

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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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 1997

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## CHAPTER \_\_\_\_

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 under  
6 certain circumstances; providing for the effective date of this Act; and generally  
7 relating to rules and regulations relating to crabbing.

8 BY repealing and reenacting, with amendments,  
9 Article - Natural Resources  
10 Section 4-803  
11 Annotated Code of Maryland  
12 (1989 Replacement Volume and 1996 Supplement)

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

15 **Article - Natural Resources**

16 4-803.

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

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

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

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

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

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

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

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

7 (B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS  
8 SECTION OR ANY FISHERY MANAGEMENT PLAN ADOPTED UNDER § 4-215 OF THIS  
9 TITLE ~~UNLESS APPROVED AS AN EMERGENCY REGULATION BASED UPON A~~  
10 ~~NATURAL DISASTER, AFTER THE CRAB SEASON HAS BEGUN,~~ THE DEPARTMENT MAY  
11 NOT ADOPT ANY REGULATION ~~RESTRICTING~~ UNLESS AN EMERGENCY EXISTS  
12 WHICH RESTRICTS THE NUMBER OF CRAB POTS THAT A PERSON MAY SET FOR  
13 CATCHING CRABS OR ~~RESTRICTING~~ WHICH RESTRICTS THE DAYS OF THE CRAB  
14 SEASON ~~AFTER THE SEASON HAS BEGUN.~~

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

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 ~~October~~ June 1, 1997.