

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved May 7, 1973.

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CHAPTER 227

(Senate Bill 502)

AN ACT to add new Section 697A to Article 66C of the Annotated Code of Maryland (1970 Replacement Volume and 1972 Supplement), title "Natural Resources," subtitle "Oysters and Clams," to follow immediately after Section 697 thereof, authorizing the Secretary of Natural Resources to establish daily catch limits on certain oysters, providing for compensation to the State for any oysters landed or offered for sale in excess of those limits and the deposit of such funds to the credit of the Fisheries Research and Development Fund, to be used for the repletion of the natural oyster bars of the State; providing a penalty for the landing or selling of oysters more than ten per cent in excess of the catch limit; and relating generally to the landing and selling of oysters.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 697A be and it is hereby added to Article 66C of the Annotated Code of Maryland (1970 Replacement Volume and 1972 Supplement), title "Natural Resources," subtitle "Oysters and Clams," to follow immediately after Section 697 thereof, and to read as follows:

697A.

(A) THE SECRETARY OF NATURAL RESOURCES MAY ESTABLISH BY REGULATION DAILY CATCH LIMITS ON THE QUANTITIES OF OYSTERS WHICH MAY BE CAUGHT OR TAKEN FROM THE NATURAL OYSTER BARS OF THE STATE, AND MAY AMEND THESE DAILY CATCH LIMITS FROM TIME TO TIME, AS A MEANS OF CONSERVING THE PUBLIC OYSTER RESOURCE. NOTICE OF THE ESTABLISHMENT OR AMENDMENT OF THESE CATCH LIMITS SHALL BE GIVEN BY PUBLICATION OF A NOTICE IN AT LEAST ONE NEWSPAPER IN EACH COUNTY NOT LESS THAN ONE WEEK PRIOR TO THE EFFECTIVE DATE.

(B) ALL OYSTERS LANDED OR OFFERED FOR SALE ON ANY DAY BY ANY PERSON LICENSED TO TAKE OR CATCH OYSTERS WHICH ARE IN EXCESS OF THE DAILY CATCH LIMIT SHALL BE AND REMAIN THE PROPERTY OF THE STATE, AND PAYMENT SHALL BE MADE DIRECTLY TO THE STATE BY THE BUYER OR RECEIVER OF THE OYSTERS AT THE SAME PRICE PAID THE CATCHER FOR THE BALANCE OF HIS CATCH. ALL FUNDS RECEIVED UNDER THIS SUBSECTION SHALL BE DEPOSITED TO THE CREDIT OF THE FISHERIES RESEARCH AND DEVELOPMENT FUND AND SHALL BE USED FOR REPLETION OF THE NATURAL OYSTER BARS OF THE STATE.