

to provide a certain notice to licensed oyster dealers by a certain date; providing that a commercial oyster packer licensed oyster dealer does not have to comply with the provisions of this Act under certain circumstances; providing for the effect of certain contracts entered into before a certain date; providing for a certain right of the State to purchase a certain amount of oyster shells taken from certain State waters; providing for the taking of oyster shells out of the State; providing for notice to and payments by holders of oyster shells taken out of the State; providing for return of oyster shells taken out of the State under certain conditions; requiring the Department to determine a fair market value for fresh oyster shells in a certain manner; requiring the Department to pay a certain amount for oyster shells; providing for certain tax credits or incentives; prohibiting a person from selling oyster shells for any purpose that is contrary to this Act; providing for the validity of certain contracts; prohibiting the taking or catching of certain oysters or shells for certain purposes under certain circumstances; and generally relating to the returning of oyster shells to the Chesapeake Bay or its tributaries.

BY adding to

Article - Natural Resources
 Section 4-1019.2
 Annotated Code of Maryland
 (1983 Replacement Volume and 1987 Supplement)

Preamble

WHEREAS, Natural spatfall in the Maryland portion of the Chesapeake Bay has declined to a level where oyster management strategies of planting dredge shell and moving seed oysters cannot alone provide a cost-effective supplement to the Maryland oyster industry; and

WHEREAS, A decade and one-half of low spat set in combination with a very high disease-induced mortality of oysters during 1980, 1983, 1986, and 1987 has caused the resource to reach a low density of harvestable oysters; and

WHEREAS, Existing management strategies need to be modified to implement new techniques that can help increase future harvests and strengthen the viability of the Maryland oyster industry; and

WHEREAS, One management aspect should be pursued in the conservation and wise utilization of all fresh oyster shell harvested from the Maryland portion of the Chesapeake Bay since