

disposition of court proceedings, and thereafter shall be forfeited to the State for destruction or disposition as the Secretary may deem appropriate. Prior to forfeiture the Secretary may direct the transfer of fish so seized to a qualified zoological, educational, or scientific institution for safekeeping, costs to be assessable to the defendant. The Secretary may issue rules and regulations to implement this section.

4-1009.

(c) A person may not land, sell, or attempt to land or sell on any day oysters from the waters of the State exceeding the daily catch limit established by the Secretary by more than 10 percent. However, in emergencies, the Department may authorize unloading up to two daily catch limits in 1 day. A licensed oyster buyer or dealer may sell or attempt to sell oysters which he shows were purchased from another catcher.

(d) All oysters landed or offered for sale on any day by any person licensed to catch oysters which are in excess of the daily catch limit shall become 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.

4-1205.

A natural resources police officer or any law enforcement officer, upon arresting any person for violating any provision of this title or any rule or regulation promulgated pursuant to it, may seize every fish unlawfully caught, sold, offered for sale, transported, or possessed. The Department may dispose of the seized fish at its discretion.

4-1206.

(a) A natural resources police officer or any law enforcement officer, upon arresting any person for violating any provision of this title or any rule or regulation promulgated pursuant to it, may seize every device, equipment, conveyance, or property unlawfully used. If the owner or person in charge of the seized device, equipment, conveyance, or property is convicted, the court may declare the device, equipment, conveyance, or property forfeited in addition to any other penalty provided in this title. Any forfeiture becomes the property of the Department for disposition at its discretion. If the owner is not known, the court may proceed ex parte to hear and determine any question of forfeiture. If the owner or person charged with the violation is