

SENATE BILL 268

M2

EMERGENCY BILL
ENROLLED BILL

(71r0915)

— *Education, Health, and Environmental Affairs/Environment and Transportation* —
Introduced by **Senators Young, Benson, Guzzone, and Pinsky**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of ~~prohibiting a person from organizing, sponsoring, promoting,~~
5 ~~conducting, or participating in a cownose ray fishing tournament in State waters;~~
6 ~~requiring the Secretary of Natural Resources to adopt certain regulations; defining~~
7 ~~a certain term; and generally relating to cownose ray fishing tournaments~~ requiring
8 the Department of Natural Resources to prepare a certain fishery management plan
9 for the cownose ray species on or before a certain date; requiring the Department to
10 prepare a certain fishery management plan for the cownose ray species on or before a
11 certain date, subject to available funding; prohibiting a person from ~~organizing,~~
12 sponsoring, ~~promoting,~~ conducting, or participating in a certain cownose ray fishing
13 tournament ~~contest~~ in State waters until a certain date; *establishing certain penalties*
14 for certain violations; making this Act an emergency measure; and generally relating
15 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.



1 BY repealing and reenacting, with amendments,
 2 Article – Natural Resources
 3 Section 4–215(b)(23) and (24)
 4 Annotated Code of Maryland
 5 (2012 Replacement Volume and 2016 Supplement)

6 BY adding to
 7 Article – Natural Resources
 8 Section ~~4–748~~ 4–215(b)(25)
 9 Annotated Code of Maryland
 10 (2012 Replacement Volume and 2016 Supplement)

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

13 **Article – Natural Resources**

14 ~~4–748.~~

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

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

19 ~~(2) ENTERTAINMENT PURPOSES.~~

20 ~~(B) A PERSON MAY NOT ORGANIZE, SPONSOR, PROMOTE, CONDUCT, OR~~
 21 ~~PARTICIPATE IN A COWNOSE RAY FISHING TOURNAMENT IN STATE WATERS.~~

22 ~~(C) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THIS~~
 23 ~~SECTION.~~

24 4–215.

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

27 (23) Hard shell clams; [and]

28 (24) Catfish; AND

29 (25) COWNOSE RAY.

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

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

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

10 (1) prizes or other inducements; or

11 (2) entertainment purposes.

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

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

17 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June~~
 18 ~~1, 2017.~~

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.