

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 4-1108(d)
Annotated Code of Maryland
(1983 Replacement Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

4-1108.

(d) (1) A leased oyster bottom shall be as rectangularly shaped as possible. ~~-(A tract or parcel of land may not be leased)-~~ ~~THE DEPARTMENT MAY NOT LEASE TO AN INDIVIDUAL OR TO ANY PERSON ACTING IN CONSORT WITH THAT INDIVIDUAL SO THAT THE INDIVIDUAL WOULD EXERCISE OPERATIVE CONTROL OVER A TOTAL AMOUNT OF LEASED LAND~~ in any of the following waters if it falls short of the minimum area or exceeds the maximum area specified below:

Waters of the Chesapeake Bay

lying outside county

waters.....5 acres to 500 acres

Tangier Sound.....1 acre to 100 acres

Worcester County.....1 acre to 50 acres

All other counties.....1 acre to 30 acres

(2) (I) 1. IN WORCESTER COUNTY, A LEASED OYSTER BOTTOM SHALL BE AS RECTANGULARLY SHAPED AS POSSIBLE, AND SHALL BE BETWEEN 1 ACRE AND 50 ACRES IN SIZE. EXCEPT AS PROVIDED IN ITEM 2. OF THIS SUBPARAGRAPH, THE DEPARTMENT MAY NOT LEASE TO ONE PERSON A TOTAL AMOUNT OF LEASED OYSTER BOTTOM IN WORCESTER COUNTY EXCEEDING 50 ACRES.

2. IN WORCESTER COUNTY, 2 OR MORE INDIVIDUALS MAY WORK IN CONCERT AND HAVE OPERATIVE CONTROL OVER A TOTAL AMOUNT OF LEASED OYSTER BOTTOM NOT EXCEEDING 200 ACRES. IF A LESSEE WORKS IN CONCERT WITH OTHER INDIVIDUALS SO THAT THE LESSEE EXERCISES OPERATIVE CONTROL OVER MORE THAN 200 ACRES OF LEASED OYSTER BOTTOM, THE INTEREST OF THE LESSEE SHALL REVERT TO THE STATE AS IF A LEASE HAD NOT BEEN MADE.

(II) NOTWITHSTANDING THE PROVISIONS OF ITEM 2. OF SUBPARAGRAPH (I), AN INDIVIDUAL WHO WORKS IN CONCERT WITH OTHER INDIVIDUALS AND HAS OPERATIVE CONTROL OVER MORE THAN 200 ACRES OF LEASED OYSTER BOTTOM IN WORCESTER COUNTY ON JUNE 1,