§ 13-0313. Shellfish growers; definition; bed permit.

1. Any person resident in this state one year or more may engage in the cultivation and marketing of shellfish subject to the provisions of sections 13-0307, 13-0309, 13-0311 and 13-0319 and shall be known as a grower.

2. A grower shall not take shellfish, for shipping or marketing from lands owned, leased or rented by him, except upon permit of the department which shall certify that such lands lie within certified areas. The department shall prescribe and furnish forms for application for such permits.

3. The fee for such permit shall be twenty-five cents for each acre from which shellfish are to be taken; provided, however, that the minimum fee shall be five dollars. Such certificates shall expire on December 31 of the year of issue.

4. If it appears in the public interest, the department may suspend or cancel any such permit.

5. Where lands for which such permit has been issued are found to be in part within an uncertified area, the department shall issue without fee, a new permit covering the remaining portion of such lands.

6. In case of assignment or transfer of rights or ownership of any private or leased lands under water, or parts thereof, a new permit shall be required.