
By: Delegates McClenahan, W. Baker, Wood, Schisler, Linton, D. Hughes, Love, Walkup, O'Donnell, Eckardt, Conway, Bozman, Gordon, Klausmeier, and Guns

Introduced and read first time: January 24, 1997

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Crabbing**

3 FOR the purpose of prohibiting the Department of Natural Resources from adopting
4 rules and regulations that restrict the number of crab pots a person may set for
5 catching crabs or that restrict the crab season after the season has begun; and
6 generally relating to rules and regulations relating to crabbing.

7 BY repealing and reenacting, with amendments,
8 Article - Natural Resources
9 Section 4-803
10 Annotated Code of Maryland
11 (1989 Replacement Volume and 1996 Supplement)

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

14 **Article - Natural Resources**

15 4-803.

16 (a) The Department may adopt rules and regulations to effectuate the following
17 purposes:

18 (1) To restrict catching and possessing any blue crab;

19 (2) The methods by which crabs are taken;

20 (3) To close or open any specified area to catch crabs;

21 (4) To prohibit or restrict devices used to catch crabs;

22 (5) To establish seasons to catch crabs; and

23 (6) To establish minimum size limits for hard, soft, and peeler crabs.

24 However, this section does not permit the Department to change existing license fees for
25 catching, picking, canning, packing, or shipping cooked hard or soft crabs or crab meat; or
26 for selling, or shipping live hard or soft crabs by barrel or crate. The Department may set
27 license fees on types of gear or equipment if not otherwise set by law.

1 (B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS
2 SECTION OR ANY FISHERY MANAGEMENT PLAN ADOPTED UNDER § 4-215 OF THIS
3 TITLE UNLESS APPROVED AS AN EMERGENCY REGULATION BASED UPON A
4 NATURAL DISASTER, THE DEPARTMENT MAY NOT ADOPT ANY REGULATION
5 RESTRICTING THE NUMBER OF CRAB POTS THAT A PERSON MAY SET FOR CATCHING
6 CRABS OR RESTRICTING THE DAYS OF THE CRAB SEASON AFTER THE SEASON HAS
7 BEGUN.

8 [(b)] (C) The Department's regulations may not become effective under this
9 section until the Department first holds public hearings. The Department shall advertise
10 the time, place, and purpose of the hearings in one newspaper of general daily circulation
11 in the State, and at least in one newspaper circulated in the affected region of each
12 county whose waters may be directly affected by the proposed regulations for 2 successive
13 weeks in advance of the hearings.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1997.