

EMERGENCY BILL

(PRE-FILED)

M3

6lr0261

By: Delegate Arnick

Requested: August 24, 1995

Introduced and read first time: January 10, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Female Crabs - Possession or Sale - Prohibition**

3 FOR the purpose of prohibiting a person from selling or possessing female crabs;
4 imposing a certain penalty against a person who violates this Act; providing for the
5 termination of this Act; making this Act an emergency measure; and generally
6 relating to the sale or possession of female crabs.

7 BY adding to

8 Article - Natural Resources
9 Section 4-802.2
10 Annotated Code of Maryland
11 (1989 Replacement Volume and 1995 Supplement)

12 BY repealing

13 Article - Natural Resources
14 Section 4-810
15 Annotated Code of Maryland
16 (1989 Replacement Volume and 1995 Supplement)

17 BY renumbering

18 Article - Natural Resources
19 Section 4-811 through 4-814, respectively
20 to be Section 4-810 through 4-813, respectively
21 Annotated Code of Maryland
22 (1989 Replacement Volume and 1995 Supplement)

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

25 **Article - Natural Resources**

26 4-802.2.

27 (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A PERSON
28 MAY NOT SELL, OFFER TO BUY OR SELL, OR POSSESS A FEMALE CRAB.

2

1 (B) ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
2 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

3 (1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$500; AND

4 (2) FOR ANY SUBSEQUENT OFFENSE, A FINE OF NOT LESS THAN \$250
5 AND NOT EXCEEDING \$2,000.

6 [4-810.

7 The Department may adopt rules and regulations, after reasonable notice by
8 publication, to permit or prohibit catching, canning, packing, shipping, or possessing the
9 egg-bearing female crab or the female crab from which eggs have been removed.]

10 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 4-811 through
11 4-814, respectively, of Article - Natural Resources of the Annotated Code of Maryland
12 be renumbered to be Section(s) 4-810 through 4-813, respectively.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply
14 notwithstanding the provisions of any blue crab fishery management plan adopted by the
15 Department of Natural Resources under § 4-215 of Article - Natural Resources of the
16 Annotated Code of Maryland.

17 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health and safety, has
19 been passed by a ye and nay vote supported by three-fifths of all the members elected to
20 each of the two Houses of the General Assembly, and shall take effect from the date it is
21 enacted. It shall remain effective until September 30, 1998 and, at the end of September
22 30, 1998, with no further action required of the General Assembly, this Act shall be
23 abrogated and of no further force and effect.