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

8085--A

2015-2016 Regular Sessions

I N A S S E M B L Y

June 5, 2015

Introduced by M. of A. BENEDETTO -- read once and referred to the Committee on Environmental Conservation -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the environmental conservation law, in relation to commercial food fish licenses

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

Section 1. Subparagraph (iv) of paragraph c of subdivision 1 of section 13-0328 of the environmental conservation law, as amended by chapter 383 of the laws of 2011, is amended to read as follows:

(iv) licenses shall be issued only to persons who demonstrate in a manner acceptable to the department that they received an average of at least fifteen thousand dollars of income over three consecutive years from commercial fishing or fishing, or who successfully complete a commercial food fish apprenticeship pursuant to subdivision seven of this section. As used in this subparagraph, "commercial fishing" means the taking and sale of marine resources including fish, shellfish, crustacea or other marine biota and "fishing" means commercial fishing and carrying fishing passengers for hire. Individuals who wish to qualify based on income from "fishing" must hold a valid marine and coastal district party and charter boat license. No more than ten percent of the licenses issued each year based on income eligibility pursuant to this paragraph shall be issued to applicants who qualify based solely upon income derived from operation of or employment by a party or charter boat. FOR THE INCOME EVALUATION OF THIS SUBDIVISION, THE DEPARTMENT MAY CONSIDER PERSONS WHO WOULD OTHERWISE BE ELIGIBLE BUT FOR HAVING SERVED IN THE UNITED STATES ARMED FORCES ON ACTIVE DUTY, PROVIDED THAT SUCH INDIVIDUAL HAS RECEIVED AN HONORABLE OR GENERAL DISCHARGE, SHALL NOT BE DEEMED INELIGIBLE.

S 2. This act shall take effect immediately.

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

LBD11463-03-5