

not more than [two] *five* percent of the natural oyster bars of the State, or of any county, shall be designated as seed areas, and provided further, that of the seed oysters produced in such areas annually the first million bushels shall be planted on the natural oyster bars of this State. Not to exceed fifty percent of the seed oysters produced annually in such areas in excess of one million bushels may be sold by the State of Maryland to citizens who hold valid leases under the provisions of Section 708 of this article, at prices not less than the prevailing price of seed oysters of similar quality in nearby states and under such conditions of sale as may be prescribed by the Department of Chesapeake Bay Affairs. The proceeds from such sales shall be credited by the Comptroller to the Fisheries Research and Development Fund. {Not less than fifty percent, EXCEPT FROM JULY 1, 1969 TO JULY 1, 1970 NOT LESS THAN TWENTY-FIVE PERCENT, of the seed oysters removed in any year from any seed area established under the provisions of this subsection, and planted on the natural oyster bars of the State shall be planted on the natural oyster bars of the county in which that seed area is located.} The Department shall cause to be published a notice of reservation of 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 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.

[(j) In any tributary creek, river, or embayment in any county, the area of natural oyster bars closed in any year under the provisions of this section shall never exceed three percent of the acreage of natural oyster bars in that tributary creek, river, or embayment; and the total area of natural oyster bars closed or remaining closed in any tributary creek, river, or embayment of any county under the provisions of this section shall never at any time exceed six percent of the total acreage of natural oyster bars within that tributary creek, river, or embayment.]

[(k) (j) The Department is authorized to close without the holding of a public hearing and for a temporary period not to exceed forty-five days any natural oyster bar [in Charles, St. Mary's, or Calvert Counties] with the approval of the appropriate committee of oystermen established under the provisions of subsection (g) of this section.

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1969.

Approved April 23, 1969.