STATE OF NEW YORK

5764

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

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

AN ACT to amend the environmental conservation law, in relation to shellfish regulations

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 13-0319 of the environmental conservation law, as amended by chapter 303 of the laws of 1997, is amended to read as follows:

§ 13-0319. Shellfish regulations.

The department may adopt regulations with respect to the harvesting, transplanting, relaying, receiving, possessing, transporting, importing, exporting, processing, buying, selling of or otherwise trafficking in shellfish; the labeling or tagging thereof; the keeping of records of shellfish received, transported and distributed; the construction, operation and maintenance of all shellfish handling, processing and distributing establishments, including facilities and equipment and the cleaning, cleansing and water storage of shellfish. The provisions of this section relating to transplanting and relaying include but are not limited to the removal of shellfish from uncertified growing areas and transplanting to certified areas for subsequent harvest for market purposes and transplanting of scallops pursuant to [~~paragraph a of subdivision 2 of~~] section 13-0327. Such regulations may provide for payment of the reasonable costs of the department of supervision of removal of shellfish from uncertified areas, except where such removal is being undertaken by a municipality or political subdivision. Such regulations shall be drawn in such a manner as to provide adequate sanitary control over all shellfish offered for sale and distribution in the state. Such regulations shall not be less restrictive than the minimum requirements of any federal agency regulating the inter-state shipment of shellfish.

§ 2. This act shall take effect immediately.

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

LBD05641-01-9