

Emergency Action on Regulations

Symbol Key

- Roman type indicates text existing before emergency status was granted.
- *Italic type* indicates new text.
- [Single brackets] indicate deleted text.

Emergency Regulations

Under State Government Article, §10-111(b), Annotated Code of Maryland, an agency may petition the Joint Committee on Administrative, Executive, and Legislative Review (AELR), asking that the usual procedures for adopting regulations be set aside because emergency conditions exist. If the Committee approves the request, the regulations are given emergency status. Emergency status means that the regulations become effective immediately, or at a later time specified by the Committee. After the Committee has granted emergency status, the regulations are published in the next available issue of the Maryland Register. The approval of emergency status may be subject to one or more conditions, including a time limit. During the time the emergency status is in effect, the agency may adopt the regulations through the usual promulgation process. If the agency chooses not to adopt the regulations, the emergency status expires when the time limit on the emergency regulations ends. When emergency status expires, the text of the regulations reverts to its original language.

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.03 Blue Crabs

Authority: Natural Resources Article, §§4-215 and 4-803, Annotated Code of Maryland

Notice of Emergency Action

[23-167-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulations **.01** and **.14** under **COMAR 08.02.03 Blue Crabs**.

Emergency status began: August 31, 2023.

Emergency status expires: December 31, 2023.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action may have an indeterminable positive economic impact by allowing commercial harvesters to use an alternative container to hold mature female blue crabs. Due to the limited availability of the current legal containers, failure to allow an alternative container may result in negative economic impacts.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Commercial harvesters	(+)	Indeterminable

E. On other industries or trade groups:

Commercial picking houses (+) Indeterminable

F. Direct and indirect effects on public:

General public (+) Indeterminable

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Allowing commercial harvesters to utilize an alternative container rather than the currently allowed bushels and barrels will allow commercial harvesters to continue to harvest mature female crabs. It is not clear the extent to which harvesters are or will be constrained by the current lack of availability of legal containers. It is the Department’s understanding that while some bushel baskets are currently available, there will not be enough bushel baskets available to last the industry for the whole season if the industry is to harvest the full amount that current limits would allow.

E. Crab picking houses rely heavily on mature female crabs for their operations. By allowing harvesters to use lugs, picking houses will be assured to have access to all of the mature female crabs that the current limits will allow harvesters to catch. If harvesters cannot deliver their catch to the processors, supply of crab to the public may be disrupted. This may ultimately lead to lost market share for Maryland processors and long-term negative consequences.

F. The public expects to have a consistent supply of Maryland crab, both available for purchase at markets and restaurants, as well as in the form of pasteurized crab meat. If commercial harvesters are not able to acquire the necessary containers in which to store their harvest, that supply will be disrupted. This will result in higher prices for available crabs and negative economic impacts on the public.

Economic Impact on Small Businesses

The emergency action has a meaningful economic impact on small businesses. An analysis of this economic impact follows.

The proposed action may have an indeterminable positive economic impact on small business. See Section IIID and E for additional information.

.01 Crabbing Gear.

A.—B (text unchanged)

C. Commercial Gear.

(1)—(6) (text unchanged)

(7) “Lug” means a rectangular-shaped container that does not exceed the following inside dimensions: 22-7/8 inches in length across the top, 14-7/8 inches in width across the top; 21 inches length across the bottom; 13 inches width across the bottom; and 12-3/8 inches height.

.14 General.

A. (text unchanged)

B. Commercial — General.

(1)—(4) (text unchanged)

(5) Mature female hard crabs shall be kept in separate bushels, lugs, or barrels from male hard crabs or peeler crabs.

(6) *Hard crabs on board a vessel shall be stored in the same type of containers of similar dimensions.*

[(6)] (7)—[(13)] (14) (text unchanged)

C.—G. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Title 09
MARYLAND DEPARTMENT
OF LABOR

Subtitle 09 MARYLAND BOARD OF
ELECTRICIANS

Notice of Emergency Action

[23-171-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to:

(1) Regulation **.03** under **COMAR 09.09.01 Fees and Deadlines**; and

(2) Regulation **.01** under **COMAR 09.09.02 Continuing Education**.

Emergency status began: August 31, 2023.

Emergency status expires: December 31, 2023.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 50:17 Md. R. 771—772 (August 25, 2023), referenced as [23-171-P].

CHET BROWN
Chairman
Maryland Board of Electricians