STATE OF NEW YORK

7442

2023-2024 Regular Sessions

IN ASSEMBLY

May 19, 2023

Introduced by M. of A. LEVENBERG -- (at request of the Department of Environmental Conservation) -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage whelk and conch

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

Section 1. Subdivision 6 of section 13-0330 of the environmental conservation law, as amended by section 1 of item P of subpart A of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

6. The department may, until December thirty-first, two thousand [~~twenty-three~~] twenty-six, fix by regulation measures for the management of whelk or conch (Busycon and Busycotypus spp.), including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, requirements for permits and eligibility therefor, recordkeeping requirements, requirements on the amount and type of fishing effort and gear, and requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter and provided further that such regulations are consistent with the compliance requirements of applicable fishery management plans adopted by the Atlantic States Marine Fisheries Commission and with applicable provisions of fishery management plans adopted pursuant to the Federal Fishery Conservation and Management Act (16 U.S.C. § 1800 et seq.).

§ 2. This act shall take effect immediately.

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

LBD05884-01-3