

HOUSE BILL 211

M2

EMERGENCY BILL

71r0601
CF SB 268

By: **Delegates Robinson, Atterbeary, Barkley, Carr, Fraser-Hidalgo, Frush, Gutierrez, Korman, Kramer, A. Miller, Morhaim, Patterson, Platt, Sanchez, Tarlau, Turner, Waldstreicher, ~~and K. Young~~ K. Young, and Lisanti**

Introduced and read first time: January 20, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

1 AN ACT concerning

2 **Cownose Ray ~~Fishing Contests—Prohibition~~ Fishery Management Plan and**
3 **Moratorium on Contests**

4 FOR the purpose of ~~prohibiting a person from sponsoring, conducting, or participating in a~~
5 ~~cownose ray fishing contest in State waters; requiring the Secretary of Natural~~
6 ~~Resources to adopt certain regulations; defining a certain term; and generally~~
7 ~~relating to cownose ray fishing contests~~ requiring the Department of Natural
8 Resources to prepare a certain fishery management plan for the cownose ray species;
9 requiring the Department to prepare a certain fishery management plan for the
10 cownose ray species on or before a certain date, subject to available funding;
11 prohibiting a person from sponsoring, conducting, or participating in a certain
12 cownose ray fishing contest in State waters until a certain date; establishing certain
13 penalties for certain violations; making this Act an emergency measure; and
14 generally relating to the cownose ray fishery.

15 BY repealing and reenacting, with amendments,

16 Article – Natural Resources

17 Section 4-215(b)(23) and (24)

18 Annotated Code of Maryland

19 (2012 Replacement Volume and 2016 Supplement)

20 BY adding to

21 Article – Natural Resources

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section ~~4-748~~ 4-215(b)(25)
 2 Annotated Code of Maryland
 3 (2012 Replacement Volume and 2016 Supplement)

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

6 Article – Natural Resources

7 ~~4-748.~~

8 ~~(A) IN THIS SECTION, “COWNOSE RAY FISHING CONTEST” MEANS ANY~~
 9 ~~COMPETITION, TOURNAMENT, OR DERBY WITH THE OBJECTIVE OF CATCHING OR~~
 10 ~~KILLING COWNOSE RAYS FOR:~~

11 ~~(1) PRIZES OR OTHER INDUCEMENTS; OR~~

12 ~~(2) ENTERTAINMENT PURPOSES.~~

13 ~~(B) A PERSON MAY NOT SPONSOR, CONDUCT, OR PARTICIPATE IN A~~
 14 ~~COWNOSE RAY FISHING CONTEST IN STATE WATERS.~~

15 ~~(C) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THIS~~
 16 ~~SECTION.~~

17 4-215.

18 (b) The Department shall prepare fishery management plans for the following
 19 species:

20 (23) Hard shell clams; [and]

21 (24) Catfish; AND

22 (25) COWNOSE RAY.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31,
 24 2018, subject to funding made available to the Department of Natural Resources to
 25 implement Section 1 of this Act, the Department shall prepare the cownose ray fishery
 26 management plan required by § 4-215(b)(25) of the Natural Resources Article, as enacted
 27 by Section 1 of this Act.

28 SECTION 3. AND BE IT FURTHER ENACTED, That:

29 (a) In this section, “cownose ray fishing contest” means any competition,
 30 tournament, or derby with the objective of catching or killing cownose rays for:

1 (1) prizes or other inducements; or

2 (2) entertainment purposes.

3 (b) Until July 1, 2019, a person may not sponsor, conduct, or participate in a
4 cownose ray fishing contest in State waters.

5 (c) A person who violates subsection (b) of this section is guilty of a misdemeanor,
6 and on conviction is subject to the penalties provided in § 4-1201(a) and (b) of the Natural
7 Resources Article.

8 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June~~
9 ~~1, 2017.~~

10 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
11 measure, is necessary for the immediate preservation of the public health or safety, has
12 been passed by a yea and nay vote supported by three-fifths of all the members elected to
13 each of the two Houses of the General Assembly, and shall take effect from the date it is
14 enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.