

4367

2013-2014 Regular Sessions

I N S E N A T E

March 22, 2013

Introduced by Sen. BOYLE -- (at request of the Department of Environmental Conservation) -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the definition of shark and extending the authority of the department of environmental conservation to manage sharks

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

1 Section 1. Paragraph a of subdivision 1 of section 13-0338 of the
2 environmental conservation law, as amended by chapter 308 of the laws of
3 1999, is amended to read as follows:
4 a. "Shark" means any species of the [order Squaliformes] SUBCLASS
5 ELASMOBRANCHII except species in the [suborder Batoidea] ORDER BATOIDEI,
6 and
7 S 2. Subdivision 4 of section 13-0338 of the environmental conserva-
8 tion law, as amended by chapter 428 of the laws of 2011, is amended to
9 read as follows:
10 4. The department may, until December thirty-first, two thousand
11 [thirteen] FIFTEEN, fix by regulation measures for the management of
12 sharks, including size limits, catch and possession limits, open and
13 closed seasons, closed areas, restrictions on the manner of taking and
14 landing, requirements for permits and eligibility therefor, recordkeep-
15 ing requirements, requirements on the amount and type of fishing effort
16 and gear, and requirements relating to transportation, possession and
17 sale, provided that such regulations are no less restrictive than
18 requirements set forth in this chapter and provided further that such
19 regulations are consistent with the compliance requirements of applica-
20 ble fishery management plans adopted by the Atlantic States Marine Fish-
21 eries Commission and with applicable provisions of fishery management
22 plans adopted pursuant to the Federal Fishery Conservation and Manage-
23 ment Act (16 U.S.C. S1800 et seq.).
24 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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