

# STATE OF NEW YORK

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5764

2019-2020 Regular Sessions

## IN ASSEMBLY

February 19, 2019

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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:

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

4 § 13-0319. Shellfish regulations.

5 The department may adopt regulations with respect to the harvesting,  
6 transplanting, relaying, receiving, possessing, transporting, importing,  
7 exporting, processing, buying, selling of or otherwise trafficking in  
8 shellfish; the labeling or tagging thereof; the keeping of records of  
9 shellfish received, transported and distributed; the construction, oper-  
10 ation and maintenance of all shellfish handling, processing and distrib-  
11 uting establishments, including facilities and equipment and the clean-  
12 ing, cleansing and water storage of shellfish. The provisions of this  
13 section relating to transplanting and relaying include but are not  
14 limited to the removal of shellfish from uncertified growing areas and  
15 transplanting to certified areas for subsequent harvest for market  
16 purposes and transplanting of scallops pursuant to [~~paragraph a of~~  
17 ~~subdivision 2 of~~] section 13-0327. Such regulations may provide for  
18 payment of the reasonable costs of the department of supervision of  
19 removal of shellfish from uncertified areas, except where such removal  
20 is being undertaken by a municipality or political subdivision. Such  
21 regulations shall be drawn in such a manner as to provide adequate sani-  
22 tary control over all shellfish offered for sale and distribution in the  
23 state. Such regulations shall not be less restrictive than the minimum  
24 requirements of any federal agency regulating the inter-state shipment  
25 of shellfish.

26 § 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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