

WHEREAS, Oyster seed is not readily available for aquaculture purposes in the State; and

WHEREAS, it is the intent of the General Assembly to encourage the development of oyster production by aquaculture; and

WHEREAS, It is also the intent of the General Assembly that oyster seed be available for private purposes in order to enhance but not compete with the State's oyster industry; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

4-209.

(A) There is a Fisheries Research and Development Fund in the Department.

(B) Any money the State Comptroller receives under the provisions of this title from commercial licenses, permits, and service fees, taxes, and royalties paid to the State for oyster shells and clam shells removed from the bottom beneath the tidal waters of the State, FROM THE SALE OF SEED OYSTERS UNDER § 4-1103 OF THIS TITLE, or any source, together with any fine or forfeiture collected under § 4-1202 of this title, shall be credited to the Fisheries Research and Development Fund.

(C) Subject to the limitations described in §§ 4-1020, 4-1028 and 4-1035, the Fund shall be used for replenishing fisheries resources, related research, and to match federal funds available for research and development of fisheries resources.

4-1103.

(d) The Department may select and reserve for its own use areas, to be known as seed areas, within the waters of the State for the propagation of seed oysters. The number, size, and location of these areas shall be determined from time to time by the Department. However, no more than 5 percent of the natural oyster bars of the State shall be designated as seed areas. The first million bushels of seed oysters produced in seed areas shall be planted on the natural oyster bars of the State. The Department shall publish a notice of reservation not less than 30 days before the closing date of any seed area in one newspaper of general circulation in the State and at least one newspaper of general circulation in each county of the State. The Department shall schedule a public hearing on the proposal not less than 15 days before the proposed closing date. The hearing shall be held at the county seat of the county in which the affected waters are located. If the affected waters are located in more than the