES.