

4475

2009-2010 Regular Sessions

I N S E N A T E

April 23, 2009

Introduced by Sen. AUBERTINE -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to the regulation of food fish

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

1 Section 1. The agriculture and markets law is amended by adding a new
2 article 5-E to read as follows:

3 ARTICLE 5-E

4 REGULATION OF FOOD FISH

5 SECTION 97. PRIVATE TROUT AND BLACK BASS HATCHERIES.

6 S 97. PRIVATE TROUT AND BLACK BASS HATCHERIES. 1. NOTWITHSTANDING ANY
7 OTHER PROVISION OF LAW TO THE CONTRARY, THE DEPARTMENT, AT ITS
8 DISCRETION, MAY ISSUE TO ANY PERSON A HATCHERY PERMIT, VALID DURING THE
9 CALENDAR YEAR OF ISSUE, TO PROPAGATE, RAISE AND SELL TROUT FOR FOOD
10 FISH. THE DEPARTMENT SHALL ESTABLISH BY ORDER, REGULATIONS GOVERNING THE
11 IDENTIFICATION AND TRANSPORTATION OF TROUT RAISED UNDER SUCH A PERMIT
12 WHICH ARE OFFERED FOR SALE, SOLD OR TRANSPORTED.

13 2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE
14 DEPARTMENT, AT ITS DISCRETION, SHALL ISSUE TO ANY PERSON A HATCHERY
15 PERMIT, VALID DURING THE CALENDAR YEAR OF ISSUE, TO PROPAGATE, RAISE AND
16 SELL BLACK BASS FOR FOOD FISH. THE DEPARTMENT SHALL ESTABLISH BY ORDER,
17 REGULATIONS GOVERNING THE IDENTIFICATION AND TRANSPORTATION OF BLACK
18 BASS RAISED UNDER SUCH A PERMIT, OTHER THAN BY INDIVIDUAL TAGGING, WHICH
19 ARE OFFERED FOR SALE (LIVE OR OTHERWISE), SOLD OR TRANSPORTED.

20 S 2. This act shall take effect on the ninetieth day after it shall
21 have become a law, provided, however, that effective immediately, the
22 addition, amendment and/or repeal of any rule or regulation necessary
23 for the implementation of this act on its effective date is authorized
24 to be made and completed on or before such date.

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

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