

2017-2018 Regular Sessions

S E N A T E - A S S E M B L Y

January 27, 2017

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

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

AN ACT to amend the environmental conservation law, in relation to establishing a commercial fisheries accessibility task force and providing for its powers and duties; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The environmental conservation law is amended by adding a  
2 new section 13-0102 to read as follows:  
3 S 13-0102. COMMERCIAL FISHERIES ACCESSIBILITY TASK FORCE.  
4 1. CREATION OF COMMERCIAL FISHERIES ACCESSIBILITY TASK FORCE. (A)  
5 THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT A COMMERCIAL FISHERIES  
6 ACCESSIBILITY TASK FORCE, HEREINAFTER "TASK FORCE", TO MAKE RECOMMENDA-  
7 TIONS ON PLANS, POLICIES, LAWS, REGULATIONS, AND PROGRAMS TO IMPROVE  
8 ACCESS TO THE COMMERCIAL MARINE FISHERIES.  
9 (B) THE TASK FORCE SHALL CONSIST OF THIRTEEN VOTING MEMBERS. THE  
10 CHAIRPERSON OF SAID TASK FORCE SHALL BE THE COMMISSIONER OF THE DEPART-  
11 MENT OR HIS OR HER DESIGNEE. OF THE REMAINING TWELVE MEMBERS, FOUR SHALL  
12 BE APPOINTED BY THE GOVERNOR, FOUR SHALL BE APPOINTED BY THE MAJORITY  
13 LEADER OF THE SENATE, AND FOUR SHALL BE APPOINTED BY THE SPEAKER OF THE  
14 ASSEMBLY.  
15 (C) OF THE MEMBERS APPOINTED, ALL SHALL BE RESIDENTS OF A COUNTY WHICH  
16 BORDERS THE MARINE AND COASTAL DISTRICT. NONE OF THE APPOINTED MEMBERS  
17 SHALL BE EMPLOYEES OF THE DEPARTMENT. THE TASK FORCE SHALL BE REPRESENTATIVE OF  
18 INDIVIDUAL AND ORGANIZED COMMERCIAL AND RECREATIONAL  
19 SHELLFISHING AND FINFISHING INTERESTS IN THE STATE.

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

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1 (D) AT NO TIME SHALL THERE BE LESS THAN SEVEN MEMBERS OF THE TASK  
2 FORCE WHO SHALL BE REPRESENTATIVE OF COMMERCIAL FISHING INTERESTS.

3 (E) MEMBERS MAY INCLUDE, BUT SHALL BE NOT LIMITED TO, BAYMEN, COMMER-  
4 CIAL FINFISH FISHERMEN OR WOMEN, COMMERCIAL SHELLFISH FISHERMEN OR  
5 WOMEN, AND NEW YORK FISHING RELATED BUSINESS REPRESENTATIVES.

6 (F) PERSONS DESIGNATED OR APPOINTED TO THE TASK FORCE SHALL HAVE  
7 DEMONSTRATED A LONG-STANDING INTEREST, KNOWLEDGE AND EXPERIENCE IN  
8 COMMERCIAL OR RECREATIONAL HARVESTING OF MARINE RESOURCES.

9 (G) THE TASK FORCE SHALL MEET NO LESS THAN FOUR TIMES PER YEAR AND AT  
10 OTHER TIMES AT THE CALL OF THE CHAIRPERSON.

11 (H) ANY VACANCIES ON THE TASK FORCE SHALL BE FILLED IN THE MANNER  
12 PROVIDED FOR IN THE INITIAL APPOINTMENT.

13 (I) THE TASK FORCE SHALL BE AUTHORIZED TO HOLD PUBLIC HEARINGS AND  
14 MEETINGS TO ENABLE IT TO ACCOMPLISH ITS DUTIES.

15 2. REPORT TO THE LEGISLATURE. NO LATER THAN DECEMBER 31, 2019, THE  
16 TASK FORCE SHALL TRANSMIT TO THE GOVERNOR, THE MAJORITY LEADER OF THE  
17 SENATE AND THE SPEAKER OF THE ASSEMBLY A REPORT CONTAINING RECOMMENDA-  
18 TIONS TO ACCOMPLISH THE FOLLOWING:

19 (A) DEFINE A NEW FRAMEWORK FOR THE MANAGEMENT OF NEW YORK'S FISHERIES  
20 RESOURCES AND NEW YORK'S COMMERCIAL FISHING INDUSTRY;

21 (B) ENSURE A SUSTAINABLE, ECONOMICALLY VIABLE COMMERCIAL FISHING  
22 INDUSTRY;

23 (C) PROVIDE FOR MORE LOCAL INDUSTRY INPUT ON COMMERCIAL FISHING  
24 MATTERS; AND

25 (D) REGULATORY AND STATUTORY CHANGES RELATED TO COMMERCIAL FISHING  
26 EFFORTS AND LICENSES, PERMITS, ELIGIBILITY REQUIREMENTS, TRANSFERABILI-  
27 TY, AND REQUALIFICATIONS IN ORDER TO IMPROVE ACCESS TO THE COMMERCIAL  
28 FISHING INDUSTRY.

29 S 2. This act shall take effect immediately and shall expire and be  
30 deemed repealed January 1, 2021.