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

S. 7055--A A. 9959--A
Cal. No. 761

S E N A T E - A S S E M B L Y

April 26, 2012

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to the taking of fish for commercial purposes

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

Section 1. Section 13-0349 of the environmental conservation law is amended by adding a new subdivision 4 to read as follows:

4. THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION SHALL APPLY TO THE REPLACEMENT OF ALL EXEMPT VESSELS OCCURRING AFTER JANUARY FIRST, TWO THOUSAND FOUR. ANY VESSEL WHICH HAS BEEN REPLACED SHALL NO LONGER BE EXEMPT FROM THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION. IN THE EVENT OF THE SALE OF AN EXEMPT VESSEL, A SELLER WHO HAS RETAINED THE RIGHT TO REPLACE AN EXEMPT VESSEL SHALL PROVIDE SATISFACTORY PROOF TO THE DEPARTMENT THAT THE REPLACEMENT RIGHTS FOR SUCH VESSEL WERE RETAINED. OTHERWISE IT SHALL BE PRESUMED THAT THE REPLACEMENT RIGHTS WERE SOLD WITH THE VESSEL AND ARE HELD BY THE OWNER OF SUCH VESSEL. THE DEPARTMENT MAY REQUIRE SATISFACTORY DOCUMENTATION FROM ANY VESSEL OWNER IN RELATION TO THE ADMINISTRATION OF VESSEL REPLACEMENT AND ANY EXEMPTIONS CLAIMED PURSUANT TO THIS SECTION.

S 2. 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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