

STATE OF NEW YORK

4341

2021-2022 Regular Sessions

IN SENATE

February 3, 2021

Introduced by Sen. KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the harvesting of Jonah crabs

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

1 Section 1. Subdivision 1 of section 13-0331 of the environmental
2 conservation law, as amended by chapter 447 of the laws of 2017, is
3 amended and a new subdivision 1-a is added to read as follows:

4 1. No person shall take crabs, including horseshoe crabs (*Limulus* sp.)
5 for commercial purposes without first obtaining a permit from the
6 department. For purposes of this subdivision, a presumption of "commer-
7 cial purposes" shall be made wherein one takes or lands more than fifty
8 crabs in any one day or sells or barter or offers for sale or barter
9 any crabs he or she has taken. A holder of a commercial crab permit
10 shall not exceed the bycatch limit of Jonah crab specified by the
11 department. Permits shall be issued to individuals only but may be
12 endorsed for use on a vessel, in which case it shall cover all persons
13 on board such vessel.

14 1-a. Notwithstanding subdivision one of this section, a holder of any
15 New York commercial lobster license may take and land Jonah crab (*Cancer*
16 *borealis*) for commercial purposes. Jonah crab harvested by crab permit
17 holders who can demonstrate a landings history above the bycatch limit
18 prior to June second, two thousand fifteen, documented by either state
19 or federal vessel trip reports may request a special permit to take
20 Jonah crabs above the bycatch limit. Jonah crabs harvested by any other
21 legal method for taking lobsters or crabs shall comply with the take,
22 landing, and possession limits pursuant to subdivision one of this
23 section.

24 § 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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