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

S. 1590 A. 1893

2015-2016 Regular Sessions

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

January 13, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the use of spears, spearguns or underwater guns in recreational and commercial bass fishing

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

Section 1. Section 13-0347 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

5. THE TAKING OF STRIPED BASS BY THE USE OF SPEARS, SPEARGUNS OR UNDERWATER GUNS SHALL BE AUTHORIZED FOR RECREATIONAL AND COMMERCIAL PURPOSES. FOR THE PURPOSES OF THIS SUBDIVISION, "SPEARGUN" AND "UNDERWATER GUN" MEANS ANY SPEARGUN THAT STORES POTENTIAL ENERGY PROVIDED FROM THE SPEARFISHER'S MUSCLES ONLY AND IS USED WHILE SUBMERGED UNDER THE WATER. SUCH GUN MAY ONLY RELEASE THAT AMOUNT OF ENERGY THAT THE DIVER HAS PROVIDED TO IT FROM SUCH DIVER'S OWN MUSCLES. COMMON TEMPORARY ENERGY STORING DEVICES FOR SPEARGUNS SHALL INCLUDE, BUT NOT BE LIMITED TO: RUBBER BANDS, SPRINGS, AND SEALED AIR CHAMBERS.

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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