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

S. 4440--A A. 6317--A

2015-2016 Regular Sessions

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

March 20, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to establishing a commercial fisheries accessibility task force and providing for its powers and duties; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. The environmental conservation law is amended by adding a new section 13-0102 to read as follows:

S 13-0102. COMMERCIAL FISHERIES ACCESSIBILITY TASK FORCE.

1. CREATION OF COMMERCIAL FISHERIES ACCESSIBILITY TASK FORCE. (A) THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT A COMMERCIAL FISHERIES ACCESSIBILITY TASK FORCE, HEREINAFTER "TASK FORCE", TO MAKE RECOMMENDATIONS ON PLANS, POLICIES, LAWS, REGULATIONS, AND PROGRAMS TO IMPROVE ACCESS TO THE COMMERCIAL MARINE FISHERIES.

(B) THE TASK FORCE SHALL CONSIST OF THIRTEEN VOTING MEMBERS. THE CHAIRPERSON OF SAID TASK FORCE SHALL BE THE COMMISSIONER OF THE DEPARTMENT OR HIS OR HER DESIGNEE. OF THE REMAINING TWELVE MEMBERS, FOUR SHALL BE APPOINTED BY THE GOVERNOR, FOUR SHALL BE APPOINTED BY THE MAJORITY

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

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LEADER OF THE SENATE, AND FOUR SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY.

(C) OF THE MEMBERS APPOINTED, ALL SHALL BE RESIDENTS OF A COUNTY WHICH BORDERS THE MARINE AND COASTAL DISTRICT. NONE OF THE APPOINTED MEMBERS SHALL BE EMPLOYEES OF THE DEPARTMENT. THE TASK FORCE SHALL BE REPRESENTATIVE OF INDIVIDUAL AND ORGANIZED COMMERCIAL AND RECREATIONAL SHELLFISHING AND FINFISHING INTERESTS IN THE STATE.

(D) AT NO TIME SHALL THERE BE LESS THAN SEVEN MEMBERS OF THE TASK FORCE WHO SHALL BE REPRESENTATIVE OF COMMERCIAL FISHING INTERESTS.

(E) MEMBERS MAY INCLUDE, BUT SHALL BE NOT LIMITED TO, BAYMEN, COMMERCIAL FINFISH FISHERMEN OR WOMEN, COMMERCIAL SHELLFISH FISHERMEN OR WOMEN, AND NEW YORK FISHING RELATED BUSINESS REPRESENTATIVES.

(F) PERSONS DESIGNATED OR APPOINTED TO THE TASK FORCE SHALL HAVE DEMONSTRATED A LONG-STANDING INTEREST, KNOWLEDGE AND EXPERIENCE IN COMMERCIAL OR RECREATIONAL HARVESTING OF MARINE RESOURCES.

(G) THE TASK FORCE SHALL MEET NO LESS THAN FOUR TIMES PER YEAR AND AT OTHER TIMES AT THE CALL OF THE CHAIRPERSON.

(H) ANY VACANCIES ON THE TASK FORCE SHALL BE FILLED IN THE MANNER PROVIDED FOR IN THE INITIAL APPOINTMENT.

(I) THE TASK FORCE SHALL BE AUTHORIZED TO HOLD PUBLIC HEARINGS AND MEETINGS TO ENABLE IT TO ACCOMPLISH ITS DUTIES.

2. REPORT TO THE LEGISLATURE. NO LATER THAN DECEMBER 31, 2019, THE TASK FORCE SHALL TRANSMIT TO THE GOVERNOR, THE MAJORITY LEADER OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY A REPORT CONTAINING RECOMMENDATIONS TO ACCOMPLISH THE FOLLOWING:

(A) DEFINE A NEW FRAMEWORK FOR THE MANAGEMENT OF NEW YORK'S FISHERIES RESOURCES AND NEW YORK'S COMMERCIAL FISHING INDUSTRY;

(B) ENSURE A SUSTAINABLE, ECONOMICALLY VIABLE COMMERCIAL FISHING INDUSTRY;

(C) PROVIDE FOR MORE LOCAL INDUSTRY INPUT ON COMMERCIAL FISHING MATTERS; AND

(D) REGULATORY AND STATUTORY CHANGES RELATED TO COMMERCIAL FISHING EFFORTS AND LICENSES, PERMITS, ELIGIBILITY REQUIREMENTS, TRANSFERABILITY, AND REQUALIFICATIONS IN ORDER TO IMPROVE ACCESS TO THE COMMERCIAL FISHING INDUSTRY.

S 2. This act shall take effect immediately and shall expire and be deemed repealed January 1, 2020.