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

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:

Section 1. Section 13-0327 of the environmental conservation law, as amended by chapter 427 of the laws of 2011, is amended to read as follows:

S 13-0327. Scallops; prohibited acts.

The department may, until December thirty-first, two thousand [thirteen] FIFTEEN, adopt by regulation measures for the management of scallops (Family Pectinidae) including 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 and identification 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.

S 2. Subparagraph 9 of paragraph a of subdivision 4 and subparagraph 5 of paragraph a of subdivision 5 of section 71-0921 of the environmental conservation law, as added by chapter 417 of the laws of 1996, are amended to read as follows:

(9) [subdivision two of] REGULATIONS PROMULGATED BY THE DEPARTMENT 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.

LBD08952-02-3

undersized scallops, where the taking involves more than twenty-four percentum of scallops of less than legal size; and

(5) [subdivision two of] REGULATIONS PROMULGATED BY THE DEPARTMENT PURSUANT TO section 13-0327 of this chapter, regarding the taking of undersized scallops, where the taking involves between ten and twenty-four percentum of scallops of less than legal size.

S 3. This act shall take effect immediately.