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:

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

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

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

§ 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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