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

8900--B

Cal. No. 630

2009-2010 Regular Sessions

I N A S S E M B L Y

June 12, 2009

Introduced by M. of A. SWEENEY -- read once and referred to the Committee on Environmental Conservation -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading -- again amended on third reading, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the environmental conservation law, in relation to the taking of horseshoe crabs

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

Section 1. Subdivision 1 of section 13-0331 of the environmental conservation law, as amended by chapter 325 of the laws of 1999, is amended and a new subdivision 8 is added to read as follows:

1. No person shall take crabs, including horseshoe crabs (Limulus sp.) for commercial purposes without first obtaining a permit from the department; PROVIDED, HOWEVER, THAT THE FEE FOR HORSESHOE CRAB PERMITS SHALL BE FIFTY DOLLARS FOR RESIDENTS AND ONE HUNDRED FIFTY DOLLARS FOR NON-RESIDENTS. For purposes of this subdivision, a presumption of "commercial purposes" shall be made wherein one takes or lands more than fifty crabs in any one day or sells or barters or offers for sale or barter any crabs he or she has taken. Permits shall be issued to individuals only but may be endorsed for use on a vessel, in which case it shall cover all persons on board such vessel. A PERSON WHO TAKES HORSESHOE CRABS IN NEW YORK STATE SHALL REPORT DAILY CATCH AND LANDING INFORMATION ON FORMS PROVIDED BY THE DEPARTMENT. THE INFORMATION TO BE PROVIDED SHALL AT A MINIMUM INCLUDE THE LOCATION OF THE TAKING AND THE AMOUNT OF THE CATCH (INCLUDING A TOTAL BY GENDER). A PERSON SHALL RETURN THE FORM CONTAINING CATCH AND LANDING INFORMATION TO THE DEPARTMENT IN THE TIME PERIOD SPECIFIED BY THE DEPARTMENT.

8. THE DEPARTMENT SHALL ISSUE A REPORT ASSESSING HORSESHOE CRAB (LIMULUS SP.) SPAWNING ACTIVITIES, INCLUDING EGG ABUNDANCE, AND SHOREBIRD INTERACTIONS IN THE MARINE AND COASTAL DISTRICT. A COPY OF THE REPORT

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

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SHALL BE PROVIDED NO LATER THAN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIRPERSON OF THE ASSEMBLY ENVIRONMENTAL CONSERVATION COMMITTEE, AND THE CHAIRPERSON OF THE SENATE COMMITTEE ON ENVIRONMENTAL CONSERVATION.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.