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

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:

Section 1. Section 13-0339-a of the environmental conservation law, as amended by chapter 146 of the laws of 2007, is amended to read as follows:

S 13-0339-a. Atlantic cod (Gadus morhua), Atlantic sturgeon (Acipenser oxyrhynchus), shortnose sturgeon (Acipenser brevirostrum), American eel [(Anguillo] (ANGUILLA rostrata), Atlantic herring (Clupea horengus), American shad (Alosa sapidissima), alewife [(Aloso] (ALOSA pseudoharengus), blueback herring (Alosa aestivalis), squid (cephalopoda), and hickory shad (Alosa mediocris).

1. The department may[, until December thirty-first, two thousand eleven,] fix, by regulation, measures for the management of THE FOLLOWING SPECIES:

A. Atlantic cod (Gadus morhua) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND THIRTEEN,

B. American eel (Anguilla rostrata) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN,

C. Atlantic and shortnose sturgeon (Acipenser oxyrhynchus and brevirostrum) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN,

D. Atlantic herring (Clupea horengus) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN,

E. American shad (Alosa sapidissima) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN,

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

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F. alewife (Alosa pseudoharengus) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN,

G. blueback herring (Alosa aestivalis) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN,

H. squid (cephalopoda) UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN, and

I. hickory shad (Alosa mediocris)[, including] UNTIL DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN.

2. SUCH MANAGEMENT REGULATIONS MAY INCLUDE size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. S 1800 et seq.).

S 2. This act shall take effect immediately.