

CF HB 416

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**By: Senators Colburn and Stoltzfus**

Introduced and read first time: January 31, 1997

Assigned to: Economic and Environmental Affairs

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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.