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

4148--A

2009-2010 Regular Sessions

I N A S S E M B L Y

January 30, 2009

Introduced by M. of A. BRODSKY, CAHILL, SWEENEY -- Multi-Sponsored by -- M. of A. CLARK, ORTIZ, PERRY, J. RIVERA, WRIGHT -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to purchase, sale, trade, or barter of fish containing polychlorinated biphenyls taken from New York waters

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

Section 1. Section 13-0347 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

5. FISH THAT ARE TAKEN FROM THE WATERS OF THE STATE, INCLUDING THOSE TAKEN FROM THE MARINE AND COASTAL DISTRICT, AS DEFINED IN SECTION 13-0103 OF THIS ARTICLE, SHALL NOT BE PURCHASED, SOLD, TRADED, OR BARTERED, OR OFFERED OR EXPOSED FOR PURCHASE, SALE, TRADE, OR BARTER, HAVING, IN ANY FORM, A POLYCHLORINATED BIPHENYL CONCENTRATION LEVEL GREATER THAN ONE PART PER MILLION. THE DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS FOR THE PROPER IMPLEMENTATION OF THIS SUBDIVISION.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided however, that effective immediately, the addition, amendment, or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

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