

6904

2013-2014 Regular Sessions

I N A S S E M B L Y

April 24, 2013

Introduced by M. of A. OTIS, SWEENEY, ZEBROWSKI, GALEF, ENGLEBRIGHT, PAULIN, MAISEL, MILLER, SCHIMEL -- Multi-Sponsored by -- M. of A. COOK, FAHY, GOTTFRIED, MARKEY, THIELE -- (at request of the Department of Environmental Conservation) -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage scallops

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

1 Section 1. Section 13-0327 of the environmental conservation law, as
2 amended by chapter 427 of the laws of 2011, is amended to read as
3 follows:
4 S 13-0327. Scallops; prohibited acts.
5 The department may, until December thirty-first, two thousand [thir-
6 teen] FIFTEEN, adopt by regulation measures for the management of scal-
7 lops (Family Pectinidae) including size limits, catch and possession
8 limits, open and closed seasons, closed areas, restrictions on the
9 manner of taking and landing, requirements for permits and eligibility
10 therefor, recordkeeping and identification requirements, requirements on
11 the amount and type of fishing effort and gear, and requirements relat-
12 ing to transportation, possession and sale, provided that such regu-
13 lations are no less restrictive than requirements set forth in this
14 chapter.
15 S 2. Subparagraph 9 of paragraph a of subdivision 4 and subparagraph 5
16 of paragraph a of subdivision 5 of section 71-0921 of the environmental
17 conservation law, as added by chapter 417 of the laws of 1996, are
18 amended to read as follows:
19 (9) [subdivision two of] REGULATIONS PROMULGATED BY THE DEPARTMENT
20 PURSUANT TO section 13-0327 of this chapter, regarding the taking of

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

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1 undersized scallops, where the taking involves more than twenty-four
2 percentum of scallops of less than legal size; and
3 (5) [subdivision two of] REGULATIONS PROMULGATED BY THE DEPARTMENT
4 PURSUANT TO section 13-0327 of this chapter, regarding the taking of
5 undersized scallops, where the taking involves between ten and twenty-
6 four percentum of scallops of less than legal size.
7 S 3. This act shall take effect immediately.