

8085--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

June 5, 2015

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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:

1     Section 1. Subparagraph (iv) of paragraph c of subdivision 1 of  
2     section 13-0328 of the environmental conservation law, as amended by  
3     chapter 383 of the laws of 2011, is amended to read as follows:  
4     (iv) licenses shall be issued only to persons who demonstrate in a  
5     manner acceptable to the department that they received an average of at  
6     least fifteen thousand dollars of income over three consecutive years  
7     from commercial fishing or fishing, or who successfully complete a  
8     commercial food fish apprenticeship pursuant to subdivision seven of  
9     this section. As used in this subparagraph, "commercial fishing" means  
10    the taking and sale of marine resources including fish, shellfish, crus-  
11    tacea or other marine biota and "fishing" means commercial fishing and  
12    carrying fishing passengers for hire. Individuals who wish to qualify  
13    based on income from "fishing" must hold a valid marine and coastal  
14    district party and charter boat license. No more than ten percent of the  
15    licenses issued each year based on income eligibility pursuant to this  
16    paragraph shall be issued to applicants who qualify based solely upon  
17    income derived from operation of or employment by a party or charter  
18    boat. FOR THE INCOME EVALUATION OF THIS SUBDIVISION, THE DEPARTMENT MAY  
19    CONSIDER PERSONS WHO WOULD OTHERWISE BE ELIGIBLE BUT FOR HAVING SERVED  
20    IN THE UNITED STATES ARMED FORCES ON ACTIVE DUTY, PROVIDED THAT SUCH  
21    INDIVIDUAL HAS RECEIVED AN HONORABLE OR GENERAL DISCHARGE, SHALL NOT BE  
22    DEEMED INELIGIBLE.  
23    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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