

6962

2011-2012 Regular Sessions

I N A S S E M B L Y

April 6, 2011

Introduced by M. of A. WEISENBERG, SWEENEY, COLTON, JAFFEE, TITONE, ZEBROWSKI, COOK, MAISEL, P. RIVERA, REILLY, THIELE -- Multi-Sponsored by -- M. of A. McENENY, STEVENSON -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the management of Atlantic cod

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

1 Section 1. Section 13-0339-a of the environmental conservation law, as
2 amended by chapter 146 of the laws of 2007, is amended to read as
3 follows:
4 S 13-0339-a. Atlantic cod (*Gadus morhua*), Atlantic sturgeon (*Acipenser*
5 *oxyrhynchus*), shortnose sturgeon (*Acipenser brevirost-*
6 *rum*), American eel [*Anguillo*] (*ANGUILLA* *rostrata*),
7 Atlantic herring (*Clupea harengus*), American shad (*Alosa*
8 *sapidissima*), alewife [*Alosa*] (*ALOSA pseudoharengus*),
9 blueback herring (*Alosa aestivalis*), squid (*cephalopoda*),
10 and hickory shad (*Alosa mediocris*).
11 1. The department may[, until December thirty-first, two thousand
12 eleven,] fix, by regulation, measures for the management of THE FOLLOW-
13 ING SPECIES:
14 A. Atlantic cod (*Gadus morhua*) UNTIL DECEMBER THIRTY-FIRST, TWO THOU-
15 SAND THIRTEEN,
16 B. American eel (*Anguilla rostrata*) UNTIL DECEMBER THIRTY-FIRST, TWO
17 THOUSAND ELEVEN,
18 C. Atlantic and shortnose sturgeon (*Acipenser oxyrhynchus* and *brevi-*
19 *rostrum*) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN,
20 D. Atlantic herring (*Clupea harengus*) UNTIL DECEMBER THIRTY-FIRST, TWO
21 THOUSAND ELEVEN,
22 E. American shad (*Alosa sapidissima*) UNTIL DECEMBER THIRTY-FIRST, TWO
23 THOUSAND ELEVEN,

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

LBD09065-01-1

1 F. alewife (*Alosa pseudoharengus*) UNTIL DECEMBER THIRTY-FIRST, TWO
2 THOUSAND ELEVEN,
3 G. blueback herring (*Alosa aestivalis*) UNTIL DECEMBER THIRTY-FIRST,
4 TWO THOUSAND ELEVEN,
5 H. squid (cephalopoda) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEV-
6 EN, and
7 I. hickory shad (*Alosa mediocris*)[, including] UNTIL DECEMBER THIRTY-
8 FIRST, TWO THOUSAND ELEVEN.
9 2. SUCH MANAGEMENT REGULATIONS MAY INCLUDE size limits, catch and
10 possession limits, open and closed seasons, closed areas, restrictions
11 on the manner of taking and landing, requirements for permits and eligi-
12 bility therefor, recordkeeping requirements, requirements on the amount
13 and type of fishing effort and gear, and requirements relating to trans-
14 portation, possession and sale, provided that such regulations are no
15 less restrictive than requirements set forth in this chapter and
16 provided further that such regulations are consistent with the compli-
17 ance requirements of applicable fishery management plans adopted by the
18 Atlantic States Marine Fisheries Commission and with applicable
19 provisions of fishery management plans adopted pursuant to the Federal
20 Fishery Conservation and Management Act (16 U.S.C. S 1800 et seq.).
21 S 2. This act shall take effect immediately.