

submerged lands in Charles County does not seed with oysters within a period of three years, the lease shall terminate.]

(2) THE DEPARTMENT SHALL ADOPT RULES-AND REGULATIONS THAT REQUIRE A LEASEHOLDER TO ACTIVELY UTILIZE THE LEASED AREA WITHIN ~~A--PERIOD--OF--5-YEARS-BY-PLANTING-SHELL-OR-SHELLFISH-ON~~ LEASED-BOTTOM ANY 5-YEAR PERIOD COMMENCING JULY 1, 1988, OR THE EFFECTIVE DATE OF A LEASE AFTER JULY 1, 1988. THE DEPARTMENT MAY ALLOW A LONGER PERIOD THAN 5 YEARS UPON A SHOWING THAT NATURAL CONDITIONS, INCLUDING UNAVAILABILITY OF OYSTER SHELL OR SEED, PREVENTED UTILIZATION.

(3) IF A LEASEHOLDER FAILS TO ACTIVELY UTILIZE LEASED BOTTOM IN ACCORDANCE WITH REGULATIONS PROMULGATED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE LEASEHOLD SHALL REVERT TO THE STATE AND MAY BE LEASED AGAIN.

(D) A LEASE MAY NOT BE INVALIDATED IN ANY WAY BY FACTS DETERMINED IN ANY RESURVEY UNDER § 4-1102 OF THIS TITLE UNLESS THE LESSEE FORFEITS HIS LEASE VOLUNTARILY, FAILS TO PAY RENTAL OR OTHER FEES, OR FAILS TO ACTIVELY UTILIZE THE LEASE AREAS WITHIN A PERIOD OF 5 YEARS.

[4-1111.] 4-11A-08.

Every fee, fund, and revenue derived from the administration of the provisions of this subtitle relating to private oyster culture shall be paid to the Comptroller of the Treasury to be credited to the Fisheries Research and Development Fund.

[4-1112.] 4-11A-09.

(a) A recording fee of \$5 shall accompany every application for assignment or transfer of any interest acquired under this subtitle.

(b) A person may not assign or transfer any interest acquired by this subtitle to a nonresident of the State. An assignment to a nonresident is not valid for any purpose and, if attempted, any interest of the grantor or assignor reverts to the State as if a lease had not been made.

(c) ~~-†-~~If a person attempts to assign any interest created by this subtitle to any corporation or joint-stock company, the interest of the grantor or assignor shall revert to the State as if a lease had not been made.~~-†-~~ If a person attempts to assign any interest created by this subtitle to any person so that the assignee holds acreage exceeding the maximum limits permitted by [§ 4-1108] § 4-11A-05 of this article, the interest of the grantor or assignor shall revert to the State as if a lease had not been made.

[4-1113.] 4-11A-10.