

~~(e) (1) The provisions of Title 8 of the Real Property Article do not apply to leases under this subtitle.~~

~~(2) [Upon] ON a determination under subsection (c) of this section, the Department shall notify a lessee of the lessee's opportunity to contest the Department's action in a hearing under Title 10, Subtitle 2 of the State Government Article.~~

~~4-11A-11.~~

~~(a) The lessee of any leased oyster bottom shall have exclusive ownership of and title to all the oysters planted by [him] THE LESSEE or existing on the leasehold. Lessees shall have the rights to use their lease subject to the following conditions:~~

~~(1) Land leased under this subtitle shall be used only for the purpose of planting and cultivating oysters, OR RESTORING OYSTERS;~~

~~(2) Persons may fish on all leased oyster bottoms, if they do not remove or destroy oysters on the areas; and~~

~~(3) A person may not redeem or purchase any leased oyster bottom.~~

~~(b) (1) [A] IF A LEASED OYSTER BOTTOM IS USED FOR OYSTER CULTIVATION, THE lessee may catch oysters at any time from [his] THE leased [oyster bottom] AREA for private use, planting or cultivating, or for sale for planting by other lessees.~~

~~(2) IF A LEASED OYSTER BOTTOM IS USED FOR OYSTER RESTORATION, THE LESSEE MAY CATCH OYSTERS AT ANY TIME FROM THE LEASED AREA AS NECESSARY TO FACILITATE OYSTER RESTORATION.~~

~~(c) (1) In Wicomico and Somerset counties, any State resident holding a current tonging license may catch oysters on any leased oyster bottom USED FOR CULTIVATION if the State resident first obtains the written permission of the lessee of the leased oyster bottom.~~

~~(2) A lessee or a bona fide representative of a lessee who has written permission from the lessee is not required to have a tonging license in the Manokin River.~~

~~(d) The season for catching oysters from leased oyster bottoms of the State for sale shall be between sunrise and sunset of any day, except Sunday, throughout the year, if the leased oyster bottoms are marked as prescribed in this subtitle.~~

~~4-11A-12.~~