

HISTORICAL HUMAN ACTIVITY, OR ANY OTHER SUCH FEATURES WHICH MAY BE FOUND IN ANY CAVE, EXCEPT THOSE CAVES OWNED BY THE STATE WHICH ARE SUBJECT TO THE PROVISIONS OF THE ARCHEOLOGICAL RESOURCES ACT OF 1968 (TITLE 2, SUBTITLE 3).

(B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, A PERMIT TO EXCAVATE OR REMOVE ARCHEOLOGICAL, PALEONTOLOGICAL, PREHISTORIC, AND HISTORIC FEATURES MAY BE OBTAINED FROM THE SECRETARY. THE PERMIT SHALL BE ISSUED FOR A PERIOD OF TWO YEARS AND MAY BE RENEWED AT EXPIRATION. IT IS NOT TRANSFERABLE BUT THIS DOES NOT PRECLUDE PERSONS FROM WORKING UNDER THE DIRECT SUPERVISION OF THE PERSON HOLDING THE PERMIT.

(C) A PERSON APPLYING FOR A PERMIT SHALL:

(1) HAVE KNOWLEDGE OF ARCHEOLOGY.

~~(1)~~ (2) PROVIDE A DETAILED STATEMENT TO THE SECRETARY GIVING THE REASONS AND OBJECTIVES FOR EXACATION OR REMOVAL AND THE BENEFITS EXPECTED TO BE OBTAINED FROM THE CONTEMPLATED WORK.

~~(2)~~ (3) PROVIDE DATA AND RESULTS OF ANY COMPLETED EXCAVATION, STUDY, OR COLLECTION AT THE FIRST OF EACH CALENDAR YEAR.

~~(3)~~ (4) OBTAIN THE PRIOR WRITTEN PERMISSION OF THE SECRETARY IF THE SITE OF THE PROPOSED EXCAVATION IS ON STATE OWNED LANDS AND PRIOR WRITTEN PERMISSION OF THE OWNER IF THE SITE OF THE PROPOSED EXCAVATION IS ON PRIVATELY OWNED LAND.

~~(4)~~ (5) CARRY THE PERMIT WHILE EXERCISING THE PRIVILEGES GRANTED.

(D) A PERSON WHO VIOLATES ANY PROVISION OF SUBSECTION (A) OF THIS SECTION IS GUILTY OF A MISDEMEANOR, AND UPON CONVICTION SHALL BE FINED NOT LESS THAN \$100 NOR MORE THAN \$500, AND MAY BE IMPRISONED FOR NOT LESS THAN TEN DAYS NOR MORE THAN SIX MONTHS. A PERSON WHO VIOLATES ANY OF THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION IS GUILTY OF A MISDEMEANOR, AND, UPON CONVICTION, SHALL BE FINED NOT LESS THAN \$100 NOR MORE THAN \$500, AND THE PERMIT SHALL BE REVOKED.

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(A) NEITHER THE OWNER OF A CAVE NOR HIS AUTHORIZED AGENTS ACTING WITHIN THE SCOPE OF THEIR AUTHORITY ARE LIABLE FOR INJURIES SUSTAINED BY ANY PERSON USING THE CAVE FOR RECREATIONAL OR SCIENTIFIC PURPOSE IF THE PRIOR CONSENT OF THE OWNER HAS BEEN OBTAINED AND IF NO CHARGE HAS BEEN MADE FOR THE USE OF THE CAVE.

(B) AN OWNER OF A COMMERCIAL CAVE IS NOT LIABLE FOR AN INJURY SUSTAINED BY A SPECTATOR WHO HAS PAID TO VIEW THE CAVE UNLESS THE INJURY IS SUSTAINED AS A RESULT OF THE