S T A T E O F N E W Y O R K

4367

2013-2014 Regular Sessions

I N S E N A T E

March 22, 2013

Introduced by Sen. BOYLE -- (at request of the Department of Environmental Conservation) -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the definition of shark and extending the authority of the department of environmental conservation to manage sharks

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph a of subdivision 1 of section 13-0338 of the environmental conservation law, as amended by chapter 308 of the laws of 1999, is amended to read as follows:

a. "Shark" means any species of the [order Squaliformes] SUBCLASS ELASMOBRANCHII except species in the [suborder Batoidea] ORDER BATOIDEI, and

S 2. Subdivision 4 of section 13-0338 of the environmental conservation law, as amended by chapter 428 of the laws of 2011, is amended to read as follows:

4. The department may, until December thirty-first, two thousand [thirteen] FIFTEEN, fix by regulation measures for the management of sharks, including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. S1800 et seq.).

S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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