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

S. 376 A. 854

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 7, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to authorizing the catching and possession of five times the daily limit for any species of fish during any seven consecutive day period and authorizing the catching and possession on a single vessel of the daily limits of any species of fish for which a person aboard such vessel holds a license for the taking thereof; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. The environmental conservation law is amended by adding a new section 13-0373 to read as follows:

S 13-0373. AGGREGATION OF DAILY AND TRIP CATCH AND POSSESSION LIMITS.

1. NOTWITHSTANDING ANY PROVISION OF THIS TITLE OR ANY RULE OR REGULATION PROMULGATED PURSUANT THERETO, A PERSON MAY CATCH AND POSSESS AT ANY ONE TIME OR AT VARIOUS TIMES DURING ANY SEVEN CONSECUTIVE DAY PERIOD OF TIME, NOT MORE THAN FIVE TIMES THE DAILY MAXIMUM FOR THE SPECIES OF FISH CAUGHT AND POSSESSED. ANY PERSON WHO CATCHES AND POSSESSES ANY QUANTITY OF ANY SPECIES OF FISH IN EXCESS OF THE DAILY LIMIT, AS AUTHORIZED BY THIS SUBDIVISION, SHALL NOT TAKE MORE THAN FIVE TIMES THE DAILY LIMIT FOR SUCH FISH DURING ANY SEVEN CONSECUTIVE DAY PERIOD OF TIME.

2. NOTWITHSTANDING ANY PROVISION OF THIS TITLE OR ANY RULE OR REGULATION PROMULGATED PURSUANT THERETO, NO VESSEL TRIP LIMIT SHALL BE DEEMED TO PROHIBIT THE CATCHING AND POSSESSION OF THE MAXIMUM DAILY

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

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LIMITS FOR MORE THAN ONE SPECIES OF FISH ON A SINGLE VESSEL BY ANY PERSON OR PERSONS AUTHORIZED TO TAKE SUCH SPECIES OF FISH.

S 2. This act shall take effect immediately, and shall expire and be deemed repealed January 1, 2011.