SENATE BILL 268

EMERGENCY BILL

ENROLLED BILL

— Education, Health, and Environmental Affairs/Environment and Transportation —

Introduced by Senators Young, Benson, Guzzone, and Pinsky

Read and Examined by Proofreaders:

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Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this ______ day of ______________ at ________________________ o'clock, ____M.

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President.

CHAPTER _____

AN ACT concerning

Cownose Ray Fishing Tournaments—Prohibition Fishery Management Plan and Moratorium on Tournaments Contests

FOR the purpose of prohibiting a person from organizing, sponsoring, promoting, conducting, or participating in a cownose ray fishing tournament in State waters; requiring the Secretary of Natural Resources to adopt certain regulations; defining a certain term; and generally relating to cownose ray fishing tournaments requiring the Department of Natural Resources to prepare a certain fishery management plan for the cownose ray species on or before a certain date; requiring the Department to prepare a certain fishery management plan for the cownose ray species on or before a certain date, subject to available funding; prohibiting a person from organizing, sponsoring, promoting, conducting, or participating in a certain cownose ray fishing tournament contest in State waters until a certain date; establishing certain penalties for certain violations; making this Act an emergency measure; and generally relating to the cownose ray fishery.

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.
Italics indicate opposite chamber/conference committee amendments.
BY repealing and reenacting, with amendments,
  Article – Natural Resources
  Section 4–215(b)(23) and (24)
  Annotated Code of Maryland
  (2012 Replacement Volume and 2016 Supplement)

BY adding to
  Article – Natural Resources
  Section 4–748 4–215(b)(25)
  Annotated Code of Maryland
  (2012 Replacement Volume and 2016 Supplement)

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

  Article – Natural Resources

  4–748.

  (A)  In this section, “COWNOSE RAY FISHING TOURNAMENT” means any
  tournament, contest, competition, or derby with the objective of
  catching or killing cownose rays for:

  (1)  Prizes or other inducements; or

  (2)  Entertainment purposes.

  (B)  A person may not organize, sponsor, promote, conduct, or
  participate in a cownose ray fishing tournament in State waters.

  (C)  The Secretary shall adopt regulations to implement this
  section.

  4–215.

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

  (23)  Hard shell clams; [and]

  (24)  Catfish; AND

  (25)  COWNOSE RAY.
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SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 31, 2017, 2018, subject to funding made available to the Department of Natural Resources to implement Section 1 of this Act, the Department of Natural Resources shall prepare the cownose ray fishery management plan required by § 4–215(b)(25) of the Natural Resources Article, as enacted by Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That:

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

   (1) prizes or other inducements; or

   (2) entertainment purposes.

(b) Until July 1, 2018 2019, a person may not organize, sponsor, promote, conduct, or participate in a cownose ray fishing tournament contest in State waters.

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.