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I N A S S E M B L Y

May 4, 2012

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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 defining spearguns and allowing recreational spearfishing in New York's marine and coastal waters

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

- 1 Section 1. Subdivision 1 of section 11-0103 of the environmental  
2 conservation law is amended by adding a new paragraph f to read as  
3 follows:  
4 F. "SPEARGUN" AND "UNDER-WATER GUN" MEANS ANY SPEARGUN THAT STORES  
5 POTENTIAL ENERGY PROVIDED FROM THE SPEARFISHER'S MUSCLES ONLY. SUCH GUN  
6 MAY ONLY RELEASE THAT AMOUNT OF ENERGY THAT THE DIVER HAS PROVIDED TO IT  
7 FROM SUCH DIVER'S OWN MUSCLES. COMMON TEMPORARY ENERGY STORING DEVICES  
8 FOR SPEARGUNS SHALL INCLUDE, BUT NOT BE LIMITED TO: RUBBER BANDS,  
9 SPRINGS, AND SEALED AIR CHAMBERS.
- 10 S 2. Subdivision 1 of section 11-1301 of the environmental conserva-  
11 tion law is amended by adding a new paragraph c to read as follows:  
12 C. MIGRATORY FOOD FISH OF THE SEA MAY BE TAKEN RECREATIONALLY BY  
13 SPEAR, SPEARGUN OR SPEARING IN THE MARINE AND COASTAL DISTRICT.
- 14 S 3. This act shall take effect immediately.

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

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