

CHAPTER 324  
(House Bill 656)

AN ACT to repeal and re-enact, with amendments, Sections 707 (b), (d), and (k) of Article 66C of the Annotated Code of Maryland, (1967 Replacement Volume and 1968 Supplement), title "Natural Resources," subtitle "Oysters and Clams," and to repeal Section 707(j) of Article 66C of the Annotated Code of Maryland (1967 Replacement Volume), title "Natural Resources," subtitle "Oysters and Clams," to liberalize and clarify the provisions pertaining to the closing of natural oyster bars, reserving areas for propagation of seed oysters, sale of seed oysters and generally dealing with State oyster culture.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 707(b), (d), and (k) of Article 66C of the Annotated Code of Maryland (1967 Replacement Volume and 1968 Supplement), title "Natural Resources," subtitle "Oysters and Clams," be and it is hereby repealed and re-enacted with amendments; and that Section 707(j) of Article 66C of the Annotated Code of Maryland (1967 Replacement Volume), title "Natural Resources," subtitle "Oysters and Clams," be and it is hereby repealed; and all to read as follows:

707.

(b) The Department is authorized to close ~~in~~ any ~~year not to exceed three THIRTY percent~~ of the natural oyster bars in the waters of this State or of any county thereof and to prohibit or restrict the taking or catching of oysters thereon whenever in the judgment of the Department such measures will increase the productivity or utility of such areas ~~];~~ provided, however, that the total area of natural oyster bars of this State, or of any county, closed or remaining closed under the provisions of this subsection shall never exceed at any time six percent of the area classified as natural oyster bars of this State, or of any county thereof]. Upon an area so closed the Department may plant oysters, shells or other cultch, or it may take any other restorative measures in connection therewith, which it may deem advisable. The Department shall cause to be published a notice of intent to close any such area or areas in one newspaper of general circulation in the State and in one or more newspapers of general circulation in the county or counties in whose waters the area or areas are located, not less than thirty days prior to the proposed date of closing, and shall schedule a public hearing ~~in~~ on the proposal not less than fifteen days before the proposed date of closing; such hearing shall be held at the county seat of the county in which the affected waters are located; if such waters are located in more than one county then the hearing shall be held in that county seat of the affected counties which is closest to the affected waters; if the area affected is totally within State waters, then such hearing shall be held in Annapolis.

(d) The Department of Chesapeake Bay Affairs is authorized to select and reserve for its own use areas within the waters of this State for the propagation of seed oysters, the number, size and location of such area to be determined from time to time by the Department according to the need therefor, provided, however, that