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By: **Delegate Weir**

Introduced and read first time: February 9, 2001

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Crabs - Restrictions on Harvesting and Requirements for Regulations**

3 FOR the purpose of prohibiting the Department of Natural Resources from adopting  
4 regulations to reduce the harvest of hard crabs in the Chesapeake Bay unless  
5 the regulations are adopted in recognition of certain considerations; requiring  
6 that the owner of a commercial crabbing license catch crabs for commercial  
7 purposes on only a certain number of days each week; and requiring the  
8 Department of Natural Resources to adopt certain regulations pertaining to the  
9 restriction of commercial crabbing to certain days of the week.

10 BY repealing and reenacting, with amendments,

11 Article - Natural Resources  
12 Section 4-803 and 4-804  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume)

15 BY adding to

16 Article - Natural Resources  
17 Section 4-701(p)  
18 Annotated Code of Maryland  
19 (2000 Replacement Volume)

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

22 **Article - Natural Resources**

23 4-701.

24 (P) A COMMERCIAL CRABBING LICENSE SHALL IDENTIFY EITHER SUNDAY OR  
25 MONDAY AS THE DAY ON WHICH THE PERSON WHO HOLDS THE LICENSE MAY NOT  
26 CRAB FOR COMMERCIAL PURPOSES.

1 4-803.

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

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

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

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

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

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

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

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

15 (B) THE DEPARTMENT MAY NOT ADOPT REGULATIONS TO REDUCE THE  
16 HARVEST OF HARD CRABS IN THE CHESAPEAKE BAY UNLESS THE REGULATIONS:

17 (1) ARE ADOPTED IN RECOGNITION OF THE DIVERSITY OF INDUSTRY IN  
18 DIFFERENT AREAS OF THE BAY; AND

19 (2) BALANCE THE IMPACT OF THE REDUCTION IN THE HARVEST OF  
20 HARD CRABS ON THE VARIOUS COMMERCIAL HARVESTERS.

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

27 4-804.

28 (a) Any person who owns or is in charge of operating a vessel utilized to catch  
29 crabs in the waters of the State for commercial purposes shall obtain a license.

30 (b) Any person crabbing from a "for hire" boat operated by the owner, who is  
31 present on the boat and is licensed to catch crabs for commercial purposes, is not  
32 required to obtain a license.

33 (C) THE DEPARTMENT SHALL ADOPT REGULATIONS REQUIRING EACH  
34 INDIVIDUAL LICENSED TO CRAB FOR COMMERCIAL PURPOSES TO:

1                   (1)       INCLUDE THE INDIVIDUAL'S VESSEL IDENTIFICATION NUMBER ON  
2 THE INDIVIDUAL'S LICENSE; AND

3                   (2)       PLACE A PERMANENT COLOR-CODED IDENTIFICATION ON THE  
4 INDIVIDUAL'S VESSEL INDICATING WHETHER SUNDAY OR MONDAY IS THE DAY ON  
5 WHICH THAT VESSEL AND THE LICENSE ON WHICH THAT VESSEL IS IDENTIFIED  
6 MAY NOT BE USED FOR COMMERCIAL CRABBING.

7       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2001.