

(2) The regulations adopted by the Secretary may vary the limits established under subsection (e)(2)(i) of this section.

(3) (i) The regulations shall establish an oyster sanctuary of not less than 100 acres within the area described in subsection (d) of this section.

(ii) A person may not catch oysters in the oyster sanctuary described in the regulations.

(iii) The sanctuary shall be established before the opening of the power dredge season.

(4) The regulations shall authorize the Department to establish a program at the beginning of the power dredge season to purchase oysters at no less than market price from a person who has a power dredge [license] PERMIT under this section to be transplanted for restoration purposes to the oyster sanctuary described in regulations in accordance with paragraph (3) of this subsection.

(5) The Department shall adopt regulations reserving areas on a rotational basis for restoration and harvesting purposes.

(6) The Department shall adopt regulations establishing an appropriate penalty to be assessed against a person convicted of taking oysters from a sanctuary or reserved area.

#### 4-1014.3.

(a) This section applies only to the waters of the State that lie contiguous to Dorchester County in the Chesapeake Bay.

(b) A person shall be [licensed] PERMITTED by the Department before the person may catch oysters with a power dredge in the waters of the State that lie contiguous to Dorchester County in the Chesapeake Bay, except for a person holding a valid license to catch oysters by dredge boat license and dredging for oysters in accordance with § 4-1013 of this subtitle.

(c) (1) A person may [not] hold an oyster harvester license and a power dredge [license] PERMIT simultaneously.

(2) The Department[:

(i) May] MAY issue a power dredge [license] PERMIT only to the holder of an oyster harvester license[; and

(ii) Shall suspend a person's oyster harvester license on issuance of a power dredge license until the time the holder surrenders the power dredge license to the Department].

(3) [(i) If a person wants to reobtain the person's previously valid oyster harvester license, the person shall return the person's currently valid power dredging license to the Department.