

(A) POWER DREDGING PERMISSIBLE ON LEASED GROUNDS. - TO ENABLE PRIVATE PLANTERS MORE EFFECTIVELY TO COMPETE FOR SEED OYSTERS AND MORE ECONOMICALLY PRODUCE OYSTERS THROUGH CLEANING OF GROUNDS, A PERSON MAY DREDGE BY POWER BOAT ON GROUNDS HE LEASES FOR CULTIVATION OF OYSTERS IN THE WICOMICO AND MANTICOCHE RIVERS IN WICOMICO COUNTY.

(B) LICENSE REQUIRED; FEE. - NOTWITHSTANDING THE LICENSING PROVISIONS IN SUBTITLE 10, A PERSON DESIRING TO DREDGE ON LEASED GROUNDS FIRST SHALL OBTAIN FROM THE DEPARTMENT A SPECIAL LICENSE FOR THE DREDGE BOAT. THE FEE FOR THIS SPECIAL LICENSE IS \$15.

(C) HOURS OF DREDGING; NOTICE. - A LICENSEE MAY DREDGE ONLY BETWEEN THE HOURS OF 7:30 A.M. AND 4:00 P.M. ON ANY DAY EXCEPT SUNDAY. NOTICE OF INTENTION TO DREDGE SHALL BE GIVEN IN WRITING TO EVERY LEASEHOLD OWNER ADJOINING THE LEASEHOLD AREA TO BE DREDGED.

(D) STAKING OF AREA. - BEFORE DREDGING, THE LEASEHOLD AREA TO BE DREDGED SHALL BE MARKED WITH A STAKE AT EACH CORNER. BETWEEN EACH CORNER AND ALONG THE BOUNDARY OF THE LEASEHOLD AREA, LINE STAKES SHALL BE PLACED AT 100 FOOT INTERVALS.

(E) VIOLATION OF SECTION. - IN ADDITION TO ANY OTHER PENALTY IMPOSED BY THIS TITLE, ANY CAPTAIN OF A BOAT CONVICTED OF HAVING AN UNLICENSED DREDGE ON BOARD WHILE IN A LEASEHOLD AREA MAY NOT DREDGE UNDER HIS LICENSE FOR AT LEAST ONE YEAR AFTER THE DATE OF THE CONVICTION.

REVISOR'S NOTE: Subsection (a) presently appears as Article 66C, section 703A(a) of the Code. New language has been added to indicate that power dredging may be done only by the leasehold owner. Subsection (b) is new language derived from Article 66C, section 703A(b) and (c) which are proposed for deletion. Language is added to this section to make clear that this power dredging license is a distinct document from those issued under section 4-1004 in subtitle 10. Section 4-1004 is not applicable to power dredging and relates only to catching oysters for commercial purposes. The license issued pursuant to subsection (a) is not necessarily one used for commercial