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# **A Catalog of Marine Fisheries Legislation in New York State**

\_\_\_\_ JAY J.C. GINTER

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A CATALOG OF MARINE FISHERIES LEGISLATION  
IN NEW YORK STATE

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## CHAPTER I

### MARINE FISHERY MANAGEMENT LAW IN NEW YORK

The following is a current collection of all statutes in the New York State Fish and Wildlife Law which have direct bearing on the management of living marine resources in New York State. The various sections and subdivisions are taken verbatim from Title 3, Marine Fisheries, of Article 13, Marine and Coastal Resources, of the Environmental Conservation Law.

The sections are categorized here in five parts according to the five management methods discussed in the text including

- A. Regulations on species and size of species
- B. Regulations on amount of catch
- C. Regulations on fishing gear
- D. Regulations on time, season and area
- E. Regulations on entry

Sections of the law in each part are listed in numerical sequence and are further broken into numbered subdivisions. Different subdivisions of the same section are frequently recorded in different parts of this account. Sections and subdivisions which could be interpreted, from the management point of view, as applicable in more than one part are generally not repeated in subsequent parts. Rather they are listed in the part which best describes their primary management intent in the opinion of the author.

In all sections the word "department" refers to the New York State Department of Environmental Conservation. The words "district" or "marine district" refers to the marine waters over which the state has jurisdiction and the mandate to conserve living resources. According to Section 13-0103, this includes the waters of the Atlantic Ocean within three nautical miles from the coastline and all other tidal waters within the state, including the Hudson River up to the Tappan Zee bridge.

This account of the law affecting the marine fisheries does not include all sections of Title 3. Omitted sections, however, are those which have no management substance and affect only administration aspects of the law itself or provisions relating to the processing and shipping of shellfish to insure sanitary quality.

Part A. Regulations on Species and Size of Species

13-0309. Shellfish, generally

1. a) Shellfish shall not be taken from uncertified areas except as provided in Section 13-0321\*.

b) Shellfish from uncertified areas of other states shall not be possessed, transported or trafficked in within this state, except for transplanting pursuant to permit as provided in Section 13-0321.

c) Shellfish shall not be shipped or transplanted into this state except for transplanting purposes as provided in Section 13-0321 unless the sanitary condition of such shellfish is equal to that of shellfish grown or produced in this state. (See also section 13-0309 in parts D and C for rules on time and gear used harvesting certain species of scallops and clams).

6. Shellfish shall not be treated by the process known as drinking, floating, plumping or swelling; and shellfish so treated shall not be possessed, bought, sold or exposed for sale; provided, however, that shellfish may be retained in water storage as provided in Section 13-0319 and provided, further, that nothing herein shall be deemed to prohibit or render unlawful the practice of off-bottom culture of shellfish under permit issued pursuant to section 13-0316\*\* hereof.

7. Shellfish in the shell, or shucked, shall not be washed preparatory to marketing except by the use of water from a water supply approved by the department.

13-0323. Oysters

1. No person shall sell or offer for sale, any oysters, or label or brand any packages containing oysters for shipment or sale under the name of blue point oysters, other than oysters which have been planted and cultivated at least three months in the waters of Great South Bay.

2. In no case shall oysters other than the species Crassostrea virginica be planted or transplanted in New York waters without procuring a permit from the department.

13-0325. Clams

1. Hard clams (Venus mercenaria\*\*\*) less than one inch in thickness shall not be taken, possessed, bought, sold or otherwise trafficked in.

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\*Refers to transplanting of shellfish from uncertified areas, cf. Part D.

\*\*See Section 13-0316 in Part E.

\*\*\*So in the law, probably should read Mercenaria mercenaria.

2. Hard clams less than one inch in thickness may be taken by shellfish growers from leased or privately owned lands other than town lands currently under cultivation by the grower for transplanting to other such lands being cultivated by the same grower, and imported from another state by a shellfish grower for transplanting to public or private or leased lands under cultivation, provided a permit for each separate transplanting operation is issued by the department subject to provisions of sections 13-0319 and 13-0321\*. The permit, providing for transplanting hard clams less than one inch in thickness, shall be issued without fee. Such clams shall not be transported to a point without the state.

3. Soft or steamer clams (Mya arenaria) less than two inches in the longest diameter shall not be taken, possessed, bought, sold, or otherwise trafficked in. [Amended in 1973 by Assembly bill 2658 (See section on Clams in Chapter III, p. III-54) which became Chapter 518, L. 1973, prohibiting taking soft or steamer clams less than 1½ inches in longest diameter].

4. Surf, sea, hen or skimmer clams (Mactra solidissima) less than three inches in the longest diameter shall not be taken, possessed, bought, sold, or otherwise trafficked in.

5. Whenever clams under the size limits prescribed in this section are received in transportation from outside the state, they shall not be bought, sold or otherwise trafficked in.

6. Clams shall be culled when taken in accordance with rules and regulations promulgated by the commissioner. Clams which may not be taken, possessed, bought, sold or otherwise trafficked in pursuant to the provisions of subdivisions 1, 3 or 4 of this section may compose not to exceed three per centum of the total catch, when unavoidably taken. Such three per centum may be determined by the measurement of any bushel of clams taken from the catch or in the possession of the person offering the same for sale.

#### 13-0327. Scallops

2. a) Only bay scallops (Pecten irradians)<sup>\*\*</sup> having an annual growth line or measuring not less than two and one-quarter inches from the middle of the hinge to the middle of the bill may be taken.

b) All bay scallops which may not be taken pursuant to the provisions of paragraph a of this subdivision 2 shall be immediately returned alive to the water.

\*Section 13-0319, not included in this publication, allows the department to make any regulations necessary to provide adequate sanitary control over all shellfish offered for sale in the state. See part D for section 13-0321.

\*\*So in law, should probably be Aequipecten irradians.



c) Scallops shall be culled when taken. Bay scallops which may not be taken pursuant to the provisions of paragraph a of this subdivision 2 may compose not to exceed two per centum of the total catch, when unavoidably taken. Such two per centum may be determined by the measurement of any bushel of scallops taken from the catch.

d) Notwithstanding the provisions of paragraphs a, b, and c of this subdivision 2, the department may issue permits to transplant or salvage scallops of any age, subject to its supervision and regulation, when upon due investigation the department shall find that such scallops are in danger of destruction as the result of predators or wind and tidal action, or other causes.

4. Bay scallops that may lawfully be sold under provisions of the Fish and Wildlife Law and regulations adopted pursuant to sections 11-2301 and 13-0319 of this chapter, if lawfully taken in another state or country, may be transported into this state and possessed, bought and sold at any time.

6. Sea scallops (Pecten magellanicus) of any size may be taken in any manner and possessed and offered for sale at any time.

#### 13-0329. Lobsters

1. A person may take lobsters (Homarus americanus) for commercial purposes upon first obtaining a permit from the department. (See also sec. 13-0329 in part E for rules on permits).

5. Except as provided in subdivision 4 of section 11-0515\* only lobsters measuring three and three-sixteenths inches or more from the rear end of the eye socket along a line parallel to the center line of the body shell (carapace) to the rear end of the body shell may be taken, possessed, bought, sold, imported and exported. Lobsters in spawn shall not be taken or possessed at any time.

#### 13-0331. Crabs

1. No person shall take blue-claw crabs (Callinectes sapidus) for commercial purposes without first obtaining a permit from the department. (See this sec. in part E for rules on permits).

5. Female crabs with eggs visible thereon, commonly called sponge crabs or any female crabs from which the egg pouch or bunion has been removed shall not be taken, possessed, transported or offered for sale at any time.

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\*Sec. 11-0515 has to do with licenses to collect, possess or sell for propagation, scientific or exhibition purposes.

13-0333. Menhaden

1. Menhaden\* or other fish, from which oil or fertilizer is made, subject to the provisions of section 13-0343\*\*, may be taken from the waters of the marine district provided a license is first obtained from the department. (See this section in part E for rules on licenses).

13-0335. Food Fish

4. It shall be unlawful for any person to render food fish into fertilizer.

13-0337. Return of species to the water

1. If any fish or crustacea are unintentionally taken contrary to any provisions of the Fish and Wildlife Law, they shall be returned to the water at once, without unnecessary injury.

2. Starfish, drills (Urosalpinx cinerea), periwinkle (Litorinia\*\*\*) and drum fish (Pogonias chromis##) when taken shall not be returned alive to the waters of the state.

13-0339. Size limits of certain marine species

2. a) Striped bass (Roccus saxatilis##) not less than sixteen inches in length measured to the fork of the tail and fluke or summer flounder (Paralichthys dentatus) not less than fourteen inches in length may be taken in any manner, at any time and in any number.

b) Such striped bass and fluke or summer flounder, lawfully taken and possessed, may be bought and sold at any time.

3. Blue fish [Sic] (Pomatomus saltatrix) less than nine inches; porgie (Stenotomus versicolor) less than seven inches; weakfish (Cynoscion regalis) less than nine inches; mackerel (Scomber scombrus) less than seven inches; sea bass (Centropristes striatus+) less than eight inches; cod fish (Gadus callarias++) less than ten inches; black fish (Tautoga onitis+++)<sup>++</sup> less than seven inches; winter flounder (Pseudopleuronectes americanus) less than eight inches, may not be bought, sold or offered for sale.

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\*Not specified in the law, but obviously refers to the common species of menhaden Brevoortia tyrannus.

\*\*Refers to regulations on certain kinds of gear for taking menhaden.

\*\*\*So in law, should probably be Littorina.

#So in law, should probably be Pogonias cromis.

##Now Morone saxatilis.

+So in law, should probably be Centropristis striatus.

++So in law, should probably be Gadus morhua.

+++So in law, should probably be Tautoga onitis.

## Part B. Regulations on Amount of Catch

### 13-0311. Shellfish

5. Subject to the provisions of this article, a person may, without permit, take from public certified areas not to exceed two pecks of shellfish in any one day for his own or his family use.

### 13-0323. Oysters

3. Oysters in excess of one bushel shall neither be taken from public or unleased lands nor possessed or transported by any boat unless its propeller, if any, has been removed, except as provided for by rules and regulations of the department. (Same as in part C)

### 13-0327. Scallops

5. A person shall not take in excess of ten bushels of bay scallops in one day. Two or more persons occupying the same boat while taking scallops may take in the aggregate not more than twenty bushels in one day.

### 13-0329. Lobsters

1. d) Subject to the provisions of this article, a person who is a resident of the state may take without permit not to exceed six lobsters for his own or family use in any one day. (See also section 13-0329 in part E of this chapter for other rules on lobster permits).

## Part C. Regulations on Fishing Gear

### 13-0309. Shellfish, taking and handling

3. No dredge or scrape or other device operated by power or by boats propelled by motor or other mechanical means may be used for the taking of shellfish from public or unleased lands under water except that:

a) Sea scallops (Pecten magellanicus) may be taken from the waters of the Atlantic Ocean by any means.

b) In the taking of soft clams (Mya arenaria) on lands below low tide, the practice of churning with a propeller may be employed.

c) Surf, sea or skimmer clams (Mactra solidissima) may be taken in any manner from the waters of the Atlantic Ocean as provided in section 13-0325\*. Also subject to the provisions of section 13-0325, the department may permit the taking of such clams from other waters of the marine district.

d) The department may permit the taking of shellfish for purposes of transplanting only pursuant to section

\*Refers to the prohibited acts of clam harvesting; see part A of this chapter.

13-0321\*, by mechanical means.

e) Subject to the provisions of section 13-0327\*\*, bay scallops (Pecten irradians) may be taken with a dredge or scrape, having an opening at the mouth not to exceed thirty-six inches in width, when towed by a boat operated by mechanical power, or other means provided that such dredge or scrape is brought aboard by hand power without use of a mechanical device.

4. No person shall take, carry away, interfere with or disturb shellfish of another, lawfully possessed, planted or cultivated; nor remove any stakes, buoys or boundary marks of lawfully possessed, planted or cultivated lands. The possession of dredges, rakes or tongs overboard on any such lands shall be deemed presumptive evidence of a violation of this subdivision.

8. The operation, use or placing, for whatever purpose, of dredges, rakes, tongs or other devices for the taking of shellfish in uncertified areas, except as provided in section 13-0321\*, is prohibited. (See also section 13-0309 in part A, subdivisions 6 and 7, for rules relating to water treatments of harvested shellfish).

#### 13-0323. Oysters

3. Oysters in excess of one bushel shall neither be taken from public or unleased lands nor possessed or transported by any boat unless its propeller, if any, has been removed, except as provided for by rules and regulations of the department. (Same as in part B).

#### 13-0327. Scallops

1. Bay scallops shall not be taken on Sundays by use of a dredge or other device operated by power. (See also this section and subdivision in part D for the bay scallop season).

#### 13-0329. Lobsters

4. Buoys or markers of prescribed design shall be used in designating the location of licensed lobster pots or traps in such a manner as shall be required by the department.

6. No person shall unduly disturb or without the consent of the licensee take or remove lobsters from a lobster pot or trap or other commercial gear.

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\*Refers to the transplanting of shellfish from uncertified areas; see part D of this chapter.

\*\*Refers to the prohibited acts of scallop harvesting; see parts A, B, C, and D of this chapter.

13-0331. Crabs

6. Crabs shall not be taken by dredging in the waters of Hempstead bay and South Oyster bay in the county of Nassau or in the waters of Great South bay west of Captree bridge in the county of Suffolk.

13-0333. Menhaden

4. Non-residents of the state shall not fish for menhaden with purse nets in the Atlantic Ocean within three nautical miles of shore from Fire Island lighthouse to Romer Shoal lighthouse.

13-0335. Food fish

5. No person shall take or remove from any legally set or operated nets or other commercial gear in the waters of the marine district any fish or crustacea without the permission of the owner thereof, nor possess any fish or crustacea that has been so taken or removed. (See section 13-0335 in part E for rules on resident and non-resident license requirements for taking food fish with beam and otter trawls).

13-0341. Beam and otter trawls, usage limitations

Beam trawls and otter trawls shall not be set or used in the water areas of the marine district described in the following subdivisions:

1. In the waters of the county of Richmond and in the counties of Kings or Queens, northerly and westerly of a line from the sea end of the breakwater at Rockaway Point to Romer Shoal lighthouse, including Jamaica Bay and its adjacent bays, inlets, creeks and basins.

2. In the Atlantic Ocean within one-half mile of the coastline and in all connecting tidal waters inshore of the coastline, from Rockaway Inlet Jetty to the Town of Babylon bathing pavilion at Cedar Island Beach, and in all tidal waters inshore of a line from the Town of Babylon bathing pavilion to the sea buoy (BW S-I, Bell) at the entrance of Fire Island Inlet and thence to the seaward end of Fire Island Inlet Jetty.

3. Moriches Inlet, in Shinnecock Inlet and in Mecox Inlet within one-half mile of the narrowest part of the mouths of such inlets.

4. In Manhasset Bay southerly of a line from Barker's Point to Hewlett's (King's) Point; in Hempstead Harbor southerly of a line from Mott's Point easterly through the breakwater at Glen Cove, and in the Nissequogue River.

5. In the Harlem River and the East River east of the Triborough Bridge and in Long Island Sound west of a line drawn from Hewlett's (King's) Point to the north end of Hart Island, thence to the south end of Glen Island, and in their adjacent bays, coves, creeks and confluent waters.

6. In Flanders Bay, Great Peconic Bay, Little Peconic Bay, Noyac Bay and Shelter Island Sound, including all waters forming a part thereof or tributary thereto, lying westerly and southerly of an imaginary line extending from Conklins Point to Jennings Point and westerly and northerly of an imaginary line extending from South Ferry on Shelter Island to North Haven from April 15 to October 1.

7. In the county of Suffolk in the waters lying westerly of an imaginary line extending in a southerly direction from the most easterly end of Plum Island to the most northerly end of Gardiners Island, and westerly of Gardiners Island, and westerly of a line extending in a southerly direction from the most southerly end of Gardiners Island to Goff Point; provided, however, that vessels and motorboats owned and operated by citizens who are residents of the state may be used in such waters in connection with the operation of beam trawls and otter trawls and other types of nets towed by such boats and vessels. Nothing in this subdivision shall be construed as legalizing the operation of any beam trawls or otter trawls in the waters described in subdivision 6 of this section from April 15 to October 1.

8. In Long Island Sound west of an imaginary line from the New York-Connecticut boundary shore line extending easterly and southerly to Eaton's Point Neck on Long Island from April 1 to November 1.

13-0343. Nets other than beam and otter trawls, usage limitations

1. Nets other than beam trawls and otter trawls shall not be placed, maintained or used in any of the following waters except as permitted by this section, and except that landing nets may be used in completing the catch of fish hooked by angling.

2. a) In the waters of the marine district in the county of Richmond nets may be used to take menhaden when operated from boats at a distance of not less than one-half mile from the shore line; and nets of not more than ten feet in length, operated by hand, may be used to take minnows and shrimp for bait.

b) The department may issue licenses for the operation of gill nets, pound nets and trap nets for the taking of menhaden, shad and herring from March 15 to June 15 in the waters of the marine district in the county of Richmond. The department is authorized and empowered to fix the terms of such licenses and to make rules and regulations in relation to menhaden, shad and herring and to the operation of such nets as may be used in taking such fish.

3. In the Harlem River and the East River east of the Triborough Bridge and in Long Island Sound west of a line drawn from Hewlett's (King's) Point to the north end of Hart Island,

thence to the south end of Glen Island, and in their adjacent bays, coves, creeks and confluent waters, only such nets as are used to take lobsters or crabs may be used.

4. In the Nissequogue River fish may be taken by angling only except that nets of not more than twenty feet in length and four feet in depth, operated by hand, may be used to take bait fish during daylight hours only.

5. a) In the inland tidal waters within the town of Hempstead, no person shall at any time engage in eel dredging or trawling by the use of nets accompanied by cutting board, chains or other similar devices.

b) In the inland tidal waters within the town of Hempstead westerly of the Wantagh State Parkway causeway, nets shall not be used except nets, not over forty feet long and four feet deep, may be used to take minnows or shrimp for bait.

6. In Jamaica Bay and its adjacent creeks, inlets and basins, nets shall not be used inshore of a line from the beacon at Rockaway Point jetty to the municipal bath houses on Coney Island, except that minnows and shrimp may be taken by hand nets not over forty feet long and four feet deep and except that nets other than beam or otter trawls may be used from October 10 to December 31 in that part of such area southerly of a line from the lighted beacon at Manhattan Beach to the most southerly point on Barren Island and westerly of the Marine Parkway bridge across Rockaway Inlet.

7. In Gravesend Bay, and in the Atlantic Ocean within one-half mile of the shore from Norton's point to the municipal bath houses on Coney Island and within one-half mile of the shore from the Rockaway Point jetty to the East Rockaway Inlet jetty, the following nets, boats and devices only may be used:

a) To take minnows or shrimp for bait, hand nets not more than forty feet long and four feet deep.

b) To take eels, spears and eel weirs.

c) To take menhaden, vessels of forty tons or less register using nets other than beam trawls or otter trawls, within one-half mile of shore from the Rockaway Point jetty to the East Rockaway Inlet jetty.

8. In Manhasset Bay, gill nets shall not be used southerly of a line from Barker's Point to Hewlett's (King's) Point, and in Hempstead Harbor southerly of a line from Mott's Point easterly through the breakwater at Glen Cove.

9. In Jones' Inlet nets shall not be used inshore from an east and west line drawn from a point one-half mile southerly

of the municipal bathing pavilion at Point Lookout, thence easterly to a point one-half mile southerly of the Short Beach Coast Guard tower.

10. In Fire Island Inlet, nets shall not be used inshore of a line drawn from the sea end of the government jetty at Democrat Point to the town of Babylon bathing pavilion at Cedar Island Beach.

11. Nets, beam trawls and otter trawls shall not be used in Moriches inlet, in Shinnecock Inlet and in Mecox Inlet nor in the Atlantic Ocean within one-half mile of the shores thereof for a distance of one-half mile measured east and west along the beach from the east and west shores of the seaward entrances to such inlets. The department, for law enforcement purposes, may in its discretion erect suitable markers on the beach at the limit points.

12. In the Connetquot River nets shall not be used.

13. In the waters of the Atlantic Ocean and Fire Island Inlet, nets shall not be used within one thousand feet of the beach between Jones Inlet and Oak Beach.

14. In the county of Suffolk.

a) In the waters lying westerly of an imaginary line extending in a general southerly direction from Long Beach Point in Southold town to Cedar Point at the eastern entrance to Sag Harbor.

(1) haul seines shall not be used measuring over one hundred fifty fathoms in length, attached to which may be two wings, each measuring not more than one hundred fifty fathoms in length with a stretched mesh size including knot of not less than three and one-quarter inches in one wing and three and one-half inches in the other wing;

(2) the use of haul seines is prohibited from midnight Thursday to 6:00 P.M. Sunday.

(3) when permitted by the commissioner, pound or trap nets may be used in the waters described in paragraph a of this subdivision provided they do not interfere with or obstruct navigation or the carrying out of shellfish culture as provided in this chapter. Any such pound or trap nets shall be marked in accordance with requirements prescribed by the commissioner.

b) Waste fish shall not be left on shore or within the waters five hundred feet from shore.

15. a) Beam and otter trawls used in the taking of flounder, having a stretched mesh measuring less than four inches shall not be set or used in the waters of Long Island Sound.

b) Nets, beam trawls and otter trawls, shall not be used in Long Island sound west of an imaginary line extending easterly and southerly to Eaton's Point Neck on Long Island from April 1 to November 1, nor at any time in the waters of Huntington Bay, Lloyd Harbor, Northport Bay or Coldspring Harbor; provided, however, that vessels licensed by the department



may be used to take menhaden, and hand nets not more than forty feet long and four feet in width may be used to take minnows and shrimp for bait, at any time.

c) Gill nets shall not be used in Long Island Sound west of an imaginary line extending north from the easterly boundary of the town of Brookhaven on the north shore of Long Island in the county of Suffolk.

16. Unless permitted by statute, or licensed or permitted by the department, nets shall not be possessed by any person in or on waters of the marine district, or within one-half mile of waters on which possession is prohibited, in the following instances:

a) Nets of metallic fabric shall not be possessed in or on any waters or within one-half mile thereof;

b) In waters where use of beam trawls and otter trawls is prohibited by section 13-0341, such trawls shall not be possessed in the waters where their use is prohibited, or within one-half mile thereof during any time when such use is so prohibited;

c) In waters where use of nets other than beam trawls or otter trawls, or use of beam trawls or otter trawls, is prohibited by this section, the nets, or trawls, as the case may be, or nets of the kind or kinds prohibited, shall not be possessed in the waters where their use is prohibited or within one-half mile thereof, during any time when such use is prohibited, except that where subdivision 4 or another provision of this section expressly specifies a lesser distance from the water in which possession is prohibited, this section does not enlarge the distance from the water in which such possession is prohibited.

d) Nothing in this subdivision shall be construed as prohibiting commercial fishing vessels sailing to or from offshore fishing grounds from carrying on board fishing gear that may legally be used in such offshore waters even though they must pass through waters where the use of such gear is otherwise prohibited.

17. Within three nautical miles of the Atlantic coastline and in all other tidal waters within the state, the use of purse seines for taking food fish is prohibited.

Part D. Regulations on Time, Season and Area

13-0301. Lease of state-owned underwater lands for shellfish cultivation

(See this section in part E for specified areas of state-owned lands under water which may be leased).

13-0307. Sanitary surveys

1. The department periodically shall examine all shellfish lands within the state to ascertain the sanitary conditions thereof.

2. The department, following an examination, shall certify which shellfish lands and the product thereon are in such sanitary condition that shellfish thereon may be taken for use as food. Such lands shall be designated as certified areas, and all other shellfish lands as uncertified areas.

3. The department, annually, and as often as it deems necessary, shall publish in a newspaper in the county in which such lands are located, a notice containing a description of both certified and uncertified areas.

13-0309. Shellfish, generally

2. Shellfish, other than surf clams and sea scallops, shall not be taken from sunset to sunrise from any shellfish lands of this state.

13-0321. Shellfish, taking for transplanting

1. Shellfish may be taken from uncertified areas for transplanting or other purposes as the department may deem advisable subject to supervision and regulation as provided in section 13-0319.

2. Prior to the taking from uncertified areas of this state for transplanting or other purposes, a shellfish digger's permit shall be obtained from the department as provided in section 13-0311 (see part E) and shall be issued for the taking of shellfish from a specific area. Such permit shall be valid only during the period of operations in the uncertified area for which the permit was issued. The holder of such permit may not receive, sell, offer for sale, transport, or ship any shellfish taken pursuant to this permit, except as provided by order made pursuant to section 13-0319.

3. Shellfish from certified or uncertified areas without the state shall not be transplanted in this state or imported into this state for such purposes unless a permit therefor has been obtained from the department.

13-0327. Scallops

1. Bay scallops (Pecten irradians) may be taken during the period from the third Monday in September to March 31, both

inclusive. Bay scallops shall not be taken on Sundays by use of a dredge or other device operated by power.

3. The possession of bay scallops for sale for food purposes is prohibited from April 1 through September 15. The provisions of this subdivision shall not prohibit the possession of bay scallops, or sale of such scallops, as shall have been taken from approved areas during the period September 15 to March 31, both inclusive, shucked and packed in approved packages and frozen, and thereafter kept in a frozen state.

13-0329. Lobsters

2. Until January 1, 1976, a non-resident of the state or a person resident for less than six months immediately prior to the date of application, if the person is a resident of a state providing reciprocal privileges to New York State residents, may, upon first obtaining a permit from the department, take lobsters only from the waters of the state westerly and southerly of a straight line drawn from the Flashing Green Light Number 9 Bell Buoy near Cerebus Shoals (located about seven miles northwesterly of Montauk Point) northerly to Race Rock and thence due north to the New York-Connecticut interstate boundary line.

13-0331. Crabs

3. A non-resident of the state or a person resident for less than six months immediately prior to the date of application may take crabs, for commercial purposes, only from the waters of Lower Bay and Raritan Bay southerly of a straight line drawn from Point Fort Wadsworth, Staten Island to Norton Point, Coney Island, upon first obtaining a non-resident crabbing permit from the department.

6. Crabs shall not be taken by dredging in the waters of Hempstead bay and South Oyster bay in the county of Nassau or in the waters of Great South bay west of Captree bridge in the county of Suffolk.

13-0341. Beam trawls and otter trawls

Refer to this section in part C for regulations on the use of beam and otter trawls in certain waters and at certain times and seasons (particularly subdivision 6 for season).

13-0343. Nets other than beam and otter trawls

Refer to this section in part C for regulations on the use of nets other than beam and otter trawls in certain waters and at certain times and seasons (particularly subdivisions 2b, 6, 14a, and 15 b).

Part E. Regulations on entry:  
statutes affecting licenses, leases and other permits

13-0301. Lease of state-owned underwater lands for shellfish cultivation

1. Leases. The department may lease state-owned lands under water for the cultivation of shellfish, except such lands within five hundred feet of high water mark. Where lands are located along the shores of Gardiner's and Peconic bays, west of a straight line running from the easterly end of Plum island to Goff point there shall be excepted from leasing such lands as are within one thousand feet of high water mark. Lands under water shall not be leased where there is an indicated presence of shellfish in sufficient quantity and quality and so located as to support significant hand raking and/or tonging harvesting. Underwater lands where bay scallops are produced regularly on a commercial basis shall not be leased for shellfish cultivation.

2. No lease shall be granted except upon written application on forms furnished by the department and properly executed, signed by the applicant and approved by the department, and upon payment of the fees prescribed by this section.

3. Leases may be made only to persons resident in the state one year or more immediately prior to application.

4. The lease term shall be ten years.

5. Minimum size of leased areas. No plots of land comprising less than 50 acres shall be leased, "provided, however, that where lands are leased for the purpose of off-bottom culture of shellfish, no plots of less than 5 acres shall be leased." (Laws of 1973, Chap. 253.)

6. Letting. Letting shall be at public auction and to the highest bidder. Before a lease is made, notice of availability shall be conspicuously posted for at least two months in the principal office of the department, the office of the town clerk and the post office nearest to the available land. Such notice shall state the time when and the place where bids will be received. Leases shall be executed and the lease terms shall commence on either the first Monday of June or November. The department may reject any and all bids.

7. Rental. The annual rental for leased lands shall be not less than one dollar per acre on all such lands hereafter leased and on such lands whereon outstanding leases may be renewed.

8. Leases, renewal and transfer. Leases may be renewed within ninety days after expiration, subject to the provisions of this section, upon such terms as may be agreed upon by the department and lessee, provided that the rental shall not be

less than the rate of the previous rental, and shall not exceed twice the rate of the previous rental. Leases may be transferred with the consent of the department but no new lease issued under this section may be transferred within the first five years from the date of issuance.

9. Marking grounds and testing. The state shall mark the locations to be leased. A shellfish population survey of the plot or plots shall be carried out by the state. Applicants for lease may be granted the privilege to make tests of the shellfish population under rules and regulations prescribed by the department. All costs for such tests shall be borne by the applicant.

10. Location of corners of leased grounds. No grounds may be worked without the presence of proper corner buoys. On notice, the department will relocate the corners with the costs to be borne by the lessee. It shall be unlawful to fail to notify the department promptly when the buoys or markers are destroyed.

11. Bond. Immediately prior to the execution of a lease by the department, the lessee shall post a bond, equal to the total rental of the lease for the ten-year period. Failure of the lessee to pay the annual rental within ninety days of the due date shall result in the forfeiture of the bond to the state and revocation of the lease. Leases so revoked may then be readvertised and issued under the provisions set forth in this section.

12. Recording fees and other charges. Records of leases of state-owned underwater lands for shellfish cultivation shall be recorded in the principal office of the department. Recording fees shall be as follows: (a) for the filing of each application for a lease, one dollar; (b) for each copy of any record, a charge of twenty cents per folio or a minimum of one dollar and twenty-five cents. Any person requiring an original survey or resurvey shall furnish an adequate vessel and the necessary assistance to do the work at his own expense; and for each survey, in addition to the foregoing, shall pay the department the actual cost for such survey.

13. Summary proceedings. Upon failure to pay the rental on any date due under the terms of the lease or upon revocation as provided in subdivision 11, the department may, after written notice to the lessee, declare the lease cancelled as of the date set forth in such notice, and may immediately thereafter evict the lessee from such lands. The provisions of article 7 of the Real Property Actions and Proceedings Law shall apply and govern the procedure in such cases.

14. Limitations. The Commissioner of General Services shall not grant lands for shellfish cultivation. The public shall not

be excluded from the taking of shellfish from under water lands granted by such commission for other purposes, provided however, that should any grant made by such commissioner for such other purposes include lands leased for shellfish cultivation pursuant to this section, the lessee shall have the exclusive right to use and take shellfish from such leased lands for a period of two years from the date of letters patent or the expiration of the lease whichever is the earliest and may prior to the expiration of such period, remove and transplant the shellfish from such lands to other lands leased, owned or controlled by the lessee.

13-0303. Tax on leased underwater lands

1. Tax. There shall be an annual tax of one dollar per acre on all state-owned underwater lands held by franchise for shellfish cultivation. The tax shall be levied and assessed by the department before February 1 each year on such lands held on August 1 of the preceding year. Written notice shall be mailed to each grantee showing the number of acres so assessed and the amount of tax thereon. The department shall keep an assessment book showing annually the names and addresses of all grantees, the number and location of acres held by each, the amount of tax payable and date and amount of any tax paid.

2. Payment. Such tax shall be paid on or before April 1 each year. Such tax shall be a first lien upon all the property subject thereto, including the shellfish thereon from February 1 in the year levied.

3. Collection of tax. If any tax shall not be paid on or before April 1, the department shall issue a warrant for collection thereof, with interest thereon at one per centum per month from the day such tax became due and payable until paid, together with all fees incurred in collecting such tax, and deliver such warrant to the sheriff of the county within whose jurisdiction the lands are situate for collection. All moneys received by the department in payment of taxes and interest thereon shall be accounted for and paid by it, within thirty days after its receipt, to the Division of Finance in the Department of Taxation and Finance, for the benefit of the state.

4. Reversion of lands for non-payment of taxes. Land under water granted to individuals by franchise for shellfish cultivation by the department shall revert to state-owned public grounds if the owner defaults in payment of franchise taxes for a period of one year after such tax became due and payable.

5. Franchises not transferable. Franchised lands under water held for shellfish cultivation when returned to the state by default in payment of taxes may not be assigned, reassigned, or transferred to a new owner or owners. Such lands may be leased by the department for shellfish cultivation as provided in section 13-0301.

6. Tax in lieu of other taxes. The tax imposed by this section shall be in lieu of all other taxes on the property on which it is imposed, and no other tax except as provided herein shall be levied or imposed on such lands, or the shellfish thereon, by any authority whatsoever.

13-0311. Shellfish digger's permit

1. Subject to the provisions of this article, a person who has been resident of this state for six months immediately prior to the date of application may take shellfish from under water lands in the state for commercial purposes upon first obtaining a digger's permit from the department, provided, however, that the application for such permit by a person sixteen years of age or under shall be signed by his parent or legal guardian, who shall thereby consent to the issuance of the permit.

3. The fee for such permit shall be seven dollars and fifty cents. Such permit shall expire on December 31 of the year of issue. If it appears in the public interest, the department may, after a hearing held on ten days' notice, suspend or cancel such permits, except that in case of a taking from an uncertified area such suspension or cancellation may be without prior notice.

4. The holder of such permit shall not ship or sell shellfish except to a holder of a valid Class A, D, or G shipper's permit who has a place of business in the township or borough in which such shellfish are harvested, without first obtaining a shipper's permit as provided in subdivision 1 of section 13-0315\*.

6. The holder of such digger's permit shall carry the permit assigned to him on his person while engaged in the permitted activities, and the failure by such holder to exhibit his permit to any shellfish inspector, conservation enforcement officer, health official, peace officer or magistrate shall be presumptive evidence that no valid digger's permit has been issued to him.

13-0313. Shellfish growers, bed permit

2. A grower shall not take shellfish, for shipping or marketing from lands owned, leased or rented by him, except upon permit of the department which shall certify that such lands lie within certified areas.

3. The fee for such permit shall be twenty-five cents for each acre from which shellfish are to be taken; provided, however, that the minimum fee shall be five dollars. Such certificates shall expire on December 31 of the year of issue.

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\*Not included in this publication.

4. If it appears in the public interest, the department may suspend or cancel any such permit.

5. Where lands for which such permit has been issued are found to be in part within an uncertified area, the department shall issue without fee, a new permit covering the remaining portion of such lands.

6. In case of assignment or transfer of rights or ownership of any private or leased lands under water, or parts thereof, a new permit shall be required.

13-0316. Shellfish, off-bottom culture permits

a) Marine hatcheries. The department, in its discretion, may issue permits for operation of marine hatcheries. The fee for such permit shall be one hundred dollars annually, and each such permit shall expire December 31 of the year of issue. A marine hatchery permit entitles the holder thereof, notwithstanding any other provision hereof, to possess, raise and breed shellfish, lobster, crab, shrimp and food fish, and the young thereof and to sell such shellfish, lobster, crab, shrimp and food fish, where less than legal size, to other permitted hatcheries, educational and scientific institutions, and persons holding a valid shellfish growers or off-bottom culture of shellfish permit. Products of a marine hatchery of legal size as provided herein may be sold to individual or commercial markets for consumption or resale. The department may by order make regulations pursuant to section 11-2301 with respect to the purchase, sale, harvesting, transplanting, relaying, receiving, possessing, transporting, exporting or otherwise trafficking in products of a marine hatchery.

b) Off-bottom culture of shellfish. The department, in its discretion, may issue permits for off-bottom culture of shellfish. The fee for such permit shall be fifty dollars annually, and each such permit shall expire on December 31 of the year of issue. No such permit shall be issued unless the applicant has obtained any necessary permits or licenses required under any state or federal law. An off-bottom culture of shellfish permit entitles the holder thereof, notwithstanding any other provision hereof, to purchase and possess, from within or without the state, shellfish of less than legal size for purposes of off-bottom culture only. Upon attaining legal size shellfish may be sold to individual or commercial markets for consumption or resale. The department may by order make regulations with respect to the products of off-bottom culture of shellfish pursuant to the provisions of section 13-0319 hereof. (This section was added and amended by chapter 253 and chapter 632 of the Laws of 1973 respectively. These chapters also amended sec. 13-0301 subdivision 5 to allow lease of plots smaller than 50 acres for off-bottom shellfish culture and sec. 13-0309 subdivision 6.



13-0329. Lobsters

1. A person may take lobsters (*Homarus americanus*) for commercial purposes upon first obtaining a permit from the department.

a) A person who has been a resident of the state for six months immediately prior to the date of application may take lobsters from the waters of the state upon first obtaining a permit from the department.

c) The fee for such permit shall be five dollars. (See this section in part B for maximum harvest of lobsters without permit. See also this section in part D for limitations on areas and permits for non-residents.)

3. Lobster permits shall be nontransferable and shall expire on December 31 of the year of issue. If it appears in the public interest, the department may suspend or cancel any such permit on ten days' written notice to the holder thereof.

13-0331. Crabs

2. A person who has been a resident of the state for six months immediately prior to the date of application may take crabs for commercial purposes from the waters of the state upon first obtaining a permit from the department. The fee for such resident crabbing permit shall be fifteen dollars.

3. A non-resident of the state or a person resident for less than six months immediately prior to the date of application may take crabs, for commercial purposes (only from certain waters; see this section in part D for allowed crabbing areas), upon first obtaining a non-resident crabbing permit from the department. The fee for such non-resident crabbing permit shall be twenty-five dollars.

4. Permits are not transferable and shall expire on December 31 following the date of issue. If it appears in the public interest, the department may suspend or cancel such permits without prior notice.

13-0333. Menhaden

2. Each license shall be issued to cover one boat into which such fish are taken and shall be issued in the name of the owner, lessee or operator of each boat so used. License fees shall be computed on the basis of gross tonnage of the vessel to be licensed as indicated in the document, certificate of award, register, enrollment or license of such vessel issued by the U. S. Collector of Customs.

3. The license fee shall be: For each vessel of sixty gross tons or over, two hundred dollars; for each vessel of less than sixty gross tons, twenty-five dollars. All licenses issued under this section shall expire on December 31 following date of issue.

13-0335. Food fish

1. A citizen resident of the state for not less than six months immediately preceding such taking may without license take food fish in the marine district a) with beam trawls and otter trawls, except in those waters described in section 13-0341 or section 13-0343 (see both sections in part C) in which use thereof is prohibited, and b) with nets other than beam trawls and otter trawls, except in the waters described in section 13-0343 to the extent that use of such nets is prohibited by that section in those waters.

2. Boats of non-residents may be licensed to take food fish in the marine waters of New York with beam and otter trawls, a) operated solely from boats and, b) except with beam and otter trawls in those waters described in sections 13-0341 and 13-0343 (see both sections in part C), provided the boat is registered in a state which accords reciprocal fishing privileges, and provided the owner and captain are citizens of the United States and residents of a state according reciprocal privileges to residents of this state. The license shall be issued in the name of the boat.

3. The license fee and the terms specified in subdivision 2 of this section shall be as follows:

a) The fee shall be computed on the basis of four dollars per lineal foot or fractional part thereof of the registered length of the boat or vessel to be licensed as indicated on its document, certificate of award, register, enrollment or license, issued by the U. S. Collector of Customs;

b) Such license shall not be transferable;

c) Each license shall expire on the thirty-first day of December next succeeding its issue;

d) If it appears in the public interest the department may suspend or cancel any such license on ten days' notice in writing to the holder thereof.

## CHAPTER II

### ATLANTIC STATES MARINE FISHERIES COMPACT

The Atlantic States Marine Fisheries Compact was officially joined by New York State by enactment of chapter 500 of the laws of 1941. The compact was reenacted by chapter 474 of the laws of 1961. It is reprinted below as it appears in Section 13-0371 of the Environmental Conservation Law (book 17½, McKinney's Consolidated Laws of New York).

The contracting states solemnly agree:

#### ARTICLE I

The purpose of this compact is to promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries by the prevention of the physical waste of the fisheries from any cause. It is not the purpose of this compact to authorize the states joining herein to limit the production of fish or fish products for the purpose of establishing or fixing the price thereof, or creating and perpetuating monopoly.

#### ARTICLE II

This agreement shall become operative immediately as to those states executing it whenever any two or more of the states of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida have executed it in the form that is in accordance with the laws of the executing state and the Congress has given its consent. Any state contiguous with any of the aforementioned states and riparian upon waters frequented by anadromous fish flowing into waters under the jurisdiction of any of the aforementioned states, may become a party hereto as hereinafter provided.

#### ARTICLE III

Each state joining herein shall appoint three representatives to a commission hereby constituted and designated as the Atlantic states marine fisheries commission. One shall be the executive officer of the administrative agency of such state charged with the conservation of the fisheries resources to which this compact pertains or, if there be more than one officer or agency, the official of that state named by the governor thereof. The second shall be a member of the legislature of such state designated by the commission or committee

on the interstate cooperation of such state, or if there be none, or if said commission on interstate cooperation cannot constitutionally designate the said member, such legislator shall be designated by the governor thereof; provided that if it is constitutionally impossible to appoint a legislator as a commissioner from such state, the second member shall be appointed by the governor of said state in his discretion. The third shall be a citizen who shall have a knowledge of and interest in the marine fisheries problem to be appointed by the governor. This commission shall be a body corporate with the powers and duties set forth therein.

#### ARTICLE IV

The duty of the said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell and anadromous, of the Atlantic seaboard. The commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their respective jurisdictions to promote the preservation of those fisheries and their protection against overfishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fisheries resources of the aforementioned states.

To that end the commission shall draft and, after consultation with the advisory committee hereinafter authorized, recommend to the governors and legislatures of the various signatory states, legislation dealing with the conservation of the marine, shell and anadromous fisheries of the Atlantic seaboard. The commission shall, more than one month prior to any regular meeting of the legislature in any signatory state, present to the governor of the state its recommendations relating to enactments to be made by the legislature of that state in furthering the intents and purposes of this compact.

The commission shall consult with and advise the pertinent administrative agencies in the states party hereto with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable.

The commission shall have power to recommend to the states party hereto the stocking of the waters of such states with fish and fish eggs or joint stocking by some or all of the states party hereto and when two or more of the states shall jointly stock waters the commission shall act as the coordinating agency for such stocking.

#### ARTICLE V

The commission shall elect from its number a chairman and a vice chairman and shall appoint and at its pleasure remove or discharge such officers and employees as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

#### ARTICLE VI

No action shall be taken by the commission in regard to its general affairs except by the affirmative vote of a majority of the whole number of compacting states present at any meeting. No recommendation shall be made by the commission in regard to any species of fish except by the affirmative vote of a majority of the compacting states which have an interest in such species. The commission shall define what shall be an interest.

#### ARTICLE VII

The fish and wildlife service of the department of the interior of the government of the United States shall act as the primary research agency of the Atlantic states marine fisheries commission cooperating with the research agencies in each state for that purpose. Representatives of the said fish and wildlife service shall attend the meetings of the commission.

An advisory committee to be representative of the commercial fishermen and the salt water anglers and such other interests of each state as the commission deems advisable shall be established by the commission as soon as practicable for the purpose of advising the commission upon such recommendations as it may desire to make.

#### ARTICLE VIII

When any state other than those named specifically in article two of this compact shall become a party thereto for the purpose of conserving its anadromous fish in accordance with the provisions of article two the participation of such state in the action of the commission shall be limited to such species of anadromous fish.

#### ARTICLE IX

Nothing in this compact shall be construed to limit the powers of any signatory state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any signatory state imposing additional conditions and restrictions to conserve its fisheries.

ARTICLE X

Continued absence of representation or of any representative on the commission from any state party hereto shall be brought to the attention of the governor thereof.

ARTICLE XI

The states party hereto agree to make annual appropriation to the support of the commission in proportion to the primary market value of the products of their fisheries, exclusive of cod and haddock, as recorded in the most recent published reports of the fish and wildlife service of the United States department of the interior, provided no state shall contribute less than two hundred dollars per annum and the annual contribution of each state above the minimum shall be figured to the nearest one hundred dollars.

The compacting states agree to appropriate initially the annual amounts scheduled below, which amounts are calculated in the manner set forth herein, on the basis of the catch record of nineteen hundred thirth-eight. Subsequent budgets shall be recommended by majority of the commission and the cost thereof allocated equitably among the states in accordance with their respective interests and submitted to the compacting states.

Schedule of initial annual state contributions:

Maine. . . . .	\$ 700
New Hampshire. . . . .	200
Massachusetts. . . . .	2,300
Rhode Island . . . . .	300
Connecticut. . . . .	400
New York . . . . .	1,300
New Jersey . . . . .	800
Delaware . . . . .	200
Maryland . . . . .	700
Virginia . . . . .	1,300
North Carolina . . . . .	600
South Carolina . . . . .	200
Georgia. . . . .	200
Florida. . . . .	1,500

ARTICLE XII

This compact shall continue in force and remain binding upon each compacting state until renounced by it. Renunciation of this compact must be preceded by sending six months' notice in writing of intention to withdraw from the compact to the other states party hereto.

2. "The executive officer" referred to in article three of the compact shall, in the case of New York, be the Commissioner of Environmental Conservation or an officer of the

department designated by him. The two other representatives shall be chosen from the classes of persons prescribed in article three of the compact, and in the manner required thereby.

3. The Atlantic States Marine Fisheries Commission shall submit annually, in accordance with the laws and practice of this state, to the Commissioner of Environmental Conservation for study and consideration by such commissioner, an estimate of moneys required to administer, manage and support the commission during the ensuing fiscal year. Such estimate shall include any request for appropriation of funds by New York and shall be accompanied by a tabulation of similar requests which the commission expects to make to each other member state and the formula or factors upon which such respective requests are based.

4. The Commissioner of Environmental Conservation shall include a suitable item or items of estimated expenditures in the budget estimates of his department, and shall give due effect to the provisions of article eleven of the Atlantic States Marine Fisheries Compact.

5. The State Comptroller is hereby authorized and empowered from time to time to examine the accounts and books of the commission, including its receipts, disbursements and such other items referring to its financial standing as such comptroller may deem proper and to report the results of such examination to the Governor.

6. No provision of the Conservation Law and no provision of the Environmental Conservation Law, if such provision of the Environmental Conservation Law was derived from a provision of the Conservation Law, which is inconsistent with the provisions of the Atlantic States Marine Fisheries Compact shall be applicable to the Atlantic States Marine Fisheries Commission or to any matter governed by the Atlantic States Marine Fisheries Compact.

7. On August 15, 1964 and at intervals of four years thereafter, the Commissioner of Environmental Conservation shall evaluate the role of the Atlantic States Marine Fisheries Commission with respect to the interstate fisheries of concern to New York and shall report to the commission thereon. The commissioner shall transmit a copy of such report to the Governor. The commissioner may make such additional reports to the Atlantic States Marine Fisheries Commission and the Governor as he deems appropriate.

## CHAPTER III

### LEGISLATION INTRODUCED AFFECTING MARINE FISHERIES MANAGEMENT LAW IN NEW YORK

The following is a complete catalog of bills introduced in the New York State Legislature from 1960-1973 inclusive which affect the marine fisheries. Upon introduction, each bill is assigned a bill number. An A or S indicates whether it was introduced in the assembly or the senate. Another letter, beginning with A, is added to the bill number each time it is amended in its own house. If amended in the opposite house, it is assigned a print number by that house. On two-year senate bills, an asterisk (\*) following an amended bill indicates that the particular amendment was made in the previous year. A dot (•) following committee reference indicates the bill was referred to the Rules Committee of the Assembly after the standing committee dissolved.

The summaries of bills that follow are printed with the permission of The Legislative Index Company, Albany, New York.

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Conservation Department -- Permits and Licenses

1960. A-4079. PRICE -- Amends Sections 4, 165, repeals Section 301, adds new Section 875, Conservation Law, to establish marine fisheries division in conservation dept. to exercise functions, powers and duties of dept. relative to migratory fish of sea, shellfish and crustacea. Ways and Means Com. (Same as S. 3205.) Printed No. A. 4283.

1960. S-3205. BARRETT -- Amends Sections 4, 165, repeals Section 301, adds new Section 875, Conservation Law, to establish marine fisheries division in conservation dept. to exercise functions, powers and duties of dept. relative to migratory fish of sea, shellfish and crustacea. Conservation. Com. (Same as A. 4079.) Printed No. S. 3422.

1961. A-4536. L. LAWRENCE -- Amends Sections 165, 301, Conservation Law, to provide for additional assistant director of fish and game division in conservation dept. who shall be in charge of marine fisheries, and to require conservation comr. to appoint marine fisheries advisory committee, without compensation except traveling expenses. Ways and Means Com. Same as S 3406. Mar 9 Amend and recommit Mar 22 Rules rept Stricken from cal See S 3406. Prints A 4823, 5411.

1961. S-3406. BARRETT -- Amends Sections 165, 301, Conservation Law, to provide for additional assistant director of fish and game division in conservation dept. who shall be in charge of marine fisheries, and to require conservation comr. to appoint marine fisheries advisory committee, without compensation except traveling expenses. Conservation Com. Same as A 4536 Mar 9 Amend and recommit Mar 17 Rept Mar 20 3rd rdg Mar 21 Passed. Assembly Rules Com Mar 22 Com discharged 3rd rdg Passed. Mar 25 To Gov. April 17 Law Chap. 624. Prints S 3736, 4200.

1961. A-3758. McCLOSKEY -- Amends Section 198, Conservation Law, to exclude Nassau co. from fish and wildlife management districts which may be established by conservation comr. Conservation Com. Same as S 2600. Print A 3913.

1961. S-2600. ALBERT -- Amends Section 198, Conservation Law, to exclude Nassau co. from fish and wildlife management districts which may be established by conservation comr. Conservation Com. Same as A 3758. Print S 2756.

1961. A-559. L. LAWRENCE -- Amends Section 272, Conservation Law, to provide that fish taken for sale as bait under license from conservation dept., may be taken by types of nets specified in license, which may include nets of metallic or plastic mesh. Conservation Com. Same as S 411. Jan 24 Rept Jan 25 3rd rdg Jan 30 Passed. Jan 31 Senate Substituted for S 411 in Com of Whole 3rd rdg Feb 6 Passed. Feb 9 To Gov. Feb 21 Law Chap. 29. Print A 559.

1961. S-411. VAN WIGGEREN -- Amends Section 272, Conservation Law, to provide that fish taken for sale as bait under license from conservation dept., may be taken by types of nets specified in license, which may include nets of metallic or plastic mesh. Conservation Com. Same as A 559. Jan 30 Rept Jan 31 A 559 substituted. Print S 411.

1962. S-1608. BARRETT -- Amends Section 307, Conservation Law, to require that person shall be 16 years of age or older, to be eligible for shellfish digger's permit. Conservation Com. Same as A 2931. Print S 1644.

1962. S-1607. BARRETT -- Amends Section 309, Conservation Law, to require that person must be 21 years of age or older to be eligible for shellfish shipper's and processor's permit. Conservation Com. Same as A 2911. Print S 1643.

1962. S-1612. BARRETT -- Amends Section 307, Conservation Law, to require holder of digger's permit to take shellfish for commercial purposes, to carry permit while engaged in permitted activities, with failure to exhibit same to shellfish inspector, conservation enforcement officer, health official, peace officer or magistrate to be presumptive evidence that none has been issued. Conservation Com. Same as A 2909. Feb 21 Rept Feb 22 3rd rdg Feb 26 Passed. Feb 27 Assembly Conservation Com Mar 5 Com discharged 3rd rdg Passed. Mar 8 To Gov. Mar 20 Law Chap. 194. Print S 1648.

1962. S-3225. BARRETT -- Amends Section 306, Conservation Law, to provide that shellfish from uncertified areas in state shall not be taken, possessed, transported or trafficked in, except for transplanting pursuant to permit, with possession of dredges, rakes or tongs overboard in uncertified areas to be presumptive evidence of violation. Conservation Com. Mar 8 Rept Mar 12 3rd rdg Recommitted with enacting clause stricken out. Print S 3497.

1962. S-2731. BARRETT -- Amends Section 306, Conservation Law, to prohibit operation, use or placing of dredges, rakes, tongs or other devices for taking of shellfish, in uncertified areas, and to permit conservation dept. to suspend or cancel digger's permit on conviction for violation or on signing acknowledgment thereof. Conservation Com. Same as A 4100. Mar 8 Rept Mar 12 3rd rdg Mar 13 A 4100 substituted. Print S 2904.

1962. S-1610. BARRETT -- Amends Section 307, Conservation Law, to provide that holder of digger's permit shall not ship shellfish except to holder of valid class A, D or G shipper's permit who has place of business in, instead of beyond, town or borough in which harvested, without shipper's permit, and to prohibit sale thereof without such permit. Conservation Com. Same as A 2932. Feb 21 Rept Feb 22 3rd rdg Feb 26 Passed. Feb 27 Assembly Conservation Com Mar 5 Com discharged 3rd rdg Passed, Mar 8 To Gov. Mar 20 Law Chap. 192. Print S 1646.

1962. A-2931. L. LAWRENCE -- Amends Section 307, Conservation Law, to require that persons shall be 16 years of age or older, to be eligible for shellfish digger's permit. Conservation Com. Same as S 1608. Print A 2997.

1962. A-4426. DURYEA -- Amends Section 306, Conservation Law, to prohibit taking, possessing, transporting or trafficking in shellfish from uncertified areas within state, except for transplanting, with possession of dredges, rakes or tongs overboard in uncertified areas to be deemed evidence of violation. Conservation Com. Mar 6 Rept Mar 7 3rd rdg Mar 12 Recommitted. Print A 4673.

1962. A-4100. L. LAWRENCE -- Amends Section 306, Conservation Law, to prohibit operation, use or placing of dredges, rakes, tongs or other devices for taking of shellfish, in uncertified areas, and to permit conservation dept. to suspend or cancel digger's permit on conviction for violation or on signing acknowledgment thereof. Conservation Com. Same as S 2731. Feb 19 Rept Feb 20 3rd rdg Feb 26 Passed. Feb 27 Senate Conservation Com Mar 13 Com discharged Substituted for S 2731 on 3rd rdg Mar 14 Passed. Mar 22 to Gov. Apr 9 Law Chap. 432. Print A 4277.

1962. A-2909. L. LAWRENCE -- Amends Section 307, Conservation Law, to require holder of digger's permit to take shellfish for commercial purposes, to carry permit while engaged in permitted activities, with failure to exhibit same to shellfish inspector, conservation enforcement officer, health official, peace officer or magistrate to be presumptive evidence that none has been issued. Conservation Com. Same as S 1612. Feb 19 Rept Feb 20 3rd rdg Feb 26 Put over to Mar 5 Mar 5 Stricken from cal See S 1612. Print A 2975.

1962. A-2932. L. LAWRENCE -- Amends Section 307, Conservation Law, to provide that holder of digger's permit shall not ship shellfish except to holder of valid class A, D or G shipper's permit who has place of business in, instead of beyond, town or borough in which harvested, without shipper's permit, and to prohibit sale thereof without such permit. Conservation Com. Same as S 1610. Feb 19 Rept Feb 20 3rd rdg Feb 26 Put over to Mar 5 Mar 5 Stricken from cal See S 1610. Print A 2998.

1962. A-2911. L. LAWRENCE -- Amends Section 309, Conservation Law, to require that person must be 21 years of age or older to be eligible for shellfish shipper's and processor's permit. Conservation Com. Same as S 1607. Print A 2977.

1962. A-4986. RULES COM. -- Amends Section 319, Conservation Law, to provide that licenses and permits to take lobsters, crabs, and fish in marine district shall be issued only to residents of state and to residents of other state in which residents of NY may be licensed, or are permitted without license, to take such lobsters, crabs and fish. Rules Com. Same as S 3650. Print A 5588.

1963. A-3810. DURYEA -- Amends Sections 307, 309, Conservation Law, to increase from \$2.50 to \$7.50, fee for digger's permit to take shellfish for commercial purposes, to require that application therefor by person 16 years or under, shall be signed by parent or legal guardian, and to prohibit issuance of class F shellfish shipper's and processor's permit to person under 18 years. Conservation Com. Same as S 2599. Mar 6 Amend and recommit Mar 29 Rules rept 3rd rdg Passed. Apr 1 Senate Substituted for S 2599 on 3rd rdg Apr 2 Passed. Apr 6 to Gov. Apr 16 Law Chap. 444. Prints A 3925, 5310.

1963. S-3650. RULES COM. -- Amends Section 319, Conservation Law, to provide that licenses and permits to take lobsters, crabs and fish in marine district shall be issued only to residents of state and to residents of other state in which residents of NY may be licensed, or are permitted without license, to take such lobsters, crabs and fish. Conservation Com. Same as A 4986. Print S 4187.

1963. S-2599. BARRETT -- Amends Sections 307, 309, Conservation Law, to increase from \$2.50 to \$7.50, fee for digger's permit to take shellfish for commercial purposes, to require that application therefor by person 16 years or under, shall be signed by parent or legal guardian, and to prohibit issuance of class F shellfish shipper's and processor's permit to person under 18 years. Conservation Com. Same as A 3810. Mar 5 Amend and recommit Mar 18 Rept Committed to Finance Com Mar 21 Rept Mar 25 3rd rdg April 1 A 3810 substituted. Prints S 2717, 3910.

1964. S-3719. RULES COM. -- Adds Section 86, State Finance Law, to establish in custody of state comptroller, shellfish transplantation fund, for payment of costs and expenditures of performing any work required in removing shellfish from restricted areas and transporting and planting them in clean waters pursuant to sections 311, 312, conservation law; appropriates \$50,000 to such fund. Finance Com. Same as A 5191. Mar 21 Rept Mar 23 3rd rdg Mar 24 A 5191 substituted. Print S 4239.

1964. A-5191. RULES COM. -- Adds Section 86, State Finance Law, to establish in custody of state comptroller, shellfish transplantation fund, for payment of costs and expenditures of performing any work required in removing shellfish from restricted areas and transporting and planting them in clean waters pursuant to sections 311, 312, conservation law; appropriates \$50,000 to such fund. Ways and Means Com. Same as S 3719. Mar 23 Rules rept 3rd rdg Passed. Mar 24 Senate Substituted for S 3719 on 3rd rdg Passed. Mar 26 to Gov. Apr 23 Law Chap. 934. Print A 5795.

1966. S-4850. RULES COM. -- Amends Chap. 47 of 1966, to increase from \$500,000 to \$600,000, amount appropriated to conservation dept., for division of fish and game for development and maintenance of fishing rights and access sites. Finance Com.

May 24 Rept May 31 3rd rdg Jun 6 Passed. Jun 7 Assembly  
3rd rdg Lost and tabled. Print S 5795.

1969. S-5396. RULES COM. -- Amends Sections 1-0303, 300, 301, adds Art. 4-A, Conservation Law, to create division of marine and coastal resources in conservation dept., with division headquarters in Nassau or Suffolk co. as comr. shall determine, which shall exercise functions, powers, and duties of dept. relating to marine and coastal district; describes marine and coastal district and provides for advisory committee. Conservation Com. Same as A 6909.

1969. A-6909. RULES COM. (Request of Mr. Costigan) -- Amends Sections 1-0303, 300, 301, adds Art. 4-A, Conservation Law, to create division of marine and coastal resources in conservation dept., with division headquarters in Nassau or Suffolk co. as comr. shall determine, which shall exercise functions, powers and duties of dept. relating to marine and coastal district; describes marine and coastal district and provides for advisory committee. Rules Com. Same as S 5396. Apr 16 Rept 3rd rdg Apr 17 Passed. Apr 18 Senate Conservation Com Apr 24 Rept 3rd rdg Apr 27 Passed. May 2 to Gov. May 22 Law, Chap 715.

1970. S-8622. B. SMITH, ADAMS, BARCLAY, CALANDRA, CONKLIN, DAY, DOMINICK, DONOVAN, FLYNN, GIUFFREDA, GORDON, HUDSON; KNORR, LANGLEY, LOMBARDI, NILES, SPENO -- Adds Art. 25, Executive Law, Section 16, amends Section 1242, repeals Section 1284, Public Health Law, amends Section 660, Conservation Law, enacts Environmental Conservation Law, as consolidated law, to conserve, improve and protect natural resources and environment of state and control water, land and air pollution, to create environmental conservation dept., with head to be comr. appointed by governor with advice and consent of senate, to abolish conservation dept. and transfer functions thereof to dept., and to include transfer of Lake George park commission, to abolish certain boards and commissions and to transfer functions thereof and certain functions of health and agriculture depts., to create state environmental board and council of environmental advisors, to create office of parks and recreation in executive dept. with duty to formulate and maintain statewide park and recreation plan, and to transfer to such office certain agencies in conservation dept. and certain functions of such dept., with such office to become dept. if restrictions on number of state depts. are eliminated. Conservation Com. Same as A 5984. Apr 15 Amend and recommit Apr 17 Rept Apr 18 3rd rdg A 5984-A substituted. 8622-A.

1970. A-5984. HARRIS; Multi-sponsored by: BALLETTA, BURNS, FARRELL, GILMAN, GINSBERG, HARDT, HENDERSON, JONAS, REILLY, STEINFELDT, RYAN -- Adds Art. 25, Executive Law, Section 16, amends Section 1242, repeals Section 1284, Public Health Law, amends Section 660, Conservation Law, enacts Environmental Conservation Law, as consolidated law, to conserve, improve and protect natural resources and environment of state and control

water, land and air pollution, to create environmental conservation dept., with head to be comr. appointed by governor with advice and consent of senate, to abolish conservation dept. and transfer functions thereof to dept., and to include transfer of Lake George park commission, to abolish certain boards and commissions and to transfer functions thereof and certain functions of health and agriculture depts., to create state environmental board and council of environmental advisors, to create office of parks and recreation in executive dept. with duty to formulate and maintain statewide park and recreation plan, and to transfer to such office certain agencies in conservation dept. and certain functions of such dept., with such office to become dept. if restrictions on number of state depts. are eliminated. Conservation Com. ● Same as S 8622. Apr 14 Amend and recommit Apr 16 Rules rept 3rd rdg Apr 17 Motion to amend lost. Restored to 3rd rdg Apr 18 Passed under Message of Necessity from Governor. Senate Substituted for S 8622-A on 3rd rdg Passed under Message of Necessity from Governor. Apr 20 to Gov. Apr 22 Law, Chap 140 (Memo 6). 5984-A.

1972. S-3268. B. SMITH -- Amends Section 261, Conservation Law, to extend to Mar 31, 1973, instead of until March 31, 1971, authority of conservation dept. to fix annually by order, open seasons, size and catch limits and manner of taking certain fish on certain waters of state. Conservation Com. 3268-A\*.

1973. A-7514. RULES COM. -- Amends Sections 11-0701, -0703, -0707, -0713, -0715, -1319, 13-0335, -0339, Environmental Conservation Law, adds Section 84, State Finance Law, to provide for issuance of marine and 6-day marine fishing licenses, with marine fishing license entitling holder to take all marine species of fish in marine and coastal district by angling, hooking, spearing, long bow and tipups, and to take bait fish for personal use, and to fix license fees and terms of licenses for taking of food fish in marine and coastal districts; establishes marine fisheries conservation fund. Rules Com. Same as S 5956.

1973. S-5956. PRESENT -- Amends Sections 11-0701, -0703, -0707, -0713, -0715, -1319, 13-0335, -0339, Environmental Conservation Law, adds Section 84, State Finance Law, to provide for issuance of marine and 6-day marine fishing licenses, with marine fishing license entitling holder to take all marine species of fish in marine and coastal district by angling, hooking, spearing, low bow and tipups, and to take bait fish for personal use, and to fix license fees and terms of licenses for taking of food fish in marine and coastal districts; establishes marine fisheries conservation fund. Conservation Com. Same as A 7514.

1973. S-6474. B. SMITH -- Amends Section 13-0316, Environmental Conservation Law, to strike out requirement that applicant for permit for off-bottom culture of shellfish own or be lessee of at least 5 acres of underwater lands above which offbottom culture of shellfish is practically feasible. Conservation Com. Same as A 7858.

1973. A-7858. RULES COM. (Request of Mr. Costigan) -- Amends Section 13-0316, Environmental Conservation Law, to strike out requirement that applicant for permit for off-bottom culture of shellfish own or be lessee of at least 5 acres of underwater lands above which off-bottom culture of shellfish is practically feasible. Rules Com. Same as S 6474. May 16 Rept 3rd rdg Passed. May 17 Sen Conserv Com May 18 Rept May 22 3rd rdg May 24 Passed. May 27 To Gov. Chapter 632.

1973. A-4018. COSTIGAN -- Amends Sections 13-0301, 13-0309, adds Section 13-0316, Environmental Conservation Law, to permit dept. to issue permits for operation of marine hatcheries entitling holder to possess, raise and breed shellfish, lobster, crab, shrimp and food fish, and young thereof, and to sell same, where less than legal size, to other permitted hatcheries, educational and scientific institutions, and persons holding valid shellfish growers or off-bottom culture of shellfish permit, with products of marine hatchery of legal size permitted to be sold to individual or commercial markets for consumption or resale; makes related provisions. Environmental Com. Same as S 3199. Mar 21 Rept Ref to Ways & Means Com Apr 4 Rept Apr 5 3rd rdg Apr 9 S 3199 sub.

1973. S-3199. B. SMITH -- Amends Sections 13-0301, 13-0309, adds Section 13-0316, Environmental Conservation Law, to permit dept. to issue permits for operation of marine hatcheries entitling holder to possess, raise and breed shellfish, lobster, crab, shrimp and food fish, and young thereof, and to sell same, where less than legal size, to other permitted hatcheries, educational and scientific institutions, and persons holding valid shellfish growers or off-bottom culture of shellfish permit, with products of marine hatchery of legal size permitted to be sold to individual or commercial markets for consumption or resale; makes related provisions. Conservation Com. Same as A 4018. Mar 29 Rept Apr 2 3rd rdg Apr 4 Passed. Apr 5 Assy Ways & Means Com Apr 9 Com disch Sub for A 4018 on 3rd rdg Passed. Apr 20 To Gov. May 1 Law, Chap 253.

Conservation:  
Policy, Inventory, Management Plans Proposed

1968. S-5065. BRYDGES, ZARETZKI, SPENO, DOMINICK, LENT, LAVERNE, ADAMS, CAEMMERER, MCGOWAN, FLYNN -- Appropriates \$100,000 to office of planning coordination for creating NY state total development goal, including housing, population density, industry, transportation, scenic and recreational areas and location of state facilities. Finance Com. May 15 Amend and recommit May 22 Rept 3rd rdg May 23 Passed. May 24 Assembly Rules Com. 5065-A.

1969. A-5341. POPE; Multi-Sponsored by: ABRAMS, ALTMAN, BERLE, CALLABRETTA, CINCOTTA, COOPERMAN, DIFALCO, FORTUNE, GALLIVAN, GIORDANO, GOTTLIEB, HARWOOD, HECHT, HELLENBRAND, KREMER, KRUPSAK, LEICHTER, LICHTMAN, LIS, LISA, MERCORELLA, MONTANO, PASSANNANTE, H. POSNER, S. POSNER, SABBATINO, SILVERMAN, SOLARZ, SOUTHALL, STEIN, STEINGUT, STRAUB, STRELZIN, WAGER, WALSH -- Renumbers Section 4, as Section 5, adds Section 4, Art. 14, Constitution, to make it policy of state to conserve and protect natural resources and scenic beauty and encourage development and improvement of agricultural lands, with legislature, in implementation thereof to include provision for abatement of air and water pollution and excessive and unnecessary noise, protection of agricultural lands, wetlands and shorelines, and development of water resources, and provide for acquisition of lands and water. Judiciary Com. Same as S 1761, 3423; A 3548. Mar 3 To Att'y Gen for opinion Mar 17 Opinion received and referred to Judiciary Com.

1969. A-3548. DURYEA; Multi-sponsored by: KINGSTON, LANE -- Renumbers Section 4, as Section 5, adds Section 4, Art. 14, Constitution, to make it policy of state to conserve and protect natural resources and scenic beauty and encourage development and improvement of agricultural lands, with legislature, in implementation thereof, to include provision for abatement of air and water pollution and excessive and unnecessary noise, protection of agricultural lands, wetlands and shorelines, and development of water resources, and provide for acquisition of lands and water. Judiciary Com. Same as S 1761, 3423; A 5341. Feb 17 to Att'y Gen for opinion Feb 18 Rept Feb 19 3rd rdg Feb 24 Opinion received and referred to Judiciary Com Feb 26 Passed. Feb 27 Senate Substituted for S 1761 on 3rd rdg Mar 3 Passed. May 2 to Secretary of State.

1969. S-3423. ZARETZKI, BLOOM, BOOKSON, BRONSTON, GARCIA, GLINSKI, GOLDIN, GREENBERG, FERRARO, MEYERSON, OHRENSTEIN, SCHWARTZ, SANTUCCI, STEWART, THALER, FERRALL, GALIBER -- Renumbers Section 4, as Section 5, adds Section 4, Art. 14, Constitution, to make it policy of state to conserve and protect natural resources and scenic beauty and encourage development and improvement of agricultural lands, with legislature, in implementation thereof, to include provision for abatement of air and water



pollution and excessive and unnecessary noise, protection of agricultural lands, wetlands and shorelines, and development of water resources, and provide for acquisition of lands and water. Judiciary Com. Same as S 1761; A 3548, 5341. Mar 7 to Att'y Gen for opinion Mar 19 Opinion received and referred to Judiciary Com.

1969. S-1761. BRYDGES, SPENO, B. SMITH -- Renumbers Section 4, as Section 5, adds Section 4, Art. 14, Constitution, to make it policy of state to conserve and protect natural resources and scenic beauty and encourage development and improvement of agricultural lands, with legislature, in implementation thereof to include provision for abatement of air and water pollution and excessive and unnecessary noise, protection of agricultural lands, wetlands and shorelines, and development of water resources, and provide for acquisition of lands and water. Judiciary Com. Same as S 3423; A 3548, 5341. Feb 5 To Att'y Gen for opinion Feb 11 Opinion received and referred to Judiciary Com Feb 18 Rept Feb 19 3rd rdg Feb 24 Passed. Vote reconsidered Restored to 3rd rdg Feb 27 A 3548 substituted.

1970. A-5200. BECKMAN, H. POSNER; Multi-sponsored by: PISANI, BROWN, LICHTMAN, STEINFELDT, BATTISTA, COOPERMAN, RUSSO, GILMAN, KRETCHMER, GRECO, CINCOTTA, BERLE, LEICHTER, GOTTLIEB, MONTANO, TILLS, MICHAELS, CALABRETTA, REILLY, BURROWS, WAGER, MERCORELLA, MILLER, GRIECO, STAVISKY, GALLAGHER, RICCIO, MARGIOTTA, BLUMENTHAL, McINERNEY, STRAUB, C. COOK, FINK, POPE, BREWER, SCHMIDT, LILL, MIRTO, LEVY, DOWD, PASSANNANTE, BELL -- Establishes Conservation Bill of Rights Act, Environmental Protection Through Civil Suit Act of 1970, amends Consolidated Laws, generally, and enacts special acts relating to Mohawk River Valley, Jamaica Bay, Great South Bay, State Shoreline, Long Island Sound, natural and historical preserve areas and underground transmission lines, for purposes of implementing constitution in respect to conservation and protection of natural resources and scenic beauty and encouragement of development and improvement of agricultural lands, abatement of pollution and excessive noise, regulation of water resources and protection of wetlands and shorelines. Conservation Com. Same as S 8309. Apr 20 Amend and recommit. 5200-A

1970. A-5663. STAVISKY -- Permits attorney general, city, village or town, or citizen of state to maintain action for declaratory and equitable relief in name of state against person, including governmental instrumentality or agency, for protection of air, water and other natural resources of state, from pollution, impairment or destruction, or for protection of public trust in natural resources of state, to provide for appointment by court of master or referee to take testimony and report, and for temporary and permanent equitable relief, with right of review. Conservation Com.

1970. A-5931. GALLIVAN; Multi-sponsored by: PERLE, BLUMENTHAL, CHANANAU, CINCOTTA, COOPERMAN, DeSALVIO, DiFALCO, DOWD, EVE, FINK,

FORTUNE, GIORDANO, GOLD, GOTTLIEB, GRECO, GRIECO, GRIFFIN, HECHT, HOCHBERG, JACK, KRAF, KREMER, KRUPSAC, LAMA, LEICHTER, LILL, MICHAELS, MILLER, MIRTO, MONDELLO, MURPHY, POPE, RANGEL, RODELL, ROSSETTI, SABBATINO, SILVERMAN, SIMON, SOLARZ, SOUTHALL, STAVISKY, STEIN, STEINGUT, STELLA, STEVENSON, STRELZIN, WAGER, HARWOOD, PASSANNANTE, STRAUB -- Creates temporary commission of 3 senators, 3 assemblymen and 5 appointees of governor to make complete study of desirability of recodifying existing laws pertaining to environmental control and establishing within state dept. of environmental control; appropriates \$100,000. Ways and Means Com.

1970. S-8309. B. SMITH, BRONSTON, BARCLAY, BLOOM, CAEMMERER, DAY, DUNNE, FERRALL, FERRARO, FLYNN, GALIBER, GIOFFRE, GIUFFREDA, GLINSKI, GOODMAN, GORDON, GRIFFIN, HUDSON, LAVERNE, LENT, LENTOL, LOMBARDI, MARCHI, MARINO, OHRENSTEIN, POWERS, ROLISON, SPENO -- Establishes Conservation Bill of Rights Act, Environmental Protection Through Civil Suit Act of 1970, amends Consolidated Laws, generally, and enacts special acts relating to Mohawk River Valley, Jamaica Bay, Great South Bay, State Shoreline, Long Island Sound, natural and historical preserve areas and underground transmission lines, for purposes of implementing constitution in respect to conservation and protection of natural resources and scenic beauty and encouragement of development and improvement of agricultural lands, abatement of pollution and excessive noise, regulation of water resources and protection of wetlands and shorelines. Conservation Com. Same as A 5200. Apr 9 Amend and recommit 8309-A.

1971. S-6335. RULES COM. (Request of Mr. B. Smith) -- Adds Section 10, Art. 1, Constitution, to require that legislature, within 3 years hereafter, and within every subsequent term of 10 years, or less, cause to be made, inventory of natural, scenic, esthetic, and historic resources of state with their condition of preservation, and to provide for their protection as state purpose; requires public notice and hearing before any act is taken relating to natural resources by agency, or authority. Judiciary Com. Same as A 6400. Apr 21 To Att'y Gen for opinion.

1971. S-5333. BRONSTON, FLYNN, GALIBER, GOLDIN, LEWIS, OHRENSTEIN, POWERS -- Directs environmental conservation dept., on basis of study, to formulate comprehensive plan with recommendations regarding action to be taken to preserve, protect, develop and make accessible for public benefit, unique scenic beauty, as well as natural historic, recreational and wildlife values of Long Island Sound, including its islands and adjacent shoreline in state, with plan to be submitted to legislature within 1 year hereafter. Conservation Com. Same as A 5006.

1971. S-5166. B. SMITH -- Adds Section 155, Conservation Law, to direct comr. to prepare and submit to Secretary of Interior, comprehensive fish and wildlife research management plan to insure perpetuation of fish and wildlife for economic, scientific and recreational enrichment of people of state, as contained in Public Law 91-503, with plan to be sufficient to meet criteria so that

program will be eligible for 75% reimbursement aid set up by federal govt. from funds from excise tax on sporting arms and ammunition. Conservation Com. Same as A 4678.

1971. S-6399. RULES COM. -- Adds Section 31, Environmental Conservation Law, to require that dept. formulate environmental plan for management and protection of quality of environment and natural resources of Long Island Sound, with dept. to submit plan to governor on or before Sept. 1, 1972, and thereafter, periodic revisions, which shall become effective upon approval by governor; defines duty of dept. in respect to formulating plan. Conservation Com. Same as A 7460.

1971. A-7460. RULES COM. (Request of Mr. Reilly) -- Adds Section 31, Environmental Conservation Law, to require that dept. formulate environmental plan for management and protection of quality of environment and natural resources of Long Island Sound, with dept. to submit plan to governor on or before Sept. 1, 1972, and thereafter, periodic revisions, which shall become effective upon approval by governor; defines duty of dept. in respect to formulating plan. Conservation Com. Same as S 6399.

1971. A-4678. BECKMAN; Multi-sponsored by: SEARS, STEINFELDT, REILLY, KINSELLA, PISANI, HOGAN, BUCKLEY, MITCHELL, MURPHY, MASON, LEASURE, RYAN, T. BROWN, KELLEHER, BETROS, HARDT, HARRIS, TILLS, WARDER, BELL -- Adds Section 155, Conservation Law, to direct comr. to prepare and submit to Secretary of Interior, comprehensive fish and wildlife research management plan to insure perpetuation of fish and wildlife for economic, scientific and recreational enrichment of people of state, as contained in Public Law 91-503, with plan to be sufficient to meet criteria so that program will be eligible for 75% reimbursement aid set up by federal govt. from funds from excise tax on sporting arms and ammunition. Conservation Com. Same as S 5166. Mar 17 Rept Referred to Ways and Means Com.

1971. A-5006. H. POSNER; Multi-sponsored by: BERLE, BLUMENTHAL, BURROWS, RUSSO, KREMER, LANDES, THORP, WAGER, LEICHTER, SIMON, BREWER, KOPPELL, McINERNEY, OLIVIERI -- Directs environmental conservation dept., on basis of study, to formulate comprehensive plan with recommendations regarding action to be taken to preserve, protect, develop and make accessible for public benefit, unique scenic beauty, as well as natural historic, recreational and wildlife values of Long Island Sound, including its islands and adjacent shoreline in state, with plan to be submitted to legislature within 1 year hereafter. Governmental Operations Com. Same as S 5333.

1971. A-6400. MEYER -- Adds Section 10, Art. 1, Constitution, to require that legislature, within 3 years hereafter, and within every subsequent term of 10 years, or less, cause to be made, inventory of natural, scenic, esthetic, and historic resources of state with their condition of preservation, and to provide for

their protection as state purpose: requires public notice and hearing before any act is taken relating to natural resources by agency, or authority. Judiciary Com. Same as S 6335. May 17 to Att'y Gen for opinion.

1972. S-5166. B. SMITH -- Adds Section 155, Conservation Law, to direct comr. to prepare and submit to Secretary of Interior, comprehensive fish and wildlife research management plan to insure perpetuation of fish and wildlife for economic, scientific and recreational enrichment of people of state, as contained in Public Law 91-503, with plan to be sufficient to meet criteria so that program will be eligible for 75% reimbursement aid set up by federal govt. from funds from excise tax on sporting arms and ammunition. Conservation Com. Same as A 4678.

1972. A-4678. BECKMAN; Multi-sponsored by: SEARS, STEINFELDT, REILLY, KINSELLA, PISANI, HOGAN, BUCKLEY, MITCHELL, MURPHY, MASON, LEASURE, RYAN, T. BROWN, KELLEHER, BETROS, HARDT, HARRIS, TILLS, WARDER, BELL -- Adds Section 155, Conservation Law, to direct comr. to prepare and submit to Secretary of Interior, comprehensive fish and wildlife research management plan to insure perpetuation of fish and wildlife for economic, scientific and recreational enrichment of people of state, as contained in Public Law 91-503, with plan to be sufficient to meet criteria so that program will be eligible for 75% reimbursement aid set up by federal government from funds from excise tax on sporting arms and ammunition. Conservation Com. Same as S 5166. Mar 22 Rept Ref to Ways & Means Com Apr 18 Rept Apr 19 3rd rdg Apr 21 Passed. Apr 24 Sen Conserv. Com.

1972. S-8975. MARINO -- Adds Section 31, Environmental Conservation Law, to require that dept. formulate environmental plan for management and protection of quality of environment and natural resources of Long Island Sound, with dept. to submit plan to governor on or before Sept. 1, 1973, and thereafter, periodic revisions, which shall become effective upon approval by governor; defines duty of dept. in respect to formulating plan. Conservation Com.

1972. A-7460. RULES COM. (Request of Mr. Reilly) -- Adds Section 31, Environmental Conservation Law, to require that dept. formulate environmental plan for management and protection of quality of environment and natural resources of Long Island Sound, with dept. to submit plan to governor on or before Sept. 1, 1972, and thereafter, periodic revisions, which shall become effective upon approval by governor; defines duty of dept. in respect to formulating plan. Conservation Com. Same as S 6399.

1972. S-6399. RULES COM. -- Adds Section 31, Environmental Conservation Law, to require that dept. formulate environmental plan for management and protection of quality of environment and natural resources of Long Island Sound, with dept. to submit plan to governor on or before Sept. 1, 1972, and thereafter, periodic

revisions, which shall become effective upon approval by governor; defines duty of dept. in respect to formulating plan. Conservation Com. Same as A 7460.

1972. A-12062. RULES COM. (Request of Messrs. Duryea, Wertz, Costigan, J. McCarthy, Burns, Jerabek) -- Amends Sections 14, 15, Environmental Conservation Law, to empower environmental conservation dept. to adopt rules and regulations for maintenance, preservation and protection of marine fisheries resources between mean high water mark of state and straight line extension of lateral boundaries drawn seaward 200 miles or to point where water depth reaches 100 fathoms, whichever is greater, and to assess fines not exceeding \$10,000, for violation. Rules Com. Apr 25 Rept 3rd rdg Apr 26 Passed. Apr 27 Sen Conserv Com May 3 Rept May 5 3rd rdg May 8 Passed. May 9 To Gov. June 8 Vetoed (Memo 176)

1972. A-8979. MARGIOTTA; Multi-sponsored by: COSTIGAN, PISANI, HEALEY -- Adds Art. 6, Environmental Conservation Law, amends Section 80, Conservation Law, to enact Marine Sanctuary Act declaring as marine sanctuary, marine coastal waters of state, to prohibit person from entering into lease, contract or other arrangement for extraction of oil or gas from lands under such waters, and from discharging polluting substance within such waters; makes other provisions as to exceptions, forfeiture, injunction, civil penalty, and rights of municipalities. Conservation Com. Same as S 7859. Feb 15 Amd & recom Mar 27 Amd & recom 8979-A, B.

1972. S-7859. MARINO, GIUFFREDA, MURPHY, LEVY -- Adds Art. 6, Environmental Conservation Law, amends Section 80, Conservation Law, to enact Marine Sanctuary Act declaring as marine sanctuary, marine coastal waters of state, to prohibit person from entering into lease, contract or other arrangement for extraction of oil or gas from lands under such waters, and from discharging polluting substance within such waters; makes other provisions as to exceptions, forfeiture, injunction, civil penalty, and rights of municipalities. Conservation Com. Same as A 8979. Feb 15 Amd & recom Mar 27 Amd & recom. 7859-A, B.

1972. A-11041. KREMER -- Adds Art. 6, Environmental Conservation Law, to declare marine coastal waters as marine sanctuary and all marine fisheries and other marine resources located therein to be unique, precious, and irreplaceable resource of state and to be held in trust for all residents and future generations thereof, to prohibit construction of airport, marine, trucking or other mass transportation facility in marine coastal waters or any other submerged lands in Atlantic ocean or Long Island Sound within jurisdiction of state. Conservation Com. Same as S 9382.

1973. A-4329. REILLY -- Adds Section 3-0304, Environmental Conservation Law, to require that dept. formulate environmental plan for management and protection of quality of environment and

natural resources of Long Island sound, with plan to be submitted to gov. on or before Sept. 1, 1974, and become effective upon approval by gov. and thereafter serve as guide to public; creates advisory council of 6 appointees by gov., and 2 each by county executives of Nassau and Suffolk cos. and Queens co. borough president, to advise dept. and gov. with preparation and carrying out by dept. of environmental for Long Island sound. Environmental Com. Same as S 2875.

1973. A-1266. H. POSNER; Multi-sponsored by: Berle, Blumenthal, Brewer, Burrows, Koppell, Kremer, Landes, Leichter, Olivieri, Russo, Thorp -- Directs environmental conservation dept. to formulate certain plan with respect to protection of Long Island Sound. Environmental Com. Same as S 2142; A 1035.

1973. A-8093. RULES COM. (Request of Messrs. Duryea, Burns, Conklin, Costigan, Flanagan, Levine, McCarthy, O'Doherty, Wertz, Kingston, Reilly, D'Amato, Margiotta, G. Murphy, Farrell, Jonas, Healey) -- Adds Art. 61, Sections 71-2301-2313, Environmental Conservation Law, to enact marine coastal waters protection act to protect marine resources of state and prevent environmental damage caused by discharge of oil and other harmful and polluting substances or flow thereof into marine coastal waters, by requiring prompt containment and removal of such pollutants and substances from said waters, with person causing or allowing discharge to be subject to civil penalty; makes related provisions including powers and duties of dept., operation without license, regulatory powers, personnel and equipment and exemptions, and provides for enforcement. Rules Com. Same as S 6593. May 25 Amd & recom May 26 Rept 3rd rdg Passed under Message of Necessity from Governor. Sen Rules Com Rept 3rd rdg Passed under Message of Necessity from Governor. May 27 to Gov. 8093-A. Veto 268 on 6/22.

1973. A-4785. REILLY; Multi-sponsored by: Levine -- Creates temporary commission of 1 appointee each by governor and minority leaders of senate and assembly, and 2 each by temporary president of senate and assembly speaker, to be known as temporary commission on study of marine resources of state, to make study and investigation of present extent and use of marine resources and recommend legislation necessary to preserve and protect same. Environmental Com. Same as S 2958.

1973. A-1265. H. POSNER; Multi-sponsored by: Brewer, Cooperman, Fink, Flack, Sharoff, Silverman -- Creates Jamaica Bay conservation commission to compile and prepare comprehensive plan for orderly, efficient and balanced development, use, preservation and conservation of water and other resources thereof, and its shoreline, which shall be submitted to legislature on or before Jan. 15, 1974, with Nassau-Suffolk marine resources council to constitute advisory committee. Corporations Com.

1973. A-1403. KREMER -- Adds Title 24, Art. 11, Environmental Conservation Law, to declare marine coastal waters as marine

sanctuary and all marine fisheries and other marine resources therein to be unique, precious, and irreplaceable resources of state and to be held in trust for residents and future generations thereof, and to prohibit construction of airport, marine, trucking or other mass transportation facility in such waters or on any other submerged lands in Atlantic ocean or Long Island Sound within jurisdiction of state. Environmental Com.

1973. A-866. MARGIOTTA; Multi-sponsored by: Costigan -- Adds Art. 51, amends Section 23-1101, Environmental Conservation Law, to enact Marine Sanctuary Act declaring as marine sanctuary, marine coastal waters of state, to prohibit person from entering into lease, contract or other arrangement for extraction of oil or gas from lands under such waters, and from discharging polluting substance within such waters; makes other provisions as to exceptions, forfeiture, injunction, civil penalty, and rights of municipalities. Environmental Conservation Com. Same as S 925.

1973. S-925. MARINO, GIUFFREDA, LEVY -- Adds Art. 51, amends Section 23-1101, Environmental Conservation Law, to enact Marine Sanctuary Act declaring as marine sanctuary, marine coastal waters of state, to prohibit person from entering into lease, contract or other arrangement for extraction of oil or gas from lands under such waters, and from discharging polluting substance within such waters; makes other provisions as to exceptions, forfeiture, injunction, civil penalty, and rights of municipalities. Conservation Com. Same as A 866.

1973. S-2958. LEVY -- Creates temporary commission of 1 appointee each by governor and minority leaders of senate and assembly, and 2 each by temporary president of senate and assembly speaker, to be known as temporary commission on study of marine resources of state, to make study and investigation of present extent and use of marine resources and recommend legislation necessary to preserve and protect same. Finance Com. Same as A 4785

1973. S-2875. MARINO -- Adds Section 3-0304, Environmental Conservation Law, to require that dept. formulate environmental plan for management and protection of quality of environment and natural resources of Long Island sound, with plan to be submitted to gov. on or before Sept. 1, 1974, and become effective upon approval by gov. and thereafter serve as guide to public; creates advisory council of 6 appointees by gov., and 2 each by county executives of Nassau and Suffolk cos. and Queens co. borough president, to advise dept. and gov. with preparation and carrying out by dept. of environmental for Long Island sound. Conservation Com. Same as A 4329.

1973. S-2020. B. SMITH, JOHNSON, TRUNZO, GIUFFREDA -- Adds Section 21-0201, Environmental Conservation Law, to provide for Long Island sound interstate compact to become effective when enacted into law in NY and Conn. for promoting orderly integrated, and comprehensive development use and conservation of water resources

of such sound, including study of characteristics of the sound, and investigation and report on misuse and abuse thereof; creates Long Island sound commission of not less than 3 nor more than 5 comrs. from each party state, and prescribes its powers; appropriates \$100,000. Finance Com. Same as A 2826.

Cooperative Agreements,  
Conservation Advisory and Management Boards

1961. S-635. J. COOKE -- Amends Section 198, Conservation Law, to increase from 1 to 2, number of representatives from each fish and wildlife management district board on state fish and wildlife management board, and to require that at least 1 shall be landowner representative. Conservation Com. Same as A 1027. Feb 27 Rept Feb 28 3rd rdg Mar 7 Recommitted with enacting clause stricken out. Print S 635.

1961. A-1027. L. LAWRENCE -- Amends Section 198, Conservation Law, to increase from 1 to 2, number of representatives from each fish and wildlife management district board on state fish and wildlife management board, and to require that at least 1 shall be landowner representative. Ways and Means Com. Same as S 635. Jan 24 Rept Jan 25 3rd rdg Jan 30 Passed. Jan 31 Senate Conservation Com Feb 20 Rept Feb 21 3rd rdg Feb 22 Passed. Feb 23 to Gov. Mar 7 Law Chap. 73. Print A 1027.

1962. A-1193. VAN DUZER -- Amends Section 198, Conservation Law, to increase from 3 to 4, number of members on district fish and wildlife management board from each county within district, with additional member to be second representative of sportsmen of county, and to provide for appointment of alternate sportsmen's representative. Conservation Com. Print A 1193.

1963. A-1500. VAN DUZER -- Amends Section 198, Conservation Law, to provide for appointment of alternate board of supervisors member, sportsmen's representative and landowner representative of district fish and wildlife management board to serve in event of temporary inability of regular members respectively. Conservation Com. Same as S 1316. Feb 25 Amend and recommit. Prints A 1500, 5006.

1963. S-1316. DOMINICK -- Amends Section 198, Conservation Law, to provide for appointment of alternate board of supervisors members, sportsmen's representative and landowner representative of district fish and wildlife management board to serve in event of temporary inability of regular members respectively. Conservation Com. Same as A 1500. Feb 4 Amend and recommit Mar 6 Amend and recommit Prints S 1319, 2159, 3973.

1964. A-2644. HATCH -- Amends Section 225, County Law, to increase from \$5,000 to \$10,000 maximum amount which may be



appropriated by any county for propagation of game, game birds and fish. Internal Affairs Com. Same as S 1667. Feb 25 Rept Feb 26 3rd rdg Mar 3 Passed. Mar 4 Senate 3rd rdg Mar 9 Passed. Mar 21 To Gov. Apr 3 Law Chap. 327. Print A 2668.

1964. S-1667. RULISON -- Amends Section 225, County Law, to increase from \$5,000 to \$10,000 maximum amount which may be appropriated by any county for propagation of game, game birds and fish. Internal Affairs Com. Same as A 2644. Feb 12 Rept Feb 17 3rd rdg Feb 19 Passed. Feb 20 Assembly Internal Affairs Com. Print S 1702.

1964. A-5296. RULES COM. -- Amends Section 130, Town Law, to extend power of town boards as to regulating taking of shellfish from lands from certain towns and trustees of freeholders of town, to include taking of such shellfish from waters over lands of such towns and trustees. Rules Com. Same as S 3812. Mar 20 Rept 3rd rdg Passed. Mar 21 Senate Substituted for S 3812 in Com of Whole 3rd rdg Mar 24 Passed. Mar 26 To Gov. Apr 16 Law Chap. 619. Print A 6012.

1964. A-4998. GORDON -- Amends Section 198, Conservation Law, to require that chief executive officer of county appoint as sportsmen's representative on district fish and wildlife management board, nominee endorsed by county unit of organized sportsmen's groups, instead of consider for appointment, recommendations made by such unit. Conservation Com. Same as S 3296. Print A 5296.

1964. A-5002. POMEROY -- Amends Section 198, Conservation Law, to require that sportsmen's representative on district fish and wildlife management board, must be active with county unit of organized sportsmen's groups, and to require that members of district boards report to and consult with organizations which recommended them for appointment. Conservation Com. Same as S 3564. Print A 5300.

1964. A-1747. VAN DUZER -- Amends Section 198, Conservation Law, to allow appointment of alternate board of supervisors' member, sportsmen's representatives and landowner representatives of district fish and wildlife management board to serve in event of temporary inability of regular members. Conservation Com. Same as S 1700. Jan 22 Amend and recommit Feb 27 Amend and recommit Mar 10 Rept Mar 11 3rd rdg Mar 13 Passed. Mar 16 Senate Conservation Com Com discharged Substituted for S 1700 in Com of Whole 3rd rdg Mar 17 Passed. Mar 21 to Gov. Apr 23 Law Chap. 817. Prints A 1747, 2969, 5620.

1964. S-3296. CORNELL -- Amends Section 198, Conservation Law, to require that chief executive officer of county appoint as sportsmen's representative on district fish and wildlife management board, nominee endorsed by county unit of organized sportsmen's groups instead of consider for appointment, recommen-

dations made by such unit. Conservation Com. Same as A 4998. Print S 3584.

1964. S-3812. RULES COM. -- Amends Section 130, Town Law, to extend power of town boards as to regulating taking of shellfish from lands from certain towns and trustees of freeholders of town, to include taking of such shellfish from waters over lands of such towns and trustees. Internal Affairs Com. Same as A 5296. Mar 20 Rept Mar 21 A 5296 substituted. Print S 4446.

1964. S-1700. DOMINICK -- Amends Section 198, Conservation Law, to allow appointment of alternate board of supervisors' member, sportsmen's representatives and landowner representatives of district fish and wildlife management board to serve in event of temporary inability of regular members. Conservation Com. Same as A 1747. Mar 12 Rept amend Mar 16 A 1747 substituted. Prints S 1735, 4462.

1964. S-3564. R. COOKE -- Amends Section 198, Conservation Law, to require that sportsmen's representative on district fish and wildlife management board, must be active with county unit of organized sportsmen's groups, and to require that members of district boards report to and consult with organizations which recommended them for appointment. Conservation Com. Same as A 5002. Mar 10 Amend and recommit. Prints S 3925, 4378.

1965. A-3484. HUNTINGTON -- Amends Sections 360, 394, Conservation Law, to include villages with towns and counties, in provision permitting cooperative agreements with conservation dept. for conservation purposes. Conservation Com. Same as S 2112. Apr 13 Rept Apr 14 3rd rdg Apr 28 Passed. Apr 29 Senate Substituted for S 2112 in Com of Whole 3rd rdg May 3 Passed. May 13 to Gov. May 24 Law, Chap 261. Print A 3522.

1965. S-2112. BARRETT -- Amends Sections 360, 394, Conservation Law, to include villages with towns and counties, in provision permitting cooperative agreements with conservation dept. for conservation purposes. Conservation Com. Same as A 3484. Apr 28 Rept Apr 29 A 3484 substituted. Print S 2161.

1967. S-4632. RULES COM. -- Creates Great South Bay conservation commission with headquarters in Suffolk co., to provide for comprehensive plan for development, management and control of water and natural resources of Great South Bay in Suffolk co.; prescribes its powers and duties. Finance Com. Same as A 5843.

1967. S-3885. GIUFFREDA -- Creates Great South Bay conservation commission with headquarters in Suffolk co., to provide for comprehensive plan for development, management and control of water and natural resources of Great South Bay in Suffolk co.; appropriates \$250,000. Finance Com. Same as A 5440.

1967. A-5343. RULES COM. -- Creates Great South Bay conservation commission with headquarters in Suffolk co., to provide for comprehensive plan for development, management and control of water and natural resources of Great South Bay in Suffolk co.; prescribes its powers and duties. Rules Com. Same as S 4632. Print A 6129.

1967. A-5540. COSTIGAN; Multi-sponsored by: W. BURNS, McCARTHY, McCLOSKEY -- Creates Great South Bay conservation commission with headquarters in Suffolk co., to provide for comprehensive plan for development, management and control of water and natural resources of Great South Bay in Suffolk co.; appropriates \$250,000. Ways and Means Com. Same as S 3885. Print A 5826.

1968. A-5818. COSTIGAN -- Amends Section 325, Conservation Law, to ratify amendment to Atlantic States Marine Fisheries Compact giving such commission power of joint regulatory agency for regulation of fishing operations of citizens and vessels as to specific fisheries in which states have common interest. Ways and Means Com. Same as S 4385.

1968. S-4385. B. SMITH -- Amends Section 325, Conservation Law, to ratify amendment to Atlantic States Marine Fisheries Compact giving such commission power of joint regulatory agency for regulation of fishing operations of citizens and vessels as to specific fisheries in which states have common interest. Conservation Com. Same as A 5818.

1968. A-4466. DURYEA -- Amends Section 64-b, Town Law, to provide that term of  $\frac{1}{2}$  of members of town conservation advisory council first appointed, shall be for 1 year, and to allow board of town which has appointed council prior to effective date hereof, to elect to terminate term of members previously appointed and to reappoint  $\frac{1}{2}$  thereof for 1 year term. Internal Affairs Com.● Same as S 4343.

1968. S-4343. GIUFFREDA -- Amends Section 64-b, Town Law, to provide that term of  $\frac{1}{2}$  of members of town conservation advisory council first appointed, shall be for 1 year, and to allow board of town which has appointed council prior to effective date hereof, to elect to terminate term of members previously appointed and to reappoint  $\frac{1}{2}$  thereof for 1 year term. Towns and Counties Com. Same as A 4466. Mar 20 Rept Mar 25 3rd rdg Mar 26 Passed. Mar 27 Assembly Rules Com May 24 Rept 3rd rdg Passed. To Gov. June 16 Vetoed (Memo 143).

1968. S-2441. LENT -- Creates in conservation dept., Jamaica Bay Commission to consist of 3 appointees of governor, 3 by NY City mayor, and 1 each by Brooklyn borough president, Queens borough president, Nassau co. executive and by secretary of U.S. army to represent U.S. army corps of engineers, to promote orderly and comprehensive development, use and conservation

of scenic, recreational and natural resources of Jamaica Bay, and to encourage development of commercial, residential, industrial and recreational resources vital to area. Finance Com. Same as A 341.

1968. A-341. H. POSNER -- Creates in conservation dept., Jamaica Bay commission to consist of 3 appointees of governor, 3 by NY City mayor, and 1 each by Brooklyn borough president, Queens borough president, Nassau co. executive and by secretary of U.S. army to represent U.S. army corps of engineers, to promote orderly and comprehensive development, use and conservation of scenic, recreational and natural resources of Jamaica Bay, and to encourage development of commercial, residential, industrial and recreational resources vital to area. Ways and Means Com. Same as S 2441.

1968. A-6944. RULES COM. (Request of Mr. H. Posner) -- Creates in conservation dept., Jamaica Bay commission to promote orderly and comprehensive development, use and conservation of scenic, recreational and natural resources of Jamaica Bay, and to encourage development of commercial, residential, industrial and recreational resources vital to area; prescribes membership of commission. Rules Com.

1968. A-2441. SCHMIDT -- Creates in conservation dept., Jamaica Bay commission to consist of 3 appointees by governor, 3 by NY City mayor, and 2 each by Brooklyn and Queens borough presidents, and Nassau co. executive, and 1 by secretary of U.S. army to represent U.S. army corps of engineers, to promote orderly and comprehensive development, use and conservation of scenic, recreational and natural resources of Jamaica Bay, and to encourage development of commercial, residential industrial and recreational resources vital to area. Ways and Means Com.

1968. S-3408. B. SMITH -- Repeals Section 198, adds Section 198, Conservation Law, to revise and restate provisions authorizing cooperative program for obtaining on privately owned or leased lands and waters of state practices of fish and wildlife management to preserve and develop such resources of state and improve access thereto. Conservation Com. Same as A 5080. Mar 27 Rept Mar 28 A 5080 substituted.

1968. A-5080. STOCKMEISTER; Multi-sponsored by: GALLIVAN, MELTON, GRIFFIN -- Repeals Section 198, adds Section 198, Conservation Law, to revise and restate provisions authorizing cooperative program for obtaining on privately owned or leased lands and waters of state practices of fish and wildlife management to preserve and develop such resources of state and improve access thereto. Conservation Com. Same as S 3408. Mar 20 Rept Mar 21 3rd rdg Mar 27 Passed. Mar 28 Senate Substituted for S 3408 in Com of Whole 3rd rdg Apr 1 Passed. May 23 To Gov. May 31 Law, Chap. 446.

1969. A-1576. H. POSNER; Multi-sponsored by: SCHMIDT, WAGER, MURPHY, FINK -- Creates temporary state commission to be known as Jamaica Bay Conservation and Development Commission, to promote the orderly, integrated and comprehensive development, use, enhancement, and conservation of scenic, recreational and natural resources of Jamaica Bay, with members to be appointed by governor, mayor of NY City, and to include members of federal govt., and certain local community leaders; appropriates \$50,000. Ways and Means Com. Same as S 931. Feb 3 Amend and recommit. 1576-A.

1969. S-931. SANTUCCI, LENT, ROSENBLATT, SCHWARTZ -- Creates temporary state commission to be known as Jamaica Bay Conservation and Development Commission, to promote the orderly, integrated and comprehensive development, use, enhancement, and conservation of scenic, recreational and natural resources of Jamaica Bay, with members to be appointed by governor, mayor of NY City, and to include members of federal govt., and certain local community leaders; appropriates \$50,000. Finance Com. Same as A 1576. Feb 3 Amend and recommit. 931-A.

1970. S-8590. GIUFFREDA -- Amends Section 64-B, Town Law, to authorize town board to appoint up to 2 members to town conservation advisory council that are between ages of 16 and 21, who if appointed as regular members, shall have all authorities and privileges of regular members, and to permit council to request conservation dept. to assist said council in carrying out functions, powers and duties; appropriates \$100,000. Finance Com. Same as A 5928. Apr 11 Rept. Apr 13 A 5928 substituted.

1970. S-8589. GIUFFREDA -- Adds Art. 19, Conservation Law, to authorize governing body of each county to establish county environmental management council consisting of 1 member of each town and city conservation council and such other members as county governing body shall provide, to review state of county environment as a whole and prepare report of findings to county board, with council to cooperate with county planning agency in preparing plan for protection of county's environment and management of its natural resources and to investigate and to recommend to county governing body ecologically sound methods of planning use of county's resources; provides for regional environmental management councils. Conservation Com. Same as A 5927. Apr 13 Amend and recommit Apr 19 Rept 3rd rdg A 5927-A substituted, 8589-A.

1970. A-5927. DURYEA; Multi-sponsored by: LANE, HARRIS, MARSHALL, BETROS -- Adds Art. 19, Conservation Law, to authorize governing body of each county to establish county environmental management council consisting of 1 member of each town and city conservation council and such other members as county governing body shall provide, to review state of county environment as a whole and prepare report of findings to county board, with council to cooperate with county planning agency in preparing

plan for protection of county's environment and management of its natural resources and to investigate and to recommend to county governing body ecologically sound methods of planning use of county's resources; provides for regional environmental management councils. Conservation Com. ● Same as S 8589. Apr 10 Amend and recommit Apr 19 Rules rept 3rd rdg Passed. Senate Finance Com Com discharged. Substituted for S 8589-A on 3rd rdg Apr 20 Passed. To Gov. May 18 Law, Chap 902. 5927-A.

1970. A-2505. DURYEA, BETROS; Multi-sponsored by: JERABEK, BERSANI, BROWN, RYAN, SKUSE, FIELD, LANE, C. COOK, HARDT, FINLEY, GILMAN, STEINFELDT, HARRIS, LEVY, BECKMAN, MASON, HENDERSON, KEENAN, TILLS, STEPHENS, MITCHELL, BECKER, LEASURE, TAYLOR, WEMPLE, CORBETT, EMERY, KELLEHER, RICCIO, SEARS, GALLIVAN, V. CARROLL, LONG, BOLAND, MCCARTHY, MICHAELS, MARSHALL, MCINERNEY, D. COOK, KRUPSAC, POPE -- Adds Art. 12-F, General Municipal Law, repeals Section 64-B, Town Law, to authorize city, town or village to create conservation advisory council for promotion, development, management and protection of natural resources, including research into land area, coordination of activities of unofficial bodies organized therefor, and to cooperate with other bodies in area of community planning, and to describe request which may be made of conservation dept., including preparation of certain reports and description of work, technical and research work assistance, and description of areas requiring particular attention; appropriates \$200,000. Local Governments Com. Mar 31 Rept amend Apr 2 3rd rdg Apr 10 Amended Apr 18 Passed. Senate Finance Com Apr 19 Rept 3rd rdg Apr 20 Passed. To Gov. May 18 Law, Chap 901. 2505-A, B.

1970. A-124. H. POSNER; Multi-sponsored by: SCHMIDT, WAGER, MURPHY, FINK -- Creates temporary state commission to be known as Jamaica Bay Conservation and Development Commission, to promote the orderly, integrated and comprehensive development, use, enhancement, and conservation of scenic, recreational and natural resources of Jamaica Bay, with members to be appointed by governor, mayor of NY City, and to include members of federal govt., and certain local community leaders; appropriates \$50,000. Ways and Means Com. ● Same as S 931.

1970. S-931. SANTUCCI, LENT, ROSENBLATT, SCHWARTZ -- Creates temporary state commission to be known as Jamaica Bay Conservation and Development Commission, to promote the orderly, integrated and comprehensive development, use, enhancement, and conservation of scenic, recreational and natural resources of Jamaica Bay, with members to be appointed by governor, mayor of NY City, and to include members of federal govt., and certain local community leaders; appropriates \$50,000. Finance Com. Same as A 124. 931-A\*.

1970. S-8492. GIUFFREDA -- Creates Great South Bay conservation commission with headquarters in Suffolk co., to provide comprehensive plan for development, management and control of water and natural resources off Great South Bay in Suffolk co. Finance Com.

1971. A-5278. H. POSNER; Multi-sponsored by: FINK, SIMON, BREWER, COOPERMAN, GOLD, WAGER, SCHMIDT, FLACK, SHAROFF, SILVERMAN -- Creates Jamaica Bay conservation commission to compile and prepare comprehensive plan for orderly, efficient and balanced development, use, preservation and conservation of water and other resources thereof, and its shoreline which shall be submitted to legislature on or before Jan. 15, 1974, with Nassau-Suffolk marine resources council to constitute advisory committee to assist and advise commission. Governmental Operations Com. Same as S 3889. Apr 5 Amend and recommit. 5278-A.

1971. S-3889. HALPERIN, B. SMITH, SANTUCCI, SCHWARTZ, BRONSTON, MEYERSON, LEWIS -- Creates Jamaica Bay conservation commission to compile and prepare comprehensive plan for orderly, efficient and balanced development, use, preservation and conservation of water and other resources thereof, and its shoreline, which shall be submitted to legislature on or before Jan. 15, 1974, with Nassau-Suffolk marine resources council to constitute advisory committee to assist and advise commission. Finance Com. Same as A 5278. Apr 6 Amend and recommit. 3889-A.

1972. S-8399. PRESENT -- Adds Section 155, Conservation Law, to require that conservation comr. appoint advisory board of 7 members in division of fish and game for advising and assisting him in carrying out functions, powers and duties of office as set forth in such division, with members to be drawn from interested and informed sportsmen and conservationists as well as representation of broad interest of state in conservation. Conservation Com. Same as A 9904.

1972. A-9904. EMERY -- Adds Section 155, Conservation Law, to require that conservation comr. appoint advisory board of 7 members in division of fish and game for advising and assisting him in carrying out functions, powers and duties of office as set forth in such division, with members to be drawn from interested and informed sportsmen and conservationists as well as representation of broad interests of state in conservation. Conservation Com. Same as S 8399. May 2 Rules rept 3rd rdg Passed. May 3 Sen Conserv Com.

1972. S-5275. BARCLAY -- Amends Section 956, Conservation Law, to repeal provisions requiring that regional environmental management councils shall supersede and replace individual county councils and exercise all powers otherwise accruing to latter. Conservation Com. Same as A 3668.

1972. S-8643. NILES -- Amends Section 198, Conservation Law, to increase from 2 to 3, maximum number of times member of office of regional fish and wildlife management board shall be eligible to succeed himself. Conservation Com. Same as A 9326. Apr 20 Rept Apr 21 A 9326 sub.

1972. A-9326. HARRIS -- Amends Section 198, Conservation Law, to increase from 2 to 3, maximum number of times member of office of regional fish and wildlife management board shall be eligible to succeed himself. Conservation Com. Same as S 8643. Mar 15 Rept Mar 16 3rd rdg Mar 20 Passed. Mar 21 Sen Conserv Com Apr 21 Com disch Sub for S 8643 in Com of Whole 3rd rdg Apr 24 Passed. May 5 to Gov. May 24 Law, Chap 483.

1972. A-3668. HALEY -- Amends Section 956, Conservation Law, to repeal provisions requiring that regional environmental management councils shall supersede and replace individual county councils and exercise all powers otherwise accruing to latter. Conservation Com. Same as S 5275.

1972. A-7910. RULES COM. -- Amends Sections 951-953, 955-957, Conservation Law, to require that county environmental management council shall include 1 member of each city, town and village environmental conservation commission which has been created by local governing bodies within counties, instead of 1 member of each town and city conservation council, to authorize county governing body to appoint staff director for council, and to extend powers of council to include advising on matters affecting preservation, development and use of natural features of county, and to require that council submit annual report of its activities to county governing body; makes other changes. Rules Com. Jan 5 Ref chgd to Conserv. Com.

1972. S-10317. RULES COM. (Request of Mr. Giuffreda) -- Amends Sections 951-953, 955-957, Conservation Law, to permit county environmental management council to advise on all matters affecting preservation, conservation and ecologically suitable use of natural resources of county, to require council to annually submit report to counties governing board including account of council's activities and accomplishments, and to further require council to obtain from environmental conservation dept., copy of state environmental plan, and with preparation, content and subsequent revision, if any, of county environmental plan to be coordinated with state plan, and with copy of county plan to be filed with environmental conservation comr.; makes other related provisions. Conservation Com.

1972. A-12198. RULES COM. -- Amends Sections 951-953, 955-957, Conservation Law, to permit county environmental management council to advise on all matters affecting preservation, conservation and ecologically suitable use of natural resources of county, to require council to annually submit report to counties governing board including account of council's activities and accomplishments, and to further require council to obtain from environmental conservation dept., copy of state environmental plan, and with preparation, content and subsequent revision, if any, of county environmental plan to be coordinated with state plan, and with copy of county plan to be filed with environmental conservation comr.; makes other related provisions. Rules Com.



Apr 25 Rept 3rd rdg Passed. Apr 26 Sen Conserv Com Apr 27 Recalled by Assembly Vote recons Restored to 3rd rdg Amd May 3 Repassed. Sen Recom to Conserv Com Recalled by Assembly Vote recons Restored to 3rd rdg Amd May 8 Repassed. Sen Recom to Conserv Com May 9 Rept 3rd rdg Passed. To Gov. Jun 8 Law, Chap 904, 12198-A, B.

1973. A-6696. EMERY -- Adds Section 11-0104, Environmental Conservation Law, to require that comr. appoint advisory board of 7 members in division of fish and game for advising and assisting in carrying out functions, powers and duties of office as set forth therein, with members to be drawn from interested and informed sportsmen and conservationists as well as representation of broad interests of state in conservation. Environmental Com. Same as S 4447.

Definition of Navigable Waters  
Regarding Nassau and Suffolk Counties

1961. S-2252. MARCHI -- Amends Section 2, Navigation Law, to strike out provision which excepts from definition of navigable waters of state for regulation purposes, privately owned waters and waters of Long Island sound within Westchester co. and tide-waters within Nassau and Suffolk cos. Commerce and Navigation Com. Same as A 2807. Print S. 2374.

1961. S-2253. MARCHI -- Amends Section 2, Navigation Law, to include in definition of navigable waters of state for regulation purposes, waters of Long Island sound within Westchester co. and all tidewaters within Nassau and Suffolk Cos. Commerce and Navigation Com. Same as A 2805. Print S 2375.

1961. A-2807. QUIGLEY -- Amends Section 2, Navigation Law, to strike out provision which excepts from definition of navigable waters of state for regulation purposes, privately owned waters and waters of Long Island sound within Westchester co. and tide-waters within Nassau and Suffolk cos. Commerce and Navigation Com. Same as S 2252. Print A 2894.

1961. A-2805. QUIGLEY -- Amends Section 2, Navigation Law, to include in definition of navigable waters of state for regulation purposes, waters of Long Island sound within Westchester co. and all tidewaters within Nassau and Suffolk cos. Commerce and Navigation Com. Same as S 2253. Print A 2892.

1966. A-1258. BROWNE; Multi-sponsored by: RODELL -- Amends Section 2, Navigation Law, to extend definition of navigable waters of state, to include all tidewaters bordering and lying within boundaries of Nassau and Suffolk cos. Commerce and Navigation Com. Print A 1258.

1966. A-1707. KREMER -- Amends Section 2, Navigation Law, to extend definition of navigable waters of state, to include tidewaters bordering on and lying within boundaries of Nassau co., instead of to except such waters. Commerce and Navigation Com. Feb 16 Rept Feb 17 3rd rdg May 16 Committed to Rules Com. Print A 1727.

1967. A-4690. DOWD; Multi-sponsored by: KEENAN -- Amends Section 2, Navigation Law, to extend definition of navigable waters of state, to include tidewaters bordering on and lying within boundaries of Nassau and Suffolk cos. Commerce and Navigation Com. Same as S 3422. Mar 6 Rept Mar 7 3rd rdg Mar 15 Committed to Rules Com. Print A 4898.

1967. S-3422. LENT -- Amends Section 2, Navigation Law, to extend definition of navigable waters of state, to include tidewaters bordering on and lying within boundaries of Nassau and Suffolk cos. Commerce and Navigation Com. Same as A 4690.

1968. A-6467. RULES COM. (Request of Mr. Dowd) -- Amends Section 2, Navigation Law, to extend definition of navigable waters of state to include all tidewaters bordering on and lying with boundaries of Nassau and Suffolk cos. Commerce and Navigation Com. Same as S 4679. Mar 20 Rept Mar 21 3rd rdg Mar 27 Committed to Rules Com. (Similar to S 2424 and A 5491 bills of 1969.)

1968. S-4679. B. SMITH -- Amends Section 2, Navigation Law, to extend definition of navigable waters of state to include all tidewaters bordering on and lying with boundaries of Nassau and Suffolk cos. Commerce and Navigation Com. Same as A 6467. Apr 9 Rept Apr 10 3rd rdg.

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Lands under Water, State Lands, Tidewaters

1963. A-4582. POMEROY -- Amends Section 75, Public Lands Law, to provide that right of general services comr. to grant lands under water to upland owners, including use and occupation by U.S., shall be subject to authorization and approval of legislature. Mortgage Com. Same as S 3092. Mar 12 Rept Mar 13 3rd rdg Mar 18 Stricken from cal See S 3092. Print A 4768.

1963. A-235. YOUNGLOVE -- Adds Section 75-a, Public Lands Law, amends Section 20, General City Law, to empower board or governing body authorized by law to sell or approve sale of city real property, by resolution, to apply to general services office for approval of proposal to dispose of interest in land now or formerly under water to upland owners, when not required for city purposes; fixes other provisions as to contents of resolution and investigations by general services comr. Mortgage Com. Same as S 706. Print A 235.

1963. S 706. CONKLIN -- Adds Section 75-a, Public Lands Law, amends Section 20, General City Law, to empower board or governing body authorized by law to sell or approve sale of city real property, by resolution, to apply to general services office for approval of proposal to dispose of interest in land now or formerly under water to upland owners, when not required for city purposes; fixes other provisions as to contents of resolution and investigations by general services comr. Finance Com. Same as A 235. Print S 706.

1963. S-3092. BUSH -- Amends Section 75, Public Lands Law, to provide that right of general services comr. to grant lands under water to upland owners, including use and occupation by U.S., shall be subject to authorization and approval of legislature. Finance Com. Same as A 4582. Mar 11 Rept Mar 12 3rd rdg Mar 13 Passed. Assembly Rules Com Mar 18 Com discharged 3rd rdg Passed. Mar 27 Senate Vote reconsidered Restored to 3rd rdg. Print S. 3297.

1963. S-3744. RULES COM. -- Ratifies conveyance of certain land under water to town of North Hempstead, Nassau co., and actions of state office of general services in connection therewith. Finance Com. Same as A 5093. Apr 1 Rept 3rd rdg Apr 2 A 5093 substituted. Print S 4448.

1964. A-5149. RULES COM. -- Amends Sections 302, 303, Conservation Law, to provide that state-owned lands under water shall not be leased for shellfish cultivation where there is indicated presence of shellfish in sufficient quantity and quality and so located as to support significant hand raking or tonging harvesting, to permit conservation dept. to refuse to enter into any lease for such cultivation which is not in best interest of state, and to make certain other changes as to leases of and tax on such lands held under franchise. Rules Com. Same as S 3679. Print A 5633.

1964. S-3679. RULES COM. -- Amends Sections 302, 303, Conservation Law, to provide that state-owned lands under water shall not be leased for shellfish cultivation where there is indicated presence of shellfish in sufficient quantity and quality and so located as to support significant hand raking or tonging harvesting, to permit conservation dept. to refuse to enter into any lease for such cultivation which is not in best interest of state, and to make certain other changes as to leases of and tax on such lands held under franchise. Finance Com. Same as A 5149.

1965. A-4879. LIFSET -- Amends Sections 302, 303, Conservation Law, to provide that lands under water shall not be leased where there is indicated presence of shellfish in sufficient quantity and quality and so located as to support significant hand raking or tonging harvesting, with under water lands where bay scallops are produced regularly on commercial basis not to be leased for shellfish cultivation; makes other changes as to areas, leases and shellfish cultivation generally. Conservation Com. Same as S 3774. Apr 13 Amend and recommit May 20 Rules rept 3rd rdg S 3774 substituted. Prints A 5032, 6498.

1965. S-3774. BEGLEY -- Amends Sections 302, 303, Conservation Law, to provide that lands under water shall not be leased where there is indicated presence of shellfish in sufficient quantity and quality and so located as to support significant hand raking or tonging harvesting, with under water lands where bay scallops are produced regularly on commercial basis not to be leased for shellfish cultivation; makes other changes as to areas, leases and shellfish cultivation generally. Conservation Com. Apr 28 rept amend May 6 3rd rdg May 10 passed. May 11 Assembly Rules Com May 20 Com discharged subst for A 4879 on 3rd rdg passed. June 10 to Governor. June 21 Law Chap 407. Prints S 4111, 5226. Same as A 4879.

1965. A-1231. ROSENBERG. -- Adds Section 40, Public Lands Law, to prohibit filling or altering character of any state-owned lands below water and waters of any lake or stream without obtaining permit, easement or grant in title from conservation comr., and to fix other relative provisions. Ways and Means Com. Same as S 482. Mar 18 Amend and recommit May 11 Rept May 12 3rd rdg May 17 Amended May 26 Passed. May 27 Senate Rules Com Com discharged Substituted for S 482 on 3rd rdg Passed. Jun 22 To Gov. Jul 19 Vetoed (Memo 402). Prints A 1231, 5286, 6994.

1965. A-5975. RULES COM. -- Authorizes general services comr. to convey, regardless of upland ownership, all right, title and interest of state to certain lands now or formerly under waters of Gravesend Bay, Kings co. Rules Com. Same as S 4547. Jun 15 Rept 3rd rdg Passed. Senate Rules Com Jun 16 Rept 3rd rdg Jun 21 Passed. Jun 22 To Gov. Jul 17 Law Chap 923. Print A 6868.

1965. A-693. CUMMINGS -- Amends Section 60-a, Conservation Law, Section 532, Real Property Tax Law, to prohibit conservation dept. from acquiring additional state lands, by gift or purchase, in any township if aggregate area equals or exceeds 20 per cent of total land area of township, except with approval of board of supervisors of county, with excess to be taxed at full value; applies outside of Adirondack and Catskill parks. Conservation Com. Same as S 347. Print A 693.

1965. S-4547. RULES COM. -- Authorizes general services comr. to convey, regardless of upland ownership, all right, title and interest of state to certain lands now or formerly under waters of Gravesend Bay, Kings co. Rules Com. Same as A 5975. Jun 10 Rept June 14 3rd rdg Jun 15 Passed. Assembly Rules Com. Print S 5542.

1965. S-347. WILLARD -- Amends Section 60-a, Conservation Law, Section 532, Real Property Tax Law, to prohibit conservation dept. from acquiring additional state lands, by gift or purchase, in any township if aggregate area equals or exceeds 20 per cent of total land area of township, except with approval of board of supervisors of county, with excess to be taxed at full value; applies outside of Adirondack and Catskill parks. Finance Com. Same as A 693. Print S 347.

1965. S-482. VAN LARE -- Adds Section 40, Public Lands Law, to prohibit filling or altering character of any state-owned lands below water and waters of any lake or stream without obtaining permit, easement or grant in title from conservation comr., and to fix other relative provisions. Finance Com. Same as A 1231. Mar 18 Amend and recommit May 17 Amend and recommit May 20 Rept May 24 3rd rdg May 26 Passed. Assembly Rules Com Recalled by Senate May 27 Senate Vote reconsidered Restored to 3rd rdg A 1231 substituted. Prints S 482, 3529, 5524.

1966. A-3899. KINGSTON -- Amends Section 77, Public Lands Law, to require that every applicant for grant of land under water to cause notice to be published at least once a week for 4 instead of 6 weeks, successively, with such period to be full period of 28 days. Ways and Means Com. Same as S 1751. Mar 1 Rept Mar 2 S 1751 substituted. Print A 3993.

1966. S-1751. LYNCH -- Amends Section 77, Public Lands Law, to require that every applicant for grant of land under water to cause notice to be published at least once a week for 4, instead of 6 weeks, successively, with such period to be full period of 28 days. Finance Com. Same as A 3899. Feb 14 Rept Feb 15 3rd rdg Feb 16 Passed. Assembly Ways and Means Com Mar 2 Com discharged Substituted for A 3899 on 2nd rdg 3rd rdg Mar 8 Recommitted to Ways and Means Com. Print S 1800.

1966. S-4251. RULES COM. -- Amends Section 429-b, Conservation Law, to prohibit person and local public corporation from

excavating or placing fill in tidewaters bordering on and lying within boundaries of Nassau and Suffolk cos. Conservation Com. Print A 4489.

1967. S-1356. HUGHES -- Amends Section 77, Public Lands Law, to reduce from 6 to 4 weeks, period for publishing of notice of application for grants of lands under water, which period shall be full 28 day period. Finance Com. Same as A 3402. Mar 14 Rept Mar 15 3rd rdg May 16 Passed. Assembly Rules Com.

1967. S-4314. RULES COM. -- Amends Section 301, Conservation Law, to provide that in areas of marine district not included under Section 429-b, no person or local public corporation shall be issued permit to excavate or place fill unless marine fisheries advisory committee has first been consulted, and advisory opinion rendered to town board of town in which land is situated. Conservation Com. Same as A 5999.

1967. A-3402. TERRY -- Amends Section 77, Public Lands Law, to reduce from 6 to 4 weeks, period for publishing of notice of application for grants of lands under water, which period shall be full 28 day period. Ways and Means Com. Same as S 1356. Print A 3485.

1967. A-5999. RULES COM. -- Amends Section 301, Conservation Law, to provide that in areas of marine district not included under Section 429-b, no person or local public corporation shall be issued permit to excavate or place fill unless marine fisheries advisory committee has first been consulted, and advisory opinion rendered to town board of town in which land is situated. Rules Com. Same as S 4314. Print A 6599.

1970. A-2625. BURNS -- Amends Section 429-b, Conservation Law, to prohibit person or local public corporation from excavating or placing fill in tidewaters bordering on and lying within boundaries of Nassau and Suffolk cos., without first obtaining permit therefor. Conservation Com. Same as S 6431.

1970. S-6431. B. SMITH -- Amends Section 429-b, Conservation Law, to prohibit person or local public corporation from excavating or placing fill in tidewaters bordering on and lying within boundaries of Nassau and Suffolk cos., without first obtaining permit therefor. Conservation Com. Same as A 2625.

1973. A-1908. STAVISKY -- Amends Section 75, Public Lands Law, to require that grant by comr. of general services to owners of land adjacent, of certain lands under water for beneficial enjoyment or for certain specified public purposes, shall need enactment of law subsequent of approval by comr. and before transfer of title if grant is in excess of 10,000 square feet for other than public uses. Governmental Operations Com.

1973. A-2227. H. POSNER; Multi-sponsored by: Berle, Blumenthal, Brewer, Koppell, Kremer, Landes, Leichter, Olivieri, Thorp -- Enacts Tidal Wetlands Act, requiring comr. to make inventory of all tidal wetlands in state and to prepare maps or aerial photographs thereof and to hold public hearings with notice to owners, to determine boundaries and designate such wetlands, with no change to be made therein before completion of inventory, and to prohibit certain activities as to draining, dredging, soil removal or obstructions thereto, without permission, after completion of inventory; prescribes procedure for application for permits and additional powers of comr. for protection of such land. Environmental Com.

1973. A-4092. LANDES -- Adds Art. 14, Environmental Conservation Law, to require environmental conservation comr., within 2 years, to make inventory and maps of all tidal wetlands within state to be filed in respective recording offices of counties in which they are located, with comr. authorized to regulate dredging and filling thereof, subject to holding public hearings or making or changing any order therefor, and to specify activity to be regulated and for which permit may be issued. Environmental Com.

1973. A-6032. LANDES; Multi-sponsored by: Barbaro, Bianchi, Blumenthal, Brown, Calabretta, Cincotta, Cooperman, DiFalco, Gottfried, Griffith, Hochberg, Koppell, LaFalce, Lasher, Lentol, Lewis, McCabe, H. J. Miller, Nicolosi, Passannante, Pesce, Silverman, Stavisky, Stein, Strelzin, Thorp, Weprin -- Adds Art. 14, Environmental Conservation Law, to require comr., within 2 years, to make inventory and maps of all tidal wetlands to be filed in respective recording offices of counties in which located, with comr. authorized to regulate dredging and filling thereof, subject to holding public hearings or making or changing any order therefor, and to specify activity to be regulated and for which permit may be issued. Environmental Com. Same as S 5145.

1973. S-5145. HALPERIN, GARCIA, BURSTEIN, BLOOM, ZARETZKI, SANTUCCI, LEWIS, GOLDIN, GLINSKI, GALIBER, FERRARO, BRONSTON, BOOKSON, BELLAMY, VON LUTHER, STRAUB, OHRENSTEIN, MEYERSON, KRUPSAK -- Adds Art. 14, Environmental Conservation Law, to require comr., within 2 years, to make inventory and maps of all tidal wetlands to be filed in respective recording offices of counties in which located, with comr. authorized to regulate dredging and filling thereof, subject to holding public hearings or making or changing any order therefor, and to specify activity to be regulated and for which permit may be issued. Conservation Com. Same as A 6032.

1973. S-6622. RULES COM. -- Amends Sections 25-0103, -0202, -0302, -0402, -0404, -0602, Environmental Conservation Law, Proposed Chap. of 1973, to extend definition of tidal wetlands to include that part of intertidal zone upon which grows or may grow low-marsh cordgrass and basins and flats of intertidal zone

below such vegetation, with comr. authorized to issue permit with respect to alteration of tidal wetland or area immediately adjacent thereto that is subject to moratorium, and with person seeking variance from strict letter of land use regulations governing uses of inventoried wetlands permitted to make application therefor to comr., who may vary or modify application of regulations; makes related provisions and appropriates \$500,000 to carry out inventory of tidal wetlands. Conservation Com. Same as A 8118. May 25 Rept 3rd rdg May 26 May 27 Recom to Conser Com.

1973. A-8118. RULES COM. (Request of Mr. Costigan) -- Amends Sections 25-0103, -0202, -0302, -0402, -0404, -0602, Environmental Conservation Law, Proposed Chap. of 1973, to extend definition of tidal wetlands to include that part of intertidal zone upon which grows or may grown low-marsh cordgrass and basins and flats of intertidal zone below such vegetation, with comr. authorized to issue permit with respect to alteration of tidal wetland or area immediately adjacent thereto that is subject to moratorium, and with person seeking variance from strict letter of land use regulations governing uses of inventoried wetlands permitted to make application therefor to comr., who may vary or modify application of regulations; makes related provisions and appropriates \$500,000 to carry out inventory of tidal wetlands. Rules Com. Same as S 6622. May 26 Rept 3rd rdg Lost and tabled. Taken from table. Vote recons Restored to 3rd rdg May 27 Recom to Rules Com.

1973. A-6575. LEVY -- Adds Art. 24, Sections 71-2401-2404, amends Section 71-0501, Environmental Conservation Law, to enact tidal and inland wetlands law to protect and preserve wetlands and benefits derived therefrom and to prevent further despoliation and destruction thereof; makes provisions for making of inventory of all wetlands and places moratorium on alteration thereof, provides for cooperative agreements, restrictions on permissible uses, naming of wetlands advisory committee, and for regulation and protection by means of permits. Environmental Com. Same as S 5429.

1973. S-5429. ACKERSON, B. SMITH, ROLISON, PATTERSON -- Adds Art. 24, Sections 71-2401-2404, amends Section 71-0501, Environmental Conservation Law, to enact tidal and inland wetlands law to protect and preserve wetlands and benefits derived therefrom and to prevent further despoliation and destruction thereof; makes provisions for making of inventory of all wetlands and places moratorium on alteration thereof, provides for cooperative agreements, restrictions on permissible uses, naming of wetlands advisory committee, and for regulation and protection by means of permits. Conservation Com. Same as A 6575. May 16 Rept May 22 3rd rdg May 26 Passed. Assy Rules Com.

1973. S-1525. B. SMITH, LEVY, DUNNE, MARINO, GIUFFREDA, TRUNZO -- Adds Art. 25, amends Section 11-2101, repeals Section 11-2307, Environmental Conservation Law, to enact provisions to



preserve and protect tidal wetlands of state to prevent their despoliation and destruction, to provide for inventory of all tidal wetlands and to place moratorium on alteration thereof; provides for program and cooperative agreements for protection of such lands and land use regulation thereof including need for permits before altering natural condition of such lands; makes related provisions and repeals provision relating to cooperative agreements with towns and counties concerning lands dedicated to conservation purposes. Conservation Com. Same as A 379. Feb 12 Amd & recom Mar 14 Rept Mar 15 379-B sub. 1525-A.

1973. A-379. COSTIGAN: Multi-sponsored by: Duryea, Margiotta, Wertz, O'Doherty, Cochrane, McCarthy, Flanagan, Burns, Bianchi -- Adds Art. 25, amends Section 11-2101, repeals Section 11-2307, Environmental Conservation Law, to enact provisions to preserve and protect tidal wetlands of state to prevent their despoliation and destruction, to provide for inventory of all tidal wetlands and to place moratorium on alteration thereof; provides for program and cooperative agreements for protection of such lands and land use regulation thereof including need of permits before altering natural condition of such lands; makes related provisions and repeals provision relating to cooperative agreements with towns and counties concerning lands dedicated to conservation purposes. Conservation Com. Same as S 1525. Jan 8 Ref chgd to Environ Com Jan 16 Amd & recom Feb 7 Amd & recom Feb 28 Rept Mar 1 3rd rdg Mar 12 Motions to amend lost Passed. Mar 13 Sen Conserv Com Mar 15 Com disch Sub for S 1525-A in Com of Whole Mar 20 3rd rdg Mar 21 Motions to Amend lost Passed. Mar 29 To Gov. Apr 10 Recalled from Gov. May 14 Returned to Gov. Chapter 790. 379-A, B.

## Law Enforcement

1960. S-1524. DOMINICK -- Amends Section 380, Conservation Law, to grant to sheriffs, under-sheriffs and regular deputy sheriffs, power to search without warrant for enforcing fish and game law provisions. Conservation Com. (Same as A 837.)  
Printed No. S 1535.

1960. A-837. WALMSLEY -- Amends Section 380, Conservation Law, to grant to sheriffs, under-sheriffs and regular deputy sheriffs, power to search without warrant for enforcing fish and game law provisions. Judiciary Com. (Same as S. 1524.)  
Printed No. A 837.

1963. S-3322. DOMINICK -- Amends Section 180, Conservation Law, to require that in each fish and wildlife management district, mobile fish pollution control unit shall be maintained by conservation dept. for enforcement of prohibition against polluting streams; appropriates \$200,000. Finance Com.  
Print S 3585.

1964. A-5248. RULES COM. -- Amends Sections 380, 381, 386, 387, 389, Conservation Law, to authorize enforcement officers to seize rakes, tongs, dredges, or device other than boat or vehicle, used or in possession for use in violation of restrictions against taking shellfish from uncertified areas and at night, to provide for civil compromise, and to increase penalties for conviction for violations relating to shellfish generally. Rules Com. Same as S 3750. Mar 12 Amend and recommit Mar 18 Rept 3rd rdg Passed. Mar 19 Senate Conservation Com Mar 23 Rept 3rd rdg Mar 24 Passed. Mar 26 To Gov. Apr 16 Law Chap. 618. Prints A 5870, 6023.

1964. S-3750. RULES COM. -- Amends Sections 380, 381, 386, 387, 389, Conservation Law, to authorize enforcement officers to seize rakes, tongs, dredges, or device other than boat or vehicle, used or in possession for use in violation of restrictions against taking shellfish from uncertified areas and at night, to provide for civil compromise, and to increase penalties for conviction for violations relating to shellfish generally. Conservation Com. Same as A 5248. Mar 16 Rept amend Mar 23 3rd rdg.  
Prints S 4289, 4526.

1965. A-4735. MARVIN -- Amends Sections 301, 388, Conservation Law, Section 154, Criminal Code, to require that conservation comr. shall appoint for Bureau of Marine Fisheries, conservation officers, instead of shell fish protectors and to change designation from game protector to conservation officer, in provisions relating to infraction of refusing to exhibit license on demand, and to designate as peace officer, regional and assistant regional conservation officers and conservation officer, and to strike out from such definition district marine and marine fisheries protectors and district, assistant district

and regular game protectors. Conservation Com. Same as S 3969. Apr 13 Rept Apr 14 3rd rdg Apr 28 Amended May 11 Passed. May 12 Senate Rules Com Jun 7 Rept June 8 3rd rdg Jun 9 Passed. June 22 To Gov. July 19 Law, Chap 979. Prints A 4858, 6684.

1965. S-3969. BUSH -- Amends Sections 301, 388, Conservation Law, Section 154, Criminal Code, to require that conservation comr. shall appoint for Bureau of Marine Fisheries, conservation officers, instead of shell fish protectors, and to change designation from game protector to conservation officer, in provisions relating to infraction of refusing to exhibit license on demand, and to designate as peace officer, regional and assistant regional conservation officers and conservation officer, and to strike out from such definition district marine and marine fisheries protectors and district, assistant district and regular game protectors. Conservation Com. Same as A 4735. Print S 4410.

1968. S-1268. HUDSON -- Amends Section 1-0303, adds Art. 2, Conservation Law, amends Section 154, Criminal Code, to provide for law enforcement division in conservation dept. with director and deputies to be appointed by conservation comr. and with enforcement provisions of conservation law and navigation law transferred from other divisions thereto, and with enforcement officers to be peace officers. Conservation Com. Jan 22 Amend and recommit Mar 27 Rept. 1268-A.

1968. A-2453. STOCKMEISTER; Multi-sponsored by: SEARS -- Amends Section 1-0303, adds Arts. 2, 4-A, repeals Section 301, Conservation Law, amends Section 154, Criminal Code, to provide for law enforcement division in conservation dept. with director and deputies to be appointed by conservation comr. and with enforcement provisions of conservation law and navigation law transferred from other divisions thereto, and with enforcement officers to be peace officers; establishes marine resources division with director and assistant to be appointed by comr. Conservation Com. Mar 20 Rept Mar 21 3rd rdg Mar 27 Amended Apr 30 Passed. May 1 Senate Conservation Com Recalled by Assembly May 6 Vote reconsidered Restored to 3rd rdg Amended May 14 Repassed. May 15 Senate Recommitted to Conservation Com May 24 Rept 3rd rdg. 2453-A, B.

1970. A-2978. KELLEHER; Multi-sponsored by: GILMAN, SEARS -- Amends Section 1-0303, adds Art. 2, Conservation Law, amends Section 154, Criminal Code, to establish in conservation dept., division of law enforcement with director, deputy director, chief inspector and other officers and employees to be appointed by comr., with powers and duties transferred from bureau of law enforcement and other enforcement provisions of conservation law and navigation law, and with certain officials thereof to be peace officers. Conservation Com. Mar 12 Amend and recommit. 2978-A

1970. S-4863. RULES COM. -- Amends Section 1-0303, adds Art. 2,

4-A, repeals Section 301, Conservation Law, amends Section 154, Criminal Code, to provide for law enforcement division in conservation dept. with director and deputies to be appointed by conservation comr. and with enforcement provisions of conservation law and navigation law transferred from other divisions thereto, and with enforcement officers to be peace officers; establishes marine resources division with director and assistants to be appointed by comr. Conservation Com. 4863-A\*.

1970. S-7793. HUDSON -- Amends Section 1-0303, adds Art. 2, Conservation Law, amends Section 154, Criminal Code to establish in conservation dept., division of law enforcement with director, deputy director, chief inspector and other officers and employees to be appointed by comr., with powers and duties transferred from bureau of law enforcement and other enforcement provisions of conservation law and navigation law, and with certain officials thereof to be peace officers. Conservation Com.

1972. A-12022. RULES COM. -- Amends Sections 316, 387, Conservation Law, to make it unlawful for operator of motor vehicle, boat or conveyance of any kind, or any person, signaled to stop by enforcement officer, to throw or dump into water, any lobster, or contents of pail, bag, barrel or any matter whatsoever, before enforcement officer has inspected same; changes certain requirements as well as designation of area within which certain non-residents or residents of less than 6 months, may take lobster with permit from dept. and fixes schedule of punishments for various lobster-taking violations. Conservation Com. Same as S 10072. Apr 25 Rules rept 3rd rdg S 10072 sub.

1972. A-9989. HARRIS; Multi-sponsored by: EMERY -- Amends Section 380, Conservation Law, to extend duties of conservation officers and regional officers to include enforcement of all laws relating to environment. Conservation Com. Mar 22 Rept Mar 23 3rd rdg Mar 27 amended Apr 21 Passed. Apr 24 Sen Conserv Com. 9989-A.

1972. S-10072. RULES COM. -- Amends Sections 316, 387, Conservation Law, to make it unlawful for operator of motor vehicle, boat or conveyance of any kind, or any person, signaled to stop by enforcement officer, to throw or dump into water, any lobster, or contents of pail, bag, barrel or any matter whatsoever, before enforcement officer has inspected same; changes certain requirements as well as designation of area within which certain non-residents or residents of less than 6 months, make take lobster with permit from dept., and fixes schedule of punishment for various lobster-taking violations. Conservation Com. Same as A 12022. Apr 20 Rept Apr 21 3rd rdg Apr 24 Passed Assy Rules Com Apr 25 Com disch Sub for A 12022 on 2nd 3rd rdg Passed. May 8 to Gov. Jun 2 Law, Chap 820.

1972. S-8630. B. SMITH -- Amends Section 380, Conservation Law, to extend duties of various law enforcement officers to

enforce all laws relating to fish, wildlife, shellfish, crustacea, protected insects and game, to include laws relating to environment. Conservation Com.

1973. A-2448. LANE -- Amends Section 71-0907, Environmental Conservation Law, to extend provisions relating to duty of officers of dept. and members of state police to enforce laws relating to fish and game, to include laws relating to environment. Environmental Com. Same as S 1392.

1973. A-5244. PESCE; Multi-sponsored by: Barbaro -- Amends Section 3-0107, Environmental Conservation Law, to require comr. to create bureau with responsibility to enforce provisions of environmental conservation law. Environmental Com.

1973. A-6734. LEVINE -- Amends Section 71-0505, Environmental Conservation Law, to allow any private citizen of state to bring action for declaratory judgment and equitable relief to enforce environmental conservation law against any person or corporation and if successful, to recover costs and reasonable attorneys' fees. Environmental Com.

1973. A-2577. BERLE -- Adds Art. 79, Civil Practice Law and Rules, to authorize attorney general, city, village or township or citizen of state or organization whose charter includes promoting natural resources or environment, to maintain action for relief against any person, govt. or agency thereof, for protection of air, water, or other natural resources of state from pollution, impairment or destruction, or for protection of public trusts therein, to prescribe procedure, power of court and judicial review. Codes Com.

1973. A-1910. STAVISKY -- Permits attorney-general, city, village or town, or citizen of state to maintain action for declaratory and equitable relief in name of state against person, including governmental instrumentality or agency, for protection of air, water and other natural resources of state, from pollution, impairment or destruction, or for protection of public trust and natural resources of state, to provide for appointment by court of master or referee to take testimony and report, and for temporary and permanent equitable relief, with right to review. Judiciary Com.

1973. A-266. LANDES -- Authorizes attorney general, political subdivision of state, instrumentality or agency thereof or of political subdivision, any person, partnership or other legal entity, to maintain action in supreme court for declaratory and equitable relief for protection of air, water and other natural resources and public trust therein from pollution, impairment or destruction, to prescribe procedure therefor and determination thereof, with 50% of fine or penalty to be turned over to plaintiffs. Judiciary Com.

1973. S-1392. B. SMITH, W. SMITH -- Amends Section 71-0907, Environmental Conservation Law, to extend provisions relating to duty of officers of dept. and members of state police to enforce laws relating to fish and game, to include laws relating to environment. Conservation Com. Same as A 2448. Feb 7 Rept Feb 12 3rd rdg Feb 13 Passed. Feb 14 Assy Conser Com.

#### Gill Nets and Pound Nets

1968. S-4973. ROLISON -- Amends Section 32-c, Navigation Law, to change provisions making certain interference with navigation, misdemeanor, by fixing new provisions making it offense for person to place or permit to be placed, in any navigable waters of state, any material, or to build any structure therein, which constitutes hazard to navigation, and to authorize peace officers to remove such material or structure. Commerce and Navigation Com. Same as A 6377. Apr 3 Rept Apr 4 A 6377 substituted.

1968. A-6377. RULES COM. -- Amends Section 32-c, Navigation Law, to change provisions making certain interference with navigation, misdemeanor, by fixing new provisions making it offense for person to place or permit to be placed, in any navigable waters of state, any material, or to build any structure therein, which constitutes hazard to navigation, and to authorize peace officers to remove such material or structure. Commerce and Navigation Com. Same as S 4973. Mar 20 Rept Mar 21 3rd rdg Mar 27 Passed. Mar 28 Senate Commerce and Navigation Com Apr 4 Com discharged Substituted for S 4973 in Com of Whole May 6 3rd rdg.

1969. A-6653. RULES COM. -- Amends Section 323, Conservation Law, to permit use of gill nets and pound nets in fishing activities in waters of Great Peconic Bay and Little Peconic Bay, Suffolk co. Conservation Com.

1970. S-6173. GIUFFREDA -- Amends Section 323, Conservation Law, to prohibit use of gill nets in Long Island sound west of imaginary line extending north from easterly boundary of town of Brookhaven on north shore of Long Island, Suffolk co. Conservation Com.

1970. A-997. COSTIGAN -- Amends Section 323, Conservation Law, to prohibit use of gill nets in Long Island sound west of imaginary line extending north from easterly boundary of town of Brookhaven on north shore of Long Island, Suffolk co. Conservation Com. Feb 17 Amend and recommit Mar 11 Rept Mar 12 3rd rdg Mar 16 Passed. Mar 17 Senate Conservation Com Apr 20 Rept 3rd rdg Passed. To Gov. May 12 Law, Chap. 761. 997-A.

1971. S-6326. RULES COM. -- Amends Section 323, Conservation

Law, to permit pound or trap nets to be used in Suffolk co. in waters lying westerly of imaginary line extending southerly from Long Beach Point in Southold town of Cedar Point at eastern entrance to Sag Harbor, when permitted by comr., if such do not interfere with or obstruct navigation or carrying out of shellfish culture. Conservation Com. Same as A 7401. May 6 Rept May 7 3rd rdg May 10 Passed. Assembly Rules Com May 17 Rept 3rd rdg Passed. Jun 6 to Gov. Jun 17 Law, Chap 590.

1971. A-7401. RULES COM. -- Amends Section 323, Conservation Law, to permit pound or trap nets to be used in Suffolk co. in waters lying westerly of imaginary line extending southerly from Long Beach Point in Southold town of Cedar Point at eastern entrance to Sag Harbor, when permitted by comr., if such do not interfere with or obstruct navigation or carrying out of shellfish culture. Conservation Com.● Same as S 6326.

1972. A-11865. RULES COM. -- Amends Section 323, Conservation Law, to permit use of gill nets in certain described waters in Suffolk co., when permitted by comr., if they do not interfere with or obstruct navigation or carrying out of shellfish culture; prohibits use of gill nets from midnight Thursday to 6 P.M. Sunday. Conservation Com.

1973. S-2104. GIUFFREDA -- Amends Section 13-0343, Environmental Conservation Law, to extend provisions permitting use of pound or trap nets, when permitted by comr., in Suffolk co., in certain waters west of imaginary line from Long Beach Point to Cedar Point, to include use of gill nets, but to prohibit such use from midnight Thursday to 6 P.M. Sunday. Conservation Com. Same as A 2657.

1973. A-2657. COSTIGAN -- Amends Section 13-0343, Environmental Conservation Law, to extend provisions permitting use of pound or trap nets, when permitted by comr., in Suffolk co., in certain waters west of imaginary line from Long Beach Point to Cedar Point, to include use of gill nets, but to prohibit such use from midnight Thursday to 6 P.M. Sunday. Environmental Com. Same as S 2104. Feb 21 Rept Feb 22 3rd rdg May 27 Com to Rules Com.

## Seines

1963. A-4827. RULES COM. -- Amends Section 275, Conservation Law, to provide that no person shall use hauling seine or net in Atlantic ocean within 300 feet of coastline, and to prohibit drawing thereof beneath ice in any waters. Conservation Com. Print A 5101.

1964. S-2572. BARRETT -- Amends Section 323, Conservation Law, to provide that within 3 nautical miles of Atlantic coastline and in all other tidal waters within state, use of purse seines for taking food fish is prohibited, and to repeal special provisions prohibiting taking of porgies with nets in waters of Richmond co. and Kings and Queens cos. Conservation Com. Same as A 4343. Mar 3 Rept Mar 4 3rd rdg Mar 10 A 4343 substituted. Print S 2697.

1964. A-4343. LAWRENCE -- Amends Section 323, Conservation Law, to provide that within 3 nautical miles of Atlantic coastline and in all other tidal waters within state, use of purse seines for taking food fish is prohibited, and to repeal special provisions prohibiting taking of porgies with nets in waters of Richmond co. and Kings and Queens cos. Conservation Com. Same as S 2572. Mar 2 Rept Mar 3 3rd rdg Mar 9 Passed. Mar 10 Senate Substituted for S 2572 on 3rd rdg Mar 11 Passed. Mar 21 To Gov. Apr 10 Law Chap. 510. Print A 4544.

### Trawls, Beam and Otter

(See also 1963 Bills A-2345 & S-1487 under Fluke)

1950. S-261. MOSBERG -- Amends Section 322, Conservation Law, to prohibit use of trawls in Atlantic ocean within one mile instead of within  $\frac{1}{2}$  mile of coast from breakwater at Rockaway Point to jetty at East Rockaway inlet. Conservation Com. (Same as A 1837.) Printed No. S 261.

1960. A-1837. FOX -- Amends Section 322, Conservation Law, to prohibit use of trawls in Atlantic ocean within one mile instead of within  $\frac{1}{2}$  mile of coast from breakwater at Rockaway Point to jetty at East Rockaway inlet. Conservation Com. (Same as S 261.) Printed No. A 1839.

1962. A-4474. DURYEA -- Amends Section 320, Conservation Law, to provide that reciprocal privileges to take food fish in Atlantic ocean by beam trawls and otter trawls, shall not apply to non-residents of state if laws of state of residents are more restrictive as to areas which can be fished in such manner than laws of N.Y. Conservation Com. Print A 4721.

1964. S-3154. MEIGHAN -- Amends Section 387, Conservation Law, to provide that misdemeanors consisting of violations relating to beam and otter trawls shall be punishable by fine



of not less than \$100, nor more than \$250, and for 2nd conviction, by fine of not less than \$250 nor more than \$500, and on 3rd conviction, by fine of \$700 or confiscation of gear, or both. Conservation Com. Same as A 4664. Print S 3425.

1964. A-4664. GIOFFRE -- Amends Section 387, Conservation Law, to provide that misdemeanors consisting of violations relating to beam and otter trawls shall be punishable by fine of not less than \$100, nor more than \$250, and for 2nd conviction, by fine of not less than \$250 nor more than \$500, and on 3rd conviction, by fine of \$700 or confiscation of gear, or both. Codes Com. Same as S 3154. Print A 4926.

1964. A-3988.A.RYAN -- Amends Section 387, Conservation Law, to fix penalty for violations in use of beam trawls and otter trawls in Harlem river and East river and in Long Island sound, for 1st offense, at fine of not less than \$100 nor more than \$250, for 2nd offense, at fine of not less than \$250 nor more than \$500, and for 3rd offense, at fine of \$1,000 or confiscation of gear, or both. Codes Com. Print A 4119.

1964. A-5129. RULES COM. -- Amends Section 322, Conservation Law, to provide that beam and otter trawls shall not be set, used and maintained in Atlantic Ocean within  $\frac{1}{2}$  mile of coast line, and in all connecting tidal waters in shore of coast line, from Rockaway Inlet Jetty to town of Babylon bathing pavilion at Cedar Island Beach and in all tidal waters in shore of line therefrom to sea buoy at entrance of Fire Island inlet, and thence to seaward end thereof, instead of in certain specified waters and inlets. Conservation Com. Same as S 3619. Mar 10 Rept Mar 11 3rd rdg Mar 13 Passed. Mar 16 Senate Substituted for S 3619 in Com of Whole 3rd rdg Mar 17 Passed. Mar 21 To Gov. Apr 16 Law Chap. 590. Print A 5542.

1964. A-2743. A. RYAN -- Repeals Section 322, adds Section 322, Conservation Law, to strike out provisions listing waters of marine district where use of beam trawls and otter trawls are prohibited, and to fix new provisions providing that such trawl commercial fishing vessels shall not set, use or maintain in waters of marine district within 2 nautical miles of any beach or shoreline at any time. Conservation Com. Same as S 2485. Print A 2767.

1964. A-4051. GIOFFRE -- Repeals Section 322, adds Section 322, Conservation Law, to provide that beam trawl and otter trawl commercial fishing vessels shall not set, use or maintain in waters of marine district within 2 nautical miles of any beach or shoreline at any time, and to strike out provision listing waters of marine district where use of beam trawls and otter trawls are prohibited. Conservation Com. Same as S 2656. Print A 4182.

1964. S-2656. MEIGHAN -- Repeals Section 322, adds Section 322, Conservation Law, to provide that beam trawl and otter trawl

commercial fishing vessels shall not set, use or maintain in waters of marine district within 2 nautical miles of any beach or shoreline at any time, and to strike out provision listing waters of marine district where use of beam trawls and otter trawls are prohibited. Conservation Com. Same as A 4051. Print S 2796.

1964. S-3619. RULES COM. -- Amends Section 322, Conservation Law, to provide that beam and otter trawls shall not be set, used and maintained in Atlantic Ocean within  $\frac{1}{2}$  mile of coast line, and in all connecting tidal waters in shore of coast line, from Rockaway Inlet Jetty to town of Babylon bathing pavilion at Cedar Island Beach and in all tidal waters in shore of line therefrom to sea buoy at entrance of Fire Island inlet, and thence to seaward end thereof, instead of in certain specified waters and inlets. Conservation Com. Same as A 5129. Mar 12 Rept Mar 16 A-5129 substituted. Print S 4021.

1964. S-2485. MARINE -- Repeals Section 322, adds Section 322, Conservation Law, to strike out provisions listing waters of marine district where use of beam trawls and otter trawls are prohibited, and to fix new provisions providing that such trawl commercial fishing vessels shall not set, use or maintain in waters of marine district within 2 nautical miles of any beach or shoreline at any time. Conservation Com. Same as A 2743. Print S 2610.

1965. S-1237. GORDON -- Amends Section 387, Conservation Law, to provide that misdemeanors consisting of violations relating to beam and otter trawls shall be punishable by fine of not less than \$100, nor more than \$250, and for 2nd conviction, by fine of not less than \$250 nor more than \$500, and on 3rd conviction, by fine of \$700 or confiscation of gear or both. Conservation Com. Same as A 1741, 2132. Print S 1245.

1965. A-2025. RYAN -- Amends Section 387, Conservation Law, to provide that misdemeanors consisting of violations relating to beam and otter trawls shall be punishable by fine of not less than \$100, nor more than \$250, and for 2nd conviction, by fine of not less than \$250 nor more than \$500, and on 3rd conviction, by fine of \$700 or confiscation of gear or both. Conservation Com. Apr 13 Rept amend Apr 28 3rd rdg May 5 Passed. May 6 Senate Rules Com May 27 Rept Jun 1 3rd rdg Jun 2 Passed. Jun 22 To Gov. Jun 28 Vetoed (Memo 192). Prints A 2025, 6500.

1965. A-1741. GIOFFRE -- Amends Section 387, Conservation Law, to provide that misdemeanors consisting of violations relating to beam and otter trawls shall be punishable by fine of not less than \$100, nor more than \$250, and for 2nd conviction, by fine of not less than \$250 nor more than \$500, and on 3rd conviction, by fine of \$700 or confiscation of gear or both. Conservation Com. Same as S 1237; A 2132. Print A 1741.

1965. A-2132. RICE -- Amends Section 387, Conservation Law, to provide that misdemeanors consisting of violations relating to beam and otter trawls shall be punishable by fine of not less than \$100, nor more than \$250, and for 2nd conviction, by fine of not less than \$250 nor more than \$500, and on 3rd conviction, by fine of \$700 or confiscation of gear or both. Conservation Com. Same as S 1237; A 1741. Print A 2132.

1965. A-1947. GIOFFRE -- Amends Section 322, Conservation Law, to provide that beam and otter trawls shall not be set, used and maintained in water areas of marine district within one instead of  $\frac{1}{2}$  mile of coastline in Atlantic Ocean. Conservation Com. Same as S 1282; A 2007, 2028. Print A 1947.

1965. A-2029. RYAN -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provisions prohibiting use of beam and otter trawls in certain specified waters of marine districts, and to fix new provisions prohibiting use of such trawls in all waters of marine district of state within 2 nautical miles of any beach or shoreline or at any time. Conservation Com. Same as A 2008. Print A 2029.

1965. A-2007. RICE -- Amends Section 322, Conservation Law, to provide that beam and otter trawls shall not be set, used and maintained in water areas of marine district within one instead of  $\frac{1}{2}$  mile of coastline in Atlantic Ocean. Conservation Com. Same as S 1282; A 1947, 2028. Print A 2007.

1965. A-2131. RICE -- Amends Section 323, Conservation Law, to provide that restriction on using nets, and beam and otter trawls in Atlantic ocean within  $\frac{1}{2}$  mile of Moriches, Shinnecock and Mecox inlets, shall apply for distance of  $\frac{3}{4}$ th instead of  $\frac{1}{2}$  mile from entrances, and to include Block Island and from Shagwong Point easterly to Montauk Point and to point 4 miles west thereof. Conservation Com. May 26 Amend and recommit June 22 Rules rept 3rd rdg Passed. Senate Rules Com. Prints A 2131, 7156.

1965. A-2028. RYAN -- Amends Section 322, Conservation Law, to provide that beam and otter trawls shall not be set, used and maintained in water areas of marine districts within 1 instead of  $\frac{1}{2}$  mile of coastline in Atlantic Ocean. Conservation Com. Same as S 1282; A 1947, 2007. Print A 2028.

1965. A-1945. GIOFFRE -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provisions prohibiting use of beam and otter trawls in certain specified waters of marine district, and to fix new provisions prohibiting use of such trawls in all waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Same as S 1283. Print A 1945.

1965. A-2008. RICE -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provisions prohibiting use of beam and otter trawls in certain specified waters of marine districts, and to fix new provisions prohibiting use of such trawls in all waters of marine district of state within 2 nautical miles of any beach or shoreline or at any time. Conservation Com. Same as A 2029. Print A 2008.

1965. A-2680. DURYEA -- Amends Section 320, Conservation Law, to provide that boats of non-residents may be licensed to take food fish in marine waters of state with beam and otter trawls, operated solely from boats and if boats are registered in state which accords reciprocal fishing privileges and if owner and captain are citizens of U.S. and residents of state according reciprocal privileges; excepts certain waters. Conservation Com. Same as S 1441. Apr 13 Rept Apr 14 3rd rdg Apr 28 Passed. Senate Substituted for S 1441 in Com of Whole 3rd rdg May 3 Passed. May 13 to Gov. May 24 Law, Chap 269. Print A 2690.

1965. S-1282. GORDON -- Amends Section 322, Conservation Law, to provide that beam and otter trawls shall not be set, used and maintained in water areas of marine district within one instead of  $\frac{1}{2}$  mile of coastline in Atlantic Ocean. Conservation Com. Same as A 1947, 2007, 2028. Print S 1290.

1965. S-1283. GORDON -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provisions prohibiting use of beam and otter trawls in certain specified waters of marine district, and to fix new provisions prohibiting use of such trawls in all waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Same as A 1945. Print S 1291.

1965. S-1441. BARRETT -- Amends Section 320, Conservation Law, to provide that boats of non-residents may be licensed to take food fish in marine waters of state with beam and otter trawls, operated solely from boats and if boats are registered in state which accords reciprocal fishing privileges and if owner and captain are citizens of U.S. and residents of state according reciprocal privileges; excepts certain waters. Conservation Com. Same as A 2680. Apr 28 Rept Apr 29 A 2680 substituted. Print S 1455.

1966. A-1759. SCHMIDT -- Repeals Section 322, adds Section 322, Conservation Law, to strike out present provisions relating to use of beam and otter trawls, and to fix new provisions prohibiting such trawls from setting, using or maintaining in waters of marine district of state within 2 nautical miles of any beach or shoreline. Conservation Com.● Print A 1779.

1966. S-4006. KNORR -- Repeals Section 322, adds Section 322, Conservation Law, to provide that beam trawls and otter trawls shall not be set, used or maintained in waters of marine district

of state within 2 nautical miles of any beach or shoreline at any time. Conservation Com. Print S 4163.

1966. S-2498. B. SMITH -- Amends Section 323, Conservation Law, to prohibit use of nets, beam trawls and otter trawls at any time in waters of Huntington bay, Lloyd harbor, Northport bay or Coldspring harbor. Conservation Com. Same as A 4230. Jun 7 Rept June 13 3rd rdg June 14 Passed. Assembly Rules Com July 5 Rept 3rd rdg Passed. To Gov. July 29 Law, Chap 878. Print S 2580.

1966. S-1552. GIOFFRE -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provisions prohibiting use of beam and otter trawls in certain specified waters of marine district, and to prohibit beam and otter trawl commercial fishing vessels from setting, using or maintaining any such trawls in waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Same as A 2795. Print S 1580.

1966. A-2795. PISANI -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provisions prohibiting use of beam and otter trawls in certain specified waters of marine district, and to prohibit beam and otter trawl commercial fishing vessels from setting, using or maintaining any such trawls in waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com.● Same as S 1552. Print A 2868.

1966. A-4230. McCARTHY -- Amends Section 323, Conservation Law, to prohibit use of nets, beam trawls and otter trawls at any time in waters of Huntington bay, Lloyd harbor, Northport bay or Coldspring harbor. Conservation Com.● Same as S 2498. Print A 436

1967. A-1352. PISANI -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provisions prohibiting use of beam and otter trawls in certain waters of marine district, and to prohibit beam and otter trawl commercial fishing vessels from setting, using or maintaining such trawls in waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Print A 1352.

1967. A-2472. SCHMIDT -- Repeals Section 322, adds Section 322, Conservation Law, to strike out present provision relating to use of beam and otter trawls, and to fix new provisions prohibiting such trawls from setting, using or maintaining in waters of marine district of state within 2 nautical miles of any beach or shoreline. Conservation Com. Print A 2488.

1969. A-2474. SCHMIDT -- Repeals Section 322, adds Section 322, Conservation Law, to strike out provision relating to use of beam and otter trawls, and to fix new provisions prohibiting setting, using and maintaining such trawls in waters of marine

district of state within 2 nautical miles of any beach or shoreline. Conservation Com.

1969. A-3585. PISANI -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provision prohibiting use of beam and otter trawls in certain waters of marine district, and to prohibit beam and otter trawl commercial fishing vessels from setting, using or maintaining such trawls in waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Same as S 2374.

1969. A-2374. GIOFFRE -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provision prohibiting use of beam and otter trawls in certain waters of marine district, and to prohibit beam and otter trawl commercial fishing vessels from setting, using or maintaining such trawls in waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Same as A 3585.

1970. A-954. PISANI -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provision prohibiting use of beam and otter trawls in certain waters of marine district, and to prohibit beam and otter trawl commercial fishing vessels from setting, using or maintaining such trawls in waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Same as S 2374.

1970. S-2374. GIOFFRE -- Repeals Section 322, adds Section 322, Conservation Law, to repeal provision prohibiting use of beam and otter trawls in certain waters of marine district, and to prohibit beam and otter trawl commercial fishing vessels from setting, using or maintaining such trawls in waters within 2 nautical miles of any beach or shoreline of marine district of state, at any time. Conservation Com. Same as A 954.

1973. A-6858. FINK -- Amends Section 13-0343, Environmental Conservation Law, to strike out provision that nets other than beam or otter trawls may be used from October 10 to December 31 in Jamaica Bay southerly of line from lighted beacon at Manhattan Beach to southerly point on Barren Island and westerly of Marine Parkway Bridge across Rockaway Inlet. Environmental Com. Same as S 4996.

1973. S-4996. HALPERIN -- Amends Section 13-0343, Environmental Conservation Law, to strike out provision that nets other than beam or otter trawls may be used from Oct. 10 to Dec. 31 in Jamaica Bay southerly of line from lighted beacon at Manhattan Beach to southerly point on Barren Island and westerly of Marine Parkway Bridge across Rockaway Inlet. Conservation Com. Same as A 6858.

## Commercial Fishing Vessels

1964. A-4053. GIOFFRE -- Amends Section 320, Conservation Law, to require that all non-NY State based commercial fishing vessels with home port in this state, whether or not fishing within jurisdiction of waters of this state, shall be registered with conservation dept. and that certain specified information with respect to such vessels shall be matter of record by it. Conservation Com. Same as S 2654. Print A 4184.

1964. A-4052. GIOFFRE -- Amends Sections 320, 321, Conservation Law, to provide that where legally permitted to operate within marine district with license to take food fish or menhaden, not more than 2 commercial fishing vessels of any type, fishing with nets, shall be permitted to operate within any one square mile of water at same time. Conservation Com. Same as S 2655. Print A 4183.

1964. A-2745. A. RYAN -- Amends Section 320, Conservation Law, to provide that all non-NY state based commercial fishing vessels and all NY state based commercial fishing vessels with home port in state, whether or not fishing within jurisdiction of state waters, shall be registered with conservation dept., with certain information to be made matter of record by dept. Conservation Com. Same as S 2481. Print A 2769.

1964. A-2742. A. RYAN -- Amends Sections 320, 321, Conservation Law, to provide that where legally permitted to operate within jurisdiction of state, no more than 2 commercial fishing vessels of any type, fishing with nets, shall be permitted to operate within any 1 square mile of water at same time. Conservation Com. Same as S 2482. Print A 2766.

1964. S-2482. MARINE -- Amends Sections 320, 321, Conservation Law, to provide that where legally permitted to operate within jurisdiction of state, no more than 2 commercial fishing vessels of any type, fishing with nets, shall be permitted to operate within any 1 square mile of water at same time. Conservation Com. Same as A 2742. Print S 2607.

1964. S-2655. MEIGHAN -- Amends Sections 320, 321, Conservation Law, to provide that where legally permitted to operate within marine district with license to take food fish or menhaden, not more than 2 commercial fishing vessels of any type, fishing with nets, shall be permitted to operate within any one square mile of water at same time. Conservation Com. Same as A 4052. Print S 2795.

1964. S-2481. MARINE -- Amends Section 320, Conservation Law, to provide that all non-NY state based commercial fishing vessels and all NY state based commercial fishing vessels with home port in state, whether or not fishing within jurisdiction of state waters, shall be registered with conservation dept.,

with certain information to be made matter of record by dept. Conservation Com. Same as A 2745. Print S 2606.

1964. S-2654. MEIGHAN -- Amends Section 320, Conservation Law, to require that all non-NY state based commercial fishing vessels with home port in this state, whether or not fishing within jurisdiction of waters of this state, shall be registered with conservation dept. and that certain specified information with respect to such vessels shall be matter of record by it. Conservation Com. Same as A 4053. Print S 2794.

1965. A-2009. RICE -- Amends Section 320, Conservation Law, to require that all non-NY state based commercial fishing vessels fishing within jurisdiction of state, and all NY state based commercial fishing vessels with home port herein, shall be registered with dept., and with information as to vessels concerning name, equipment, port of register, owner, size and tonnage to be made matter of record by dept. Conservation Com. Same as A 2026. Print A 2009.

1965. A-1742. GIOFFRE -- Amends Sections 320, 321, Conservation Law, to provide that where legally permitted to operate within marine district with license to take food fish or menhaden, not more than 2 commercial fishing vessels of any type, fishing with nets, shall be permitted to operate within any one square mile of water at same time. Conservation Com. Same as S 1235; A 2027. Print A 1742.

1965. A-2026. RYAN -- Amends Section 320, Conservation Law, to require that all non-NY state based commercial fishing vessels fishing within jurisdiction of state, and all NY state based commercial fishing vessels with home port herein, shall be registered with dept., and with information as to vessels concerning name, equipment, port of register, owner, size and tonnage to be made matter of record by dept. Conservation Com. Same as A 2009. Print A 2026.

1965. A-2027. RYAN -- Amends Sections 320, 321, Conservation Law, to provide that where legally permitted to operate within marine district with license to take food fish or menhaden, not more than 2 commercial fishing vessels of any type, fishing with nets, shall be permitted to operate within any one square mile of water at same time. Conservation Com. Same as S 1235; A 1742. Print A 2027.

1965. A-1946. GIOFFRE -- Amends Section 320, Conservation Law, to require that all non-NY state based commercial fishing vessels fishing in waters under jurisdiction of conservation dept., and all NY state based commercial fishing vessels with home port herein, shall be registered with dept., and with information as to such vessels concerning name, equipment, port of register, owner, size and tonnage, to be made matter of record by dept. Conservation Com. Same as S 1234. Print A 1946.



1965. S-1235. GORDON -- Amends Sections 320, 321, Conservation Law, to provide that where legally permitted to operate within marine district with license to take food fish or menhaden, not more than 2 commercial fishing vessels of any type, fishing with nets, shall be permitted to operate within any one square mile of water at same time. Conservation Com. Same as A 1742, 2027. Print S 1243.

1965. S-1234. GORDON -- Amends Section 320, Conservation Law, to require that all non-NY state based commercial fishing vessels fishing in waters under jurisdiction of conservation dept., and all NY state based commercial fishing vessels with home port herein, shall be registered with dept., and with information as to such vessels concerning name, equipment, port of register, owner, size and tonnage, to be made matter of record by dept. Conservation Com. Same as A 1946. Print S 1242.

1969. A-5504. GALLIVAN -- Amends Sections 322, 323, Conservation Law, to permit commercial fishing vessels sailing to or from off-shore fishing grounds, to carry on board fishing gear that may be legally used in such waters, even though they must pass through waters where use of such gear is prohibited. Conservation Com. Same as S 2402. Feb 26 Rept Feb 27 3rd rdg Mar 6 Passed. Mar 7 Senate Substituted for S 2402 on 3rd rdg Mar 10 Passed. Apr 26 to Gov. Apr 27 Law, Chap 282.

1969. S-2402. BLOOM -- Amends Sections 322, 323, Conservation Law, to permit commercial fishing vessels sailing to or from off-shore fishing grounds, to carry on board fishing gear that may be legally used in such waters, even though they must pass through waters where use of such gear is prohibited. Conservation Com. Same as A 5504. Mar 5 Rept Mar 6 3rd rdg Mar 7 A 5504 substituted.

#### Food Fish

1962. A-1186. VAN DUZER -- Amends Section 260, Conservation Law, to provide that restriction in Fish and Game Law, limiting number of fish that may be taken of any certain kind or size, shall apply to 1st fish taken that meets requirements which shall be retained and not returned to the water. Conservation Com. Print A 1186.

1968. S-4640. B. SMITH -- Amends Section 320, Conservation Law, to strike out provisions making it unlawful for person to render food fish into oil. Conservation Com. Same as A 6482. Apr 3 Rept Apr 4 A 6482 substituted.

1968. A-6482. RULES COM. -- Amends Section 320, Conservation Law, to strike out provisions making it unlawful for person to render food fish into oil. Conservation Com. Same as S 4640. Mar 20 Rept Mar 25 3rd rdg Mar 28 Passed. Mar 29 Senate Conservation Com Apr 4 Com discharged Substituted for S 4640 in Com of Whole Apr 9 3rd rdg Apr 10 Passed. May 24 to Gov. June 16 Law, Chap 687.

1973. A-5897. MANNIX -- Repeals Sections 13-0335, -0341, -0343, adds Section 13-0335, Environmental Conservation Law, to make it unlawful to take food fish for commercial purposes by any method in marine district, with person or firm violating pro-

visions hereof to be subject to fine of \$500, and in case of second offense, equipment used in committing offense shall be subject to confiscation; repeals provisions relating to taking of food fish and use of beam trawls, otter trawls, and other type nets in certain waters. Environmental Com. Same as S 3633.

1973. S-3633. PISANI -- Repeals Sections 13-0335, -0341, -0343, adds Section 13-0335, Environmental Conservation Law, to make it unlawful to take food fish for commercial purposes by any method in marine district, with person or firm violating provisions hereof to be subject to fine of \$500, and in case of second offense, equipment used in committing offense shall be subject to confiscation; repeals provisions relating to taking of food fish and use of beam trawls, otter trawls and other type nets in certain waters. Conservation Com. Same as A 5897.

#### Bay Scallops

1961. S-503. BARRETT -- Amends Sections 306, 315, Conservation Law, to permit taking of bay scallops with dredge or scrape having opening at mouth not to exceed 36 inches in width, when towed by boat operated by mechanical power, or other means if brought aboard by hand power without use of mechanical device, and to change provisions relating to size and minimum take in 1 day. Conservation Com. Same as A 762. Jan 23 Amend and recommit Feb 20 Rept Feb 21 3rd rdg Feb 22 Passed. Assembly Conservation Com Feb 27 Com discharged 3rd rdg Passed. Mar 7 to Gov. Mar 8 Law Chap. 86. Prints S 503, 1513.

1961. A-762. DURYEA -- Amends Sections 306, 315, Conservation Law, to permit taking of bay scallops with dredge or scrape having opening at mouth not to exceed 36 inches in width, when towed by boat operated by mechanical power, or other means if brought aboard by hand power without use of mechanical device, and to change provisions relating to size and minimum take in 1 day. Conservation Com. Same as S 503. Jan 23 Amend and recommit Feb 13 Rept Feb 14 3rd rdg Feb 20 Amended Feb 27 stricken from cal See S 503. Prints A 762, 2290, 4431.

1963. A-1024. DURYEA -- Amends Section 315, Conservation Law, to extend to April 1, 1964, instead of 1963, time for taking bay scallops measuring not less than 2½ inches from middle of hinge to middle of bill, and to make permanent, instead of until April 1, 1963, provision authorizing conservation dept. to issue permits to transplant or salvage scallops of any age. Conservation Com. Same as S 588. Jan 21 Rept Jan 22 3rd rdg Jan 28 Passed. Jan 29 Senate Substituted for S 588 on 3rd rdg Passed. Feb 14 to Gov. Feb 25 Law Chap. 55. Print A 1024.

1963. S-588. BARRETT -- Amends Section 315, Conservation Law to extend to April 1, 1964, instead of 1963, time for taking bay scallops measuring not less than 2½ inches from middle of hinge to middle of bill, and to make permanent, instead of until April 1, 1963, provision authorizing conservation dept. to issue permits to transplant or salvage scallops of any age. Conserva-

tion Com. Same as A 1024. Jan 22 Rept Jan 28 3rd rdg Jan 29  
A 1024 substituted. Print S 588.

1964. A-5041. RULES COM. -- Amends Section 315, Conservation Law, to prohibit taking of bay scallops on Sundays by use of dredge or other device operated by power, and to make permanent, instead of until April 1, 1964, provisions permitting taking of bay scallops not less than 2½ inches from middle of hinge to middle of bill. Conservation Com. Same as S 3620. Mar 10 Rept Mar 11 3rd rdg Mar 13 Passed. Mar 16 Senate Substituted for S 3620 in Com of Whole 3rd rdg Mar 17 Passed. Mar 21 To Gov. Apr 23 Law Chap. 926. Print A 5386.

1964. S-3620. RULES COM. -- Amends Section 315, Conservation Law, to prohibit taking of bay scallops on Sundays by use of dredge or other device operated by power, and to make permanent, instead of until April 1, 1964, provisions permitting taking of bay scallops not less than 2½ inches from middle of hinge to middle of bill. Conservation Com. Same as A 5041. Mar 12 Rept Mar 16 A 5041 substituted. Print S 4022.

1965. A-1940. DURYEA -- Amends Section 130, Town Law, to include scallops in provision authorizing town boards to regulate taking and manner of taking clams, oysters and other shellfish. Internal Affairs Com. Same as S 739. Apr 1 Rept Apr 2 3rd rdg Apr 8 Amended May 3 Passed. May 4 Senate Rules Com Jun 2 Com discharged Substituted for S 739 on 3rd rdg Jun 3 Passed. June 22 to Gov. June 28 Law, Chap 551. Prints A 1940, 6367.

1965. S-739. BARRETT -- Amends Section 130, Town Law, to include scallops in provision authorizing town boards to regulate taking and manner of taking clams, oysters and other shellfish. Internal Affairs Com. Same as A 1940. Apr 8 Amend and recommit May 24 Rept May 25 3rd rdg Jun 2 A 1940 substituted. Prints S 739, 4954.

1966. A-3524. DURYEA -- Amends Section 315, Conservation Law, to change open season for taking bay scallops, to commence on 3rd Monday in September, instead of on Sept. 16. Conservation Com. Same as S 2602. Mar 2 Rept Mar 3 3rd rdg Mar 8 Passed. Mar 9 Senate Conservation Com Apr 18 Com discharged Substituted for S 2602 on 3rd rdg Apr 19 Passed. May 19 To Gov. May 31 Law, Chap 456. Print A 3599.

1966. S-2602. GIUFFREDA -- Amends Section 315, Conservation Law, to change open season for taking bay scallops, to commence on 3rd Monday in September, instead of Sept. 16. Conservation Com. Same as A 3524. Mar 30 Rept Mar 31 3rd rdg Apr 18 A 3524 substituted. Print S 2684.

## Clams

1962. S-1611. BARRETT -- Amends Section 314, Conservation Law, to provide that clams which may not be taken, possessed, bought, sold or otherwise trafficked in, may compose not to exceed 3 per cent of total catch, when unavoidably taken, which per cent may be determined by measurement of any bushel taken from catch or in possession of person offering same for sale. Conservation Com. Same as A 2908. Feb 21 Rept Feb 22 3rd rdg Feb 26 Passed. Feb 27 Assembly Conservation Com Mar 5 Com discharged 3rd rdg Passed. Mar 8 To Gov. Mar 20 Law Chap. 193. Print S 1647.

1962. A-2908. L. LAWRENCE -- Amends Section 314, Conservation Law, to provide that clams which may not be taken, possessed, bought, sold or otherwise trafficked in, may compose not to exceed 3 per cent of total catch, when unavoidably taken, which per cent may be determined by measurement of any bushel taken from catch or in possession of person offering same for sale. Conservation Com. Same as S 1611. Feb 19 Rept Feb 20 3rd rdg Feb 26 Put over to Mar 5 Mar 5 Stricken from cal See S 1611. Print A 2974.

1965. A-2679. DURYEY -- Amends Section 306, Conservation Law, to authorize conservation dept. to permit taking of surf, sea or skimmer clams in areas of marine district not now specified until Jun 1, 1966. Conservation Com. Same as S 1440. Apr 13 Rept amend Apr 28 3rd rdg May 5 Passed. May 6 Senate Rules Com May 10 Com discharged Substituted for S 1440 in Com of Whole 3rd rdg May 11 Passed. Jun 3 To Gov. Jun 14 Law, Chap 363. Prints A 2689, 6501.

1965. S-1440. BARRETT -- Amends Section 306, Conservation Law, to authorize conservation dept. to permit taking of surf, sea or skimmer clams in areas of marine district not now specified, until Jun 1, 1966. Conservation Com. Same as A 2679. Apr 12 Amend and recommit May 6 Rept May 10 A 2679 substituted. Prints S 1454, 4997.

1966. A-5302. DURYEY -- Amends Section 306, Conservation Law, to continue until Jun 1, 1967, instead of 1966, authority of conservation dept. to permit taking of surf, sea or skimmer clams in areas of marine district not now specified. Conservation Com.● May 3 Rules rept 3rd rdg Passed. May 4 Senate Rules Com May 23 Rept 3rd rdg May 24 Passed. Jun 2 to Gov. Jun 14 Law, Chap 593. Print A 5464.

1966. A-3526. DURYEY -- Amends Section 314, Conservation Law, to provide that clams taken on public grounds, shall be culled while still over beds, but with clamming boat not underway. Conservation Com.● Mar 1 Amend and Recommit May 3 Rules rept 3rd rdg Amended May 11 Amended May 23 Passed. May 24 Senate Rules Com Jul 5 Rept 3rd rdg Passed. To Gov. Aug 3 Vetoed (Memo 272). Prints A 3601, 5800, 7049, 7143.

1966. S-2601. GIUFFREDA -- Amends Section 314, Conservation Law, to provide that clams taken on public grounds, shall be culled while still over beds, but with clamming boat not underway, and that clams which may not be trafficked in, may compose not to exceed 5 instead of 3 per cent of total catch, when unavoidably taken. Conservation Com. Mar 21 Amend and recommit. Prints S 2683, 4954.

1967. A-4838. MELTON -- Amends Section 314, Conservation Law, to require that clams shall be culled when taken in accordance with rules and regulations promulgated by conservation comr. Conservation Com. Mar 7 Rept Mar 8 3rd rdg Amended Mar 20 Passed. Mar 21 Senate Conservation Com Mar 22 Rept Mar 23 3rd rdg Mar 27 Passed. Apr 2 to Gov. Apr 24 Law, Chap 541. Prints A 5046, 6509.

1968. A-5068. MELTON; Multi-sponsored by: ROSE -- Amends Section 306, Conservation Law, to authorize conservation dept. to permit taking of surf, sea or skimmer clams from waters of marine district, other than waters of Atlantic Ocean. Conservation Com. Same as S 3406. Mar 12 Rept Mar 13 3rd rdg Mar 18 Passed. Mar 19 Senate Conservation Com Mar 28 Com discharged Substituted for S 3406 in Com of Whole 3rd rdg Mar 29 Passed. Apr 4 To Gov. Apr 11 Law, Chap 204.

1968. S-3406. B. SMITH -- Amends Section 306, Conservation Law, to authorize conservation dept. to permit taking of surf, sea or skimmer clams from waters of marine district, other than waters of Atlantic Ocean. Conservation Com. Same as A 5068. Mar 27 Rept Mar 28 A 5068 substituted.

1973. A-2658. COSTIGAN -- Amends Section 13-0325, Environmental Conservation Law, to prohibit taking, possessing, purchase or sale of soft or steamer clams less than 1½ inches, instead of 2 inches, in longest diameter. Environmental Com. Same as S 2105. Feb 21 Rept Feb 22 3rd rdg Feb 28 Passed. Mar 1 Sen Conserv Com May 3 Com disch Sub for S 2105 in Com of Whole 3rd rdg May 8 Passed. May 27 To Gov. Chapter 518.

1973. A-6277. CARROLL -- Amends Section 13-0325, Environmental Conservation Law, to require that liability for violation of provisions hereof relating to taking, possessing or sale of clams, be borne solely by processor of such undersize clams upon determination of lack of actual knowledge of violation by wholesaler or retailer of such goods. Environmental Com. Mar 21 Rept Mar 22 3rd rdg Mar 26 Com to Codes Com Apr 4 Rept Restored to 3rd rdg Apr 9 Passed. Apr 10 Sen Conserv Com.

1973. S-2105. GIUFFREDA -- Amends Section 13-0325, Environmental Conservation Law, to prohibit taking, possessing, purchase or sale of soft or steamer clams less than 1½ inches, instead of 2 inches, in longest diameter. Conservation Com. Same as A 2658. May 2 Rept May 3 A 2658 sub.

## Crabs

1962. A-2910. L. LAWRENCE -- Amends Section 317, Conservation Law, to prohibit taking of crabs by dredging in waters of Great South bay west of Captree bridge in Suffolk co. Conservation Com. Same as S 1609. Feb 19 Rept Feb 20 3rd rdg Feb 26 Put over to Mar 5 Mar 5 Stricken from cal See S 1609. Print A 2976. (See also A-4833, 1966, striped bass.)

1962. S-1609. BARRETT -- Amends Section 317, Conservation Law, to prohibit taking of crabs by dredging in waters of Great South bay west of Captree bridge in Suffolk co. Conservation Com. Same as A 2910. Feb 21 Rept Feb 22 3rd rdg Feb 26 Passed. Feb 27 Assembly Conservation Com Mar 5 Com discharged 3rd rdg Passed. Mar 8 to Gov. Mar 20 Law Chap 191. Print S 1645.

1969. A-5492. ALTMAN -- Amends Section 317, Conservation Law, to provide that restriction on taking crabs for commercial purposes without first obtaining permit from conservation dept., shall apply to blue-claw crabs, and to strike out reference to hard crabs of certain size for taking, possessing, buying, selling, importing or exporting. Conservation Com. Same as S 2403. Feb 26 Rept Feb 27 3rd rdg Mar 6 Passed. Mar 7 Senate Conservation Com Mar 13 Com discharged Substituted for S 2403 in Com of Whole 3rd rdg Mar 17 Passed. May 2 to Gov. May 9 Law, Chap 389.

1969. S-2403. GIUFFREDA -- Amends Section 317, Conservation Law, to provide that restriction on taking crabs for commercial purposes without first obtaining permit from conservation dept., shall apply to blue-claw crabs, and to strike out reference to hard crabs of certain size for taking, possessing, buying, selling, importing or exporting. Conservation Com. Same as A 5492. Mar 12 Rept Mar 13 A 5492 substituted.

## Fluke or Summer Flounder

(See also A-4833, 1966, under striped bass.)

1963. A-2345. DURYEA -- Amends Section 322, Conservation Law, to provide that until Dec. 1, 1964, taking of fluke in marine district waters by beam or otter trawls or possession of fluke aboard vessels using beam or otter trawls in such district, is prohibited without permit from conservation dept.; fixes other provisions as to issuance of permits to certain vessels. Conservation Com. Same as S 1487. Feb 5 Amend and recommit Feb 25 Amend and recommit Mar 12 Rept Mar 13 3rd rdg Apr 1 Put over to Apr 3 Apr 3 Committed to Rules Com. Prints A 2363, 3765, 4995.

1963. S-1487. BARRETT -- Amends Section 322, Conservation Law, to provide that until Dec. 1, 1964, taking of fluke in marine district waters by beam or otter trawls or possession of fluke aboard vessels using beam or otter trawls in such district, is prohibited without permit from conservation dept.; fixes other provisions as to issuance of permits to certain vessels. Conservation Com. Same as A 2345. Feb 5 Amend and recommit Feb 18 Amend and recommit Mar 14 Rept Mar 18 3rd rdg Mar 26 Recommitted with enacting clause stricken out. Prints S 1507, 2313, 2978.

1964. A-1561. LAWRENCE -- Amends Section 319, Conservation Law, to provide that fluke or summer flounder not less than 14 inches in length may be taken in any manner at any time and in any number, and if lawfully taken and possessed may be bought and sold at any time. Conservation Com. Same as S 859. Mar 2 Rept Mar 3 S859 substituted. Print A 1561.

1964. S-859. BARRETT -- Amends Section 319, Conservation Law, to provide that fluke or summer flounder not less than 14 inches in length may be taken in any manner at any time and in any number, and if lawfully taken and possessed may be bought and sold at any time. Conservation Com. Same as A 1561. Jan 28 Rept 3rd rdg Feb 3 Passed. Feb 4 Assembly Conservation Com Mar 3 Com discharged Substituted for A 1561 on 2nd rdg 3rd rdg Mar 11 Passed. Mar 20 To Gov. Mar 29 Law Chap. 258. Print S 859.

#### Kingfish

1965. A-4670. SACHS -- Amends Section 319, Conservation Law, to strike out provisions prohibiting taking of king fish of less than 8 inches. Conservation Com. Same as S 4232. Print A 4793.

1965. S-4232. BOYLE -- Amends Section 319, Conservation Law, to strike out provisions prohibiting taking of king fish of less than 8 inches. Conservation Com. Same as A 4670. Print S 4740.

1969. S-2410. POWERS -- Amends Section 319, Conservation Law, to strike out special provision that king fish less than 8 inches may not be bought, sold or offered for sale. Conservation Com. Same as A 5509. Mar 5 Rept Mar 6 3rd rdg Mar 7 A 5509 substituted.

1969. A-5509. LILL -- Amends Section 319, Conservation Law, to strike out special provision that king fish less than 8 inches may not be bought, sold or offered for sale. Conservation Com. Same as S 2410. Feb 26 Rept Feb 27 3rd rdg Mar 6 Passed. Mar 7 Senate Substituted for S 2410 on 3rd rdg Mar 10 Passed. Apr 26 to Gov. Apr 27 Law, Chap 283.

## Lobster

1960. S-3464. VAN WIGGEREN -- Amends Section 316, Conservation Law, to provide that on and after Jan. 1, 1961, non-resident or person resident for less than 6 months may take lobsters anywhere, instead of only from waters westerly of straight line drawn from Rocky Point on Fort Pond bay northerly through Race Rock to interstate boundary line and to specify restrictions on catching devices. Conservation Com. Mar. 1 Amend and recommit. Printed Nos. S 3700, 4104.

1960. A-4277. L. LAWRENCE -- Amends Section 316, Conservation Law, to permit non-resident citizens on and after Jan. 1, 1960, to take lobsters from any waters in state upon obtaining license therefor, instead of only from waters westerly of straight line from Rocky Point on Fort Pond bay to interstate boundary line, and to change provisions relating to construction of lobster traps. Conservation Com. Printed No. A. 4501.

1964. A-4344. LAWRENCE -- Amends Section 316, Conservation Law, to provide that until Jan. 1, 1967, non-resident of state or person resident for less than 6 months, may, upon first obtaining permit from conservation dept., take lobsters only from waters of state westerly and southerly of straight line drawn from certain buoy near Southwest Ledge northwesterly to Race Rock and due north to Connecticut interstate boundary line. Conservation Com. Same as S 2764. Mar 2 Rept amend Mar 10 3rd rdg Mar 12 Passed. Mar 13 Senate Substituted for S 2764 on 3rd rdg Mar 16 Passed. Mar 26 To Gov. Apr 10 Law Chap. 406. Prints A 4545, 5674.

1964. S-2764. BUSH -- Amends Section 316, Conservation Law, to provide that until Jan. 1, 1967, nonresident of state or person resident for less than 6 months, may, upon first obtaining permit from conservation dept., take lobsters only from waters of state westerly and southerly of straight line drawn from certain buoy near Southwest Ledge northwesterly to Race Rock and due north to Connecticut interstate boundary line. Conservation Com. Same as A 4344. Feb 20 Amend and recommit Mar 3 Rept Mar 4 3rd rdg Mar 13 A 4344 substituted. Prints S 2958, 3620.

1966. A-3525. DURYEA -- Amends Section 316, Conservation Law, to provide that until May 1, 1967, requirement that no person shall possess on waters of state or use therein, any lobster trap or pot unless it has opening at bottom on each side, of certain minimum width, shall not apply in Atlantic ocean in waters of state south of line from Montauk Point light to certain buoy and from Rhode Island-New York line westerly to certain line on east side of Jones Inlet to limits of state. Conservation Com. Same as S 2600. Mar 2 Rept Mar 3 3rd rdg Mar 8 Passed. Mar 9 Senate Conservation Com. Print A 3600.

1966. A-2499. DOIG -- Amends Section 316, Conservation Law,



to extend until Jan. 1, 1970, instead of 1967, provisions allowing non-resident of state or person resident for less than 6 months, upon obtaining permit from conservation dept., to take lobsters only from waters westerly and southerly of line from buoy near Southwest Ledge northwesterly to Race Rock and north to NY-Conn. interstate boundary line. Conservation Com. Same as S 4149. Feb 16 Rept Feb 17 3rd rdg Feb 22 Passed. Feb 23 Senate Conservation Com Mar 30 Rept Mar 31 3rd rdg Apr 18 Passed. Apr 21 to Gov. May 3 Law, Chap 303. Print A 2556.

1966. S-4149. RULES COM. -- Amends Section 316 Conservation Law, to extend until Jan. 1, 1970, instead of 1967, provisions allowing non-resident of state or person resident for less than 6 months, upon obtaining permit from conservation dept., to take lobsters only from waters westerly and southerly of line from buoy near Southwest Ledge northwesterly to Race Rock and north to NY-Conn. interstate boundary line. Conservation Com. Same as A 2499. Print S 4355.

1966. S-2600. GIUFFREDA -- Amends Section 316, Conservation Law, to provide that until May 1, 1967, requirement that no person shall possess on waters of state or use therein, any lobster trap or pot unless it has opening at bottom on each side, of certain minimum width, shall not apply in Atlantic ocean in waters of state south of line from Montauk Point light to certain buoy and from Rhode Island-New York line westerly to certain line on east side of Jones Inlet to limits of state. Conservation Com. Same as A 3525. Print S 2682.

1967. A-4905. COSTIGAN -- Amends Section 316, Conservation Law, to strike out provisions that person who is resident of state may take without permit not to exceed 6 lobsters for his own or family use in any 1 day, and to prohibit taking of lobsters without 1st obtaining permit from conservation dept., which now applies only for taking for commercial purposes. Conservation Com.● Print A 5155.

1967. A-4904. COSTIGAN -- Amends Section 387, Conservation Law, to provide that violations as to taking lobsters, and lobster permits, for 1st conviction is punishable by fine of \$25 per lobster and for 2nd conviction, by fine of not less than \$50 per lobster and revocation of permit. Conservation Com. Mar 7 Rept Mar 8 3rd rdg Mar 13 Passed. Mar 14 Senate Conservation Com Mar 22 Rept Mar 23 3rd rdg Mar 27 Passed. Apr 2 To Gov. Apr 24 Vetoed (Memo 98). Print A 5154.

1968. A-4363. COSTIGAN -- Amends Sections 316, 387, 389, Conservation Law, to repeal provisions prohibiting possession of lobster traps or pots of less than certain size, and to fix penalties for unlawful taking of lobster, at fine of not less than \$100 nor more than \$500, for 1st conviction, and not less than \$300 nor more than \$1,000, for 2nd conviction within 5 years, and with additional penalty of \$25 for each lobster involved in violation.

Conservation Com. Same as S 2979. Mar 11 Amend and recommit.  
4363-A.

1968. S-2979 -- GIUFFREDA -- Amends Sections 316, 387, 389, Conservation Law, to repeal provisions prohibiting possession of lobster traps or pots of less than certain size, and to fix penalties for unlawful taking of lobster, at fine of not less than \$100 nor more than \$500, for 1st conviction, and not less than \$300 nor more than \$1,000, for 2nd conviction within 5 years, and with additional penalty of \$25 for each lobster involved in violation. Conservation Com. Same as A 4363. Feb 29 Rept Mar 4 3rd rdg Mar 6 Passed. Assembly Conservation Com. Recalled by Senate Mar 11 Vote reconsidered Restored to 3rd rdg Amended Mar 25 Repassed. Mar 26 Assembly Referred to Rules Com May 24 Rept 3rd rdg Passed. To Gov. June 16 Vetoed (Memo 73). 2979-A.

1969. S-401. GIUFFREDA -- Amends Sections 316, 387, 389, Conservation Law, to repeal provisions prohibiting possession of lobster traps or pots of less than certain size, and to fix penalties for unlawful taking of lobster, at fine of not less than \$100 nor more than \$500, for 1st conviction, and not less than \$300 nor more than \$1,000, for 2nd conviction within 5 years, and with additional penalty of \$25 for each lobster involved in violation. Conservation Com. Same as A 952. Jan 13 Rept Jan 14 3rd rdg Jan 20 Passed. Jan 21 Assembly Conservation Com Feb 17 Com discharged Substituted for A 952 on 3rd rdg Passed. Feb 20 To Gov. Mar 4 Law, Chap 21.

1969. A-952. COSTIGAN -- Amends Sections 316, 387, 389, Conservation Law, to repeal provisions prohibiting possession of lobster traps or pots of less than certain size, and to fix penalties for unlawful taking of lobster, at fine of not less than \$100 nor more than \$500, for 1st conviction, and not less than \$300 nor more than \$1,000, for 2nd conviction within 5 years, and with additional penalty of \$25 for each lobster involved in violation. Conservation Com. Same as S 401. Feb 12 Rept Feb 13 3rd rdg Feb 17 S 401 substituted.

1970. A-6328. RULES COM. (Request of Mr. Costigan) -- Amends Section 316, Conservation Law, to extend until Jan. 1, 1973, instead of 1970, period for taking lobsters from certain state waters by non-resident or person resident less than 6 months immediately before application date, upon first obtaining permit from conservation dept. Conservation Com. Apr 15 Rules rept 3rd rdg Passed. Apr 16 Senate Finance Com Recalled by Assembly Vote reconsidered Restored to 3rd rdg Amended Apr 18 Repassed. Apr 19 Senate Recommitted to Finance Com Rept 3rd rdg Apr 20 Passed. To Gov. May 12 Law, Chap 786. 6328-A.

1970. S-9014. RULES COM. -- Amends Section 316, Conservation Law, to extend until Jan. 1, 1973, instead of 1970, period for taking lobsters from certain state waters by non-resident or per-

son resident less than 6 months immediately before application date, upon first obtaining permit from conservation dept. Conservation Com.

1971. A-6560. COSTIGAN -- Amends Section 316, Conservation Law, to fix fee for non-resident lobster permit at \$50 for each boat, instead of on basis of net tonnage of boats used therefor, of \$25 for boats less than 10 net tons, and \$40 for boats ten net tons or more. Conservation Com. Same as S 5098. Apr 6 Rept Referred to Ways and Means Com May 4 Rept May 5 S 5098 substituted.

1971. S-5098. GIUFFREDA -- Amends Section 316, Conservation Law, to fix fee for non-resident lobster permit at \$50 for each boat, instead of on basis of net tonnage of boats used therefor, of \$25 for boats less than 10 net tons, and \$40 for boats ten net tons or more. Conservation Com. Same as A 6560. Apr 29 Rept May 3 3rd rdg May 4 Passed. May 5 Assembly Rules Com Com discharged Substituted for A 6560 on 2nd rdg 3rd rdg May 11 Passed. Jun 6 To Gov. Jun 17 Law, Chap 487.

1972. A-11786. RULES COM. (Request of Mr. Costigan) -- Amends Section 316, Conservation Law, to repeal provisions fixing at \$5, fee for permit for taking lobsters for commercial purposes, and to fix new schedule of \$50 for class A permit allowing holder to take lobster in any waters of state, and at \$5, for class B permit allowing taking in waters of state except certain specified waters of state lying in Long Island Sound and its adjacent bays and harbors, and to prohibit taking of lobsters from such waters by use of lobster traps or lobster pots without class A permit. Conservation Com. Same as S 9985.

1972. S-9985. RULES COM. -- Amends Section 316, Conservation Law, to repeal provisions fixing at \$5, fee for permit for taking lobsters for commercial purposes, and to fix new schedule of \$50 for class A permit allowing holder to take lobster in any waters of state, and at \$5 for class B permit allowing taking in waters of state except certain specified waters of state lying in Long Island Sound and its adjacent bays and harbors, and to prohibit taking of lobsters from such waters by use of lobster traps or lobster pots without class A permit. Conservation Com. Same as A 11786. May 3 Rept May 4 3rd rdg May 5 Passed. May 8 Assy Rules Com.

1973. A-2656. COSTIGAN -- Amends Section 13-0329, Environmental Conservation Law, to repeal provision allowing person to take lobsters for commercial purposes upon obtaining permit from dept., after 6 months residence in state, upon payment of fee of \$5, and allowing resident of state without permit to take not to exceed 6 lobsters for family use in any 1 day, and to fix fee of \$50 for taking lobsters for commercial purposes by resident of state for 6 months, and \$5 for such resident taking not to exceed 6 lobsters for family use in any 1 day using not to exceed 5 lobster pots or traps. Environmental Com. Feb 21 Rept Ref to Ways & Means Com Mar 28 Amd & recom Apr 10 Rept Apr 11 3rd rdg Apr 12 Amended Apr 26 Passed. Apr 27 Sen Conserv Com 2656-A, B.

1973. S-2106. GIUFFREDA -- Amends Section 13-0329, Environmental Conservation Law, to repeal provision allowing person to take lobsters for commercial purposes upon obtaining permit from dept., after 6 months residence in state, upon payment of fee of \$5, and allowing resident of state without permit to take not to exceed 6 lobsters for family use in any 1 day, and to fix fee of \$50 for taking lobsters for commercial purposes by resident of state for 6 months, and \$5 for such resident taking not to exceed 6 lobsters for family use in any 1 day using not to exceed 5 lobster pots or traps; makes exception for certain areas. Conservation Com. Mar 27 Amd and recom May 3 Amd & recom 2106-A, B.

#### Menhaden

1966. A-2794. PISANI -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island sound. Conservation Com.● Same as S 1551. Print A 2867.

1966. S-1551. GIOFFRE -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island sound. Conservation Com. Same as A 2794. Print S 1579.

1967. S-396. GIOFFRE -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island Sound. Conservation Com. Same as A 1351.

1967. S-548. GIOFFRE -- Adds Section 321-a, Conservation Law, to provide that area in Long Island Sound from Eaton's Point Neck, Long Island, northerly to Connecticut state line, westerly to NY City line, including both NY and Long Island shore lines as shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Conservation Com. Same as A 1350. Jan 31 Amend and recommit 548-A.

1967. A-1350. PISANI -- Adds Section 321-a, Conservation Law, to provide that area in Long Island Sound from Eaton's Point Neck, Long Island, northerly to Connecticut state line, westerly to NY City line, including both NY and Long Island shore lines as shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months herein. Conservation Com.● Same as S 548. Jan 31 Amend and recommit. Prints A 1350, 3619.

1967. A-1351. PISANI -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island Sound. Conservation Com. Same as S 396. Print A 1351.

1968. S-193. GIOFFRE -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation

dept. may be used to take menhaden in certain waters of Long Island Sound. Conservation Com. Same as A 1098.

1968. A-1099. PISANI -- Adds Section 321-a, Conservation Law, to provide that area in Long Island Sound from Eaton's Point Neck, Long Island, northerly to Connecticut state line, westerly to NY City line, including both NY and Long Island shorelines as shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Conservation Com.

1968. A-1098. PISANI -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island Sound. Conservation Com. Same as S 193.

1969. S-2373. GIOFFRE -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island sound. Conservation Com. Same as A 3584.

1969. S-2375. GIOFFRE -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, Long Island, northerly to Connecticut state line, westerly to NY city line, including both NY and Long Island shorelines shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Conservation Com. Same as A 3586.

1969. A-3586. PISANI -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, Long Island, northerly to Connecticut state line, westerly to NY city line, including both NY and Long Island shorelines shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Conservation Com. Same as S 2375.

1969. S-4334. B. SMITH -- Amends Section 323, Conservation Law, to strike out provisions permitting use of vessels licensed by conservation dept., to take menhaden in waters of Huntington Bay, Lloyd Harbor, Northport Bay, Coldspring Harbor. Conservation Com. Mar 12 Amend and recommit. 4334-A.

1969. A-3584. PISANI -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island sound. Conservation Com. Same as S 2373.

1969. A-5734. McCARTHY -- Amends Section 323, Conservation Law, to prohibit taking of Menhaden at any time in certain waters of Oyster Bay harbor and Lloyd harbor, or on Saturday or Sunday

in certain waters of Oyster Bay or Cold Spring Harbor or of Huntington bay or Northport bay. Conservation Com. Apr 18 Amend and recommit Apr 26 Rules rept 3rd rdg Passed. Senate Conservation Com. 5734-A.

1970. A-4952. PISANI -- Adds Section 321-a, Conservation Law, to set aside certain area between Willets Point on Long Island Sound and NY city line and to Connecticut state line opposite, in Long Island Sound, where netting and taking of menhaden for commercial or other use is prohibited, with area designated sanctuary area for menhaden. Conservation Com. Same as S 7855.

1970. A-952. PISANI -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, Long Island, northerly to Connecticut state line, westerly to NY city line, including both NY and Long Island shorelines shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Conservation Com. Same as S 2375.

1970. S-2373. GIOFFRE -- Amends Section 323, Conservation Law, to strike out provision that vessels licensed by conservation dept. may be used to take menhaden in certain waters of Long Island sound. Conservation Com.

1970. S-2375. GIOFFRE -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, Long Island, northerly to Connecticut state line, westerly to NY city line, including both NY and Long Island shorelines shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Conservation Com. Same as A 952.

1970. S-7855. GIOFFRE -- Adds Section 321-a, Conservation Law, to set aside certain area between Willets Point on Long Island Sound and NY city line and to Connecticut state line opposite, in Long Island Sound, where netting and taking of menhaden for commercial or other use is prohibited, with area designated sanctuary area for menhaden. Commerce Com. Same as A 4952. Mar 9 Rept Committed to Conservation Com.

1970. S-4334. B. SMITH -- Amends Section 323, Conservation Law, to strike out provisions permitting use of vessels licensed by conservation dept., to take menhaden in waters of Huntington Bay, Lloyd Harbor, Northport Bay, Coldspring Harbor, Conservation Com. 4334-A\*.

1971. A-4333. PISANI -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, LI, northerly to Connecticut state line, westerly

to NY City line, including both NY and LI shorelines shall be set aside and designated sanctuary area for menhaden during months of June to September, with no commercial fishing allowed during such months therein. Conservation Com. Same as S 155.

1971. A-4328. PISANI -- Adds Section 321-a, Conservation Law, to set aside certain area between Willets Point on Long Island Sound and NY city line and the Connecticut state line opposite, in Long Island Sound, where netting and taking of menhaden for commercial or other use is prohibited, with area designated sanctuary area for menhaden. Conservation Com.

1971. S-1657. B. SMITH -- Amends Section 323, Conservation Law, to strike out provisions permitting use of vessels licensed by conservation dept., to take menhaden in waters of Huntington Bay, Lloyd Harbor, Northport Bay, and Coldspring Harbor. Conservation Com.

1971. S-153. GIOFFRE -- Adds Section 321-a, Conservation Law, to set aside certain area between Willets Point on Long Island sound and NY City line and to Connecticut state line opposite, in Long Island sound, where netting and taking of menhaden for commercial or other use is prohibited, with area designated sanctuary area for menhaden. Commerce. Com. Apr 26 Rept Apr 27 3rd rdg.

1971. S-155. GIOFFRE -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, LI, northerly to Connecticut state line, westerly to NY City line, including both NY and LI shorelines shall be set aside and designated sanctuary area for menhaden during months of June to September, with no commercial fishing allowed during such months therein. Conservation Com. Same as A 4333.

1972. S-1657. B. SMITH -- Amends Section 323, Conservation Law, to strike out provisions permitting use of vessels licensed by conservation dept., to take menhaden in waters of Huntington Bay, Lloyd Harbor, Northport Bay, and Coldspring Harbor. Conservation Com.

1972. S-155. GIOFFRE -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, LI, northerly to Connecticut state line, westerly to NY City line, including both NY and LI shorelines shall be set aside and designated sanctuary area for menhaden during months of June to September, with no commercial fishing allowed during such months therein. Conservation Com. Same as A 4333.

1972. S-153. GIOFFRE -- Adds Section 321-a, Conservation Law, to set aside certain area between Willets Point on Long Island sound and NY City line and to Connecticut state line opposite, in Long Island sound, where netting and taking of manhaden for commercial or other use if prohibited, with area

designated sanctuary area for menhaden. Commerce Com.

1972. A-4333. PISANI -- Adds Section 321-a, Conservation Law, to provide that area in Long Island sound from Eaton's Point Neck, LI, northerly to Connecticut state line, westerly to NY City line, including both NY and LI shorelines shall be set aside and designated sanctuary area for menhaden during months of June to September, with no commercial fishing allowed during such months therein. Conservation Com. Same as S 155.

1972. A-4328. PISANI -- Adds Section 321-a, Conservation Law, to set aside certain area between Willets Point on Long Island Sound and NY city line and the Connecticut state line opposite, in Long Island Sound, where netting and taking of menhaden for commercial or other use is prohibited, with area designated sanctuary area for menhaden. Conservation Com.

1973. A-2248. MANNIX -- Adds Section 13-0334, Environmental Conservation Law, to provide that area in Long Island Sound from Eaton's Point Neck, L I northerly to Connecticut state line, westerly to NYC line, including both NY and L I shorelines, shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Environmental Com. Same as S 618.

1973. A-4435. MANNIX -- Adds Section 13-0334, Environmental Conservation Law, to set aside certain area between Willets Point on Long Island Sound and NYC line and Connecticut state line opposite, in Long Island Sound, where netting or taking of menhaden for commercial or other use is prohibited, with area designated sanctuary area for menhaden. Environmental Com. Same as S 617.

1973. S-617. PISANI -- Adds Section 13-0334, Environmental Conservation Law, to set aside certain area between Willets Point on Long Island Sound and New York City line and Connecticut state line opposite, in Long Island Sound, where netting or taking of menhaden for commercial or other use is prohibited, with area designated sanctuary area for menhaden. Conservation Com. Same as A 4435.

1973. S-618. PISANI -- Adds Section 13-0334, Environmental Conservation Law, to provide that area in Long Island Sound from Eaton's Point Neck, L J northerly to Connecticut state line, westerly to NYC line, including both NY and L I shorelines, shall be set aside and designated sanctuary area for menhaden during months of June to Sept., with no commercial fishing allowed during such months therein. Conservation Com. Same as A 2248.



## Oysters

1969. S-5196. RULES COM. -- Amends Section 313, Conservation Law, to prohibit taking of oysters in excess of 1 bushel, instead of 2 pecks, from public or unleased lands or possession or transporting by boat, to strike out reference to boat having aboard any dredge or other gear of type used for taking of oysters, except tongs, to require that boat must have had its propeller removed, and to allow conservation dept. by rule and regulation, to make exception thereto. Conservation Com. Same as A 6801.

1971. S-6237. RULES COM. (Request of Mr. Giuffreda) -- Amends Section 313, Conservation Law, to repeal provisions prohibiting possession of oysters (*Crassostrea virginica*) for sale for food purposes from May 15 through Aug. 31. Conservation Com. Same as A 7369. May 6 Rept May 7 A 7369 substituted.

1971. A-7369. RULES COM. -- Amends Section 313, Conservation Law, to repeal provisions prohibiting possession of oysters (*Crassostrea virginica*) for sale for food purposes from May 15 through Aug. 31. Conservation Com. Same as S 6237. Apr 28 Rept Apr 29 3rd rdg May 4 Passed. May 5 Senate Conservation Com May 7 Com discharged Substituted for S 6237 in Com of Whole 3rd rdg May 10 Passed. May 20 to Gov. May 25 Law, Chap 315.

## Porgies

1963. A-3982. L. LAWRENCE -- Amends Section 323, Conservation Law, to prohibit use of nets to take porgies in waters of Richmond co. and in waters of Kings and Queens cos. northerly and westerly of line from south end of breakwater at Rockaway Point to Romer Shoal lighthouse. Conservation Com. Same as S 2715. Mar 12 Rept Mar 13 3rd rdg Mar 18 Passed. Senate Substituted for S 2715 on 3rd rdg Mar 19 Passed. Apr 2 To Gov. Apr 16 Law Chap. 340. Print A 4097.

1963. S-2715. BUSI -- Amends Section 323, Conservation Law, to prohibit use of nets to take porgies in waters of Richmond co. and in waters of Kings and Queens cos. northerly and westerly of line from south end of breakwater at Rockaway Point to Romer Shoal lighthouse. Conservation Com. Same as A 3982. Mar 14 Rept Mar 18 3rd rdg A 3982 substituted. Print S 2848. (See also S 2572 and A 4343 1964 under purse seines.)

Smelt, Yellow Perch, Alewives, Suckers

1961. S-3506. BRYDGES -- Amends Section 196, Conservation Law, to permit conservation dept. by order to allow taking of smelt, yellow perch, alewives or suckers, with mesh scaps or dip nets in such manner and with such equipment as it believes suitable to protect public interest, instead of certain dimensions. Conservation Com. Same as A 4723. Mar 17 Rept amend Mar 20 3rd rdg Mar 21 A 4723 substituted. Prints S 3857, 4425.

1961. A-4723. RULES COM. -- Amends Section 196, Conservation Law, to permit conservation dept. by order to allow taking of smelt, yellow perch, alewives or suckers, with mesh scaps or dip nets in such manner and with such equipment as it believes suitable to protect public interest, instead of certain dimensions. Conservation Com. Same as S 3506. Mar 14 Rept amend Mar 17 3rd rdg Mar 20 Passed. Mar 21 Senate Substituted for S 3506 on 3rd rdg Passed. Mar 25 to Gov. Apr 11 Law Chap. 458. Prints A 5109, 5524.

1964. A-1257. LAWRENCE -- Amends Section 272, Conservation Law, to strike out provision that no person shall take suckers or alewives for bait other than by angling in waters where nets are licensed for use in taking them for food. Conservation Com. Same as S 481. Jan 21 Rept Jan 22 S 481 substituted. Print A 1257.

1964. S-481. BUSH -- Amends Section 272, Conservation Law, to strike out provision that no person shall take suckers or alewives for bait other than by angling in waters where nets are licensed for use in taking them for food. Conservation Com. Same as A 1257. Jan 13 Rept 3rd rdg Jan 14 Passed. Assembly Conservation Com Jan 22 Com discharged Substituted for A 1257 on 2nd rdg 3rd rdg Jan 28 Passed. Jan 30 to Gov. Feb 10 Law Chap. 8. Print S. 481.

1969. S-2458. B. SMITH -- Amends Section 196, Conservation Law, to provide that conservation dept. may by order permit taking of smelt, yellow perch, alewives, or suckers from any waters of state when advisable in interest of wise fish management, or with scaps or dip nets, notwithstanding marine fishery restrictions. Conservation Com. Same as A 5494. Feb 25 Rept Feb 26 3rd rdg Mar 3 Passed. Mar 4 Assembly Conservation Com Mar 6 Com discharged Substituted for A 5494 on 3rd rdg Passed. Mar 13 To Gov. Mar 25 Law, Chap 98.

1969. A-5494. BECKMAN -- Amends Section 196, Conservation Law, to provide that conservation dept. may by order permit taking of smelt, yellow perch, alewives, or suckers from any waters of state when advisable in interest of wise fish management, or with scaps or dip nets, notwithstanding marine fishery restrictions. Conservation Com. Same as S 2458. Feb 26 Rept Feb 27 3rd rdg Mar 6 S 2458 substituted.

## Striped Bass

1960. S-1374. DUFFY -- Amends Section 319, Conservation Law, to prescribe new manner of taking striped bass, instead of in any manner, and to fix bag and possession limit of 5 by any person in any 24 hour period commencing at 12:01 a.m.; creates volunteer force of non-salaried deputy fishery wardens in marine districts to enforce provisions. Conservation Com. Printed No. S 1378.

1960. S-2898. BRONSTON -- Amends Section 319, Conservation Law, to specify method by which striped bass may be taken or handled when releasing from net, and to restrict purchase or possession in markets or in restaurants. Conservation Com. (Same as A 4040.) Printed No. S 3062.

1960. S-262. MOSBERG -- Amends Section 319, Conservation Law, to permit taking of striped bass not less than 16 inches in length only by hook and line or spear. Conservation Com. (Same as A 2204.) Printed No. S. 262.

1960. A-1901. LaFAUCI -- Amends Section 319, Conservation Law, to provide that striped bass may be taken only by hook and line. Conservation Com. Printed No. A. 1904.

1960. S-467. PERICONI -- Amends Section 319, Conservation Law, to prescribe new manner of taking striped bass, instead of in any manner, and to fix bag and possession limit of 5 by any person in any 24 hour period commencing at 12:01 a.m.; creates volunteer force of non-salaried deputy fishery wardens in marine districts to enforce provisions. Conservation Com. (Same as A. 315.) Mar 1 Amend and recommit. Printed Nos. S. 467, 4127.

1960. A-4040. WALLACH -- Amends Section 319, Conservation Law, to specify method by which striped bass may be taken or handled when releasing from net, and to restrict purchase or possession in markets or in restaurants. Conservation Com. (Same as S. 2898.) Printed No. A. 4216.

1960. A-605. RICE -- Amends Section 319, Conservation Law, to prescribe new manner of taking striped bass, instead of in any manner, and to fix bag and possession limit of 5 by any person in any 24 hour period commencing at 12:01 a.m.; creates volunteer force of non-salaried deputy fishery wardens in marine districts to enforce provisions. Conservation Com. Feb. 1 Amend and recommit. Printed Nos. A. 605, 3031.

1960. A-516. BRENNAN -- Amends Section 319, Conservation Law, to provide that striped bass may be taken only by hook and line, instead of in any manner. Conservation Com. Printed No. A. 516.

1960. A-2204. FOX -- Amends Section 319, Conservation Law, to permit taking of striped bass not less than 16 inches in length only by hook and line or spear. Conservation Com. (Same as S. 262.) Printed No. A. 2225.

1960. A-315. A. RYAN -- Amends Section 319, Conservation Law, to prescribe new manner of taking striped bass, instead of in any manner, and to fix bag and possession limit of 5 by any person in any 24 hour period commencing at 12:01 a.m.; creates volunteer force of non-salaried deputy fishery wardens in marine districts to enforce provisions. Conservation Com. (Same as S. 467.) Jan. 27 Amend and recommit. Printed Nos. A. 315, 2742.

1961. A-595. LaFAUCI -- Amends Section 319, Conservation Law, to provide that striped bass may be taken only by hook and line. Conservation Com. Print A 595.

1961. S-1659. BRONSTON -- Amends Section 319, Conservation Law, to provide that striped bass not less than 16 inches in length may be taken in marine district of state only by certain methods and shall be liberated from nets or contrivances and returned to water immediately unharmed, to make other regulations as to tagging and wardens for enforcement, with striped bass to be known as game fish in state, instead of being taken in any manner at any time and in any number. Conservation Com. Same as A 2351. Print S 1710.

1961. A-2351. A. RYAN -- Amends Section 319, Conservation Law, to provide that striped bass not less than 16 inches in length may be taken in marine district of state only by certain methods and shall be liberated from nets or contrivances and returned to water immediately unharmed, to make other regulations as to tagging and wardens for enforcement, with striped bass to be known as game fish in state, instead of being taken in any manner at any time and in any number. Conservation Com. Same as S 1659. Print A 2381.

1962. S-2091. BRONSTON -- Amends Section 319, Conservation Law, to fix size and bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens throughout district to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as S 1470, 2468; A 2454, 2555. Print S 2177.

1962. S-1470. MEIGHAN -- Amends Section 319, Conservation Law, to fix size and bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens throughout district to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as S 2091, 2468; A 2454, 2555. Feb 28 Amend and recommit. Prints S 1502, 4088.

1962. S-2468. BRONSTON -- Amends Section 319, Conservation Law, to fix size and bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens throughout district to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as S 1470, 2091; A 2454, 2555. Print S 2597.

1962. A-490. LaFAUCI -- Amends Section 319, Conservation Law, to provide that striped bass may be taken only by hook and line. Conservation Com. Print A 490.

1962. A-2555. YOSWEIN -- Amends Section 319, Conservation Law, to fix size and bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens throughout district to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as S 1470, 2091, 2468; A 2454. Print A 2579.

1962. A-2454. GIOFFRE -- Amends Section 319, Conservation Law, to fix size and bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens throughout district to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as S 1470, 2091, 2468; A 2555. Print A 2478.

1963. A-53. GIOFFRE -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens therein, to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as S 687. Print A 53.

1963. A-1285. LaFAUCI -- Amends Section 319, Conservation Law, to provide that striped bass may be taken only by hook and line. Conservation Com. Print A 1285.

1963. A-925. YOSWEIN -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, with volunteer force of not less than 100 non-salaried deputy wardens to aid in educating public and enforcing provisions, with conservation dept. allowed to recommend increase of bag limit. Conservation Com.

1963. A-2652. A. RYAN -- Amends Section 319, Conservation Law, to provide that striped bass may be taken in Marine District of NY only by hook and line angling methods in specified manner and to prohibit taking by certain specified methods, with those taken by net to be released, with purchase or sale prohibited under certain conditions, and with provision made for tagging

for sale; creates volunteer force of not less than 100 non-salaried deputy fishery wardens to aid in educating public. Conservation Com. Print A 2682.

1963. S-687. MEIGHAN -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens therein, to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as A 53. Print S 687.

1964. A-4054. GIOFFRE -- Amends Sections 275, 320, Conservation Law, to prohibit taking of striped bass by hooking during period, Jan. 1 through March 31. Conservation Com. Same as S 2653. Print A 4185.

1964. A-1683. GIOFFRE -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, with volunteer force of not less than 100 non-salaried deputy wardens therein, to aid in educating public and enforcing provisions, with conservation dept. allowed to recommend increase of bag limit. Conservation Com. Same as S 1045. Print A 1683.

1964. A-633. LaFAUCI -- Amends Section 319, Conservation Law, to provide that striped bass may be taken only by hook and line. Conservation Com. Print A 633.

1964. A-190. YOSWEIN -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, with volunteer force of not less than 100 non-salaried deputy wardens to aid in educating public and enforcing provisions, with conservation dept. allowed to recommend increase of bag limit. Conservation Com. Print A 190.

1964. A-4192. RICE -- Amends Section 319, Conservation Law, to provide that striped bass may be taken in marine district only by hook and line angling methods in specified manner and to prohibit taking by certain other specified methods, with those taken by net to be released, with purchase or sale prohibited under certain conditions, and with provisions for tagging for sale; creates volunteer force of not less than 100 non-salaried deputy fishery wardens to aid in educating public. Conservation Com. Print A 4337.

1964. A-2744. A. RYAN -- Amends Section 319, Conservation Law, to provide that striped bass may be taken in marine district of NY only by hook and line angling methods in specified manner, and to prohibit taking by certain methods, with those taken by net to be released, with purchase or sale prohibited under certain conditions, and with provision made for tagging for sale; creates volunteer force of not less than 100 non-salaried deputy fishery

wardens to aid in educating public. Conservation Com. Same as S 2483. Print A 2768.

1964. A-2483. MARINE -- Amends Section 319, Conservation Law, to provide that striped bass may be taken in marine district of NY only by hook and line angling methods in specified manner, and to prohibit taking by certain methods, with those taken by net to be released, with purchase or sale prohibited under certain conditions, and with provision made for tagging for sale, creates volunteer force of not less than 100 non-salaried deputy fishery wardens to aid in educating public. Conservation Com. Same as A 2744. Print S 2608.

1964. A-2741. A. RYAN -- Amends Sections 275, 320, Conservation Law, to provide that during period Jan. 1 through March 31, striped bass then in semi-dormant state, shall not be taken by means of hooking. Conservation Com. Same as S 2484. Print A 2765.

1964. S-1045. MEIGHAN -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, and to provide for volunteer force of not less than 100 non-salaried deputy wardens therein, to aid in educating public and enforcing provisions, with conservation dept. empowered to recommend increase of bag limit. Conservation Com. Same as A 1683. Print S 1045.

1964. S-2653. MEIGHAN -- Amends Sections 275, 320, Conservation Law, to prohibit taking of striped bass by hooking during period, Jan. 1 through March 31. Conservation Com. Same as A 4054. Print S 2793.

1964. S-2484. MARINE -- Amends Sections 275, 320, Conservation Law, to provide that during period Jan. 1 through March 31 striped bass then in semi-dormant state, shall not be taken by means of hooking. Conservation Com. Same as A 2741. Print S 2609.

1965. A-1743. GIOFFRE -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, with volunteer force of non-salaried deputy wardens, which may be created by conservation dept., to aid in educating public and assisting with enforcement of provisions. Conservation Com. Same as S 1236. Print A 1743.

1965. A-5307. GIOFFRE -- Amends Section 319, Conservation Law, to authorize taking of striped bass in Hudson river by legal, licensed shad nets between Dec. 15 in any year, and succeeding March 31. Conservation Com. Print A 5585.

1965. A-5263. CEROSKY -- Amends Section 319, Conservation Law, to provide that striped bass shall not be taken in Hudson River by any means between Dec. 15 of any year and following March 31, except in legal, licensed shad nets. Conservation Com. Same as S 3374. Print A 5537.

1965. A-2030. RYAN -- Amends Section 319, Conservation Law, to repeal and fix new provisions relating to manner of taking striped bass, to prescribe bag and possession limit, to authorize conservation dept. to create unarmed non-salaried force of deputy fishery wardens throughout marine district, and to provide that striped bass shall be known as game fish in state. Conservation Com. Same as S 2880. Print A 2030.

1965. S-3374. GORDON -- Amends Section 319, Conservation Law, to provide that striped bass shall not be taken in Hudson river by any means between Dec. 15 of any year and following March 31, except in legal, licensed shad nets. Conservation Com. Same as A 5263. Print S 3645.

1965. A-5165. RYAN -- Amends Section 319, Conservation Law, to require that conservation comr. shall prohibit taking of striped bass by any means in Hudson river, except such striped bass taken in legal, licensed shad nets, between Dec. 15 and March 31. Conservation Com. Print A 5394.

1965. A-1026. RICE -- Amends Section 319, Conservation Law, to fix certain new provisions for taking striped bass in marine district of NY, including bag and possession limit, and to provide that all striped bass taken in NY waters other than district, and all transported into or within state or into marine district for commercial purpose, shall have attached metallic tag affixed by permittee, shipper or dealer of type issued by conservation dept., and to make other relative provisions. Conservation Com. Jun 22 Rules rept 3rd rdg Recommitted. Print A 1026.

1965. S-1236. GORDON -- Amends Section 319, Conservation Law, to fix size, bag limits and manner of taking striped bass in marine district, with volunteer force of non-salaried deputy wardens, which may be created by conservation dept., to aid in educating public and assisting with enforcement of provisions. Conservation Com. Same as A 1743. Print S 1244.

1965. S-2880. BRONSTON -- Amends Section 319, Conservation Law, to repeal and fix new provisions relating to manner of taking striped bass, to prescribe bag and possession limit, to authorize conservation dept. to create unarmed non-salaried force of deputy fishery wardens throughout marine district, and to provide that striped bass shall be known as game fish in state. Conservation Com. Same as A 2030. Print S 3036.

1966. A-5081. REILLY; Multi-sponsored by: FARRELL, McCARTHY -- Amends Section 319, Conservation Law, to repeal and fix certain new provisions relative to taking of striped bass, including right to take such bass not less than 16 inches in length in marine district only by hook and line angling methods in certain manner, or by use of hand, spring or elastic powered spearguns, where legally permitted, under certain conditions, and to fix certain other provisions relating to taking of fluke or summer flounder. Conservation Com.● Same as A 4833. Print A 5243.



1966. S-1553. GIOFFRE -- Amends Section 319, Conservation Law, to fix size, bag limit and manner of taking striped bass in marine district, with authorization for conservation dept. to create and indoctrinate non-salaried force of deputy fishery wardens, established cooperatively between dept. and marine district sportsmen's federations, to aid in educating public and assisting in enforcement as to striped bass. Conservation Com. Same as A 2796. Mar 2 Amend and recommit. Prints S 1581, 4428.

1966. A-2083. KREMER; Multi-sponsored by: MELTON -- Amends Section 319, Conservation Law, to repeal and fix new provisions relating to manner of taking striped bass, to prescribe bag and possession limit, to authorize conservation dept. to create unarmed non-salaried force of deputy fish wardens throughout marine district, and to provide that striped bass shall be known as game fish in state. Conservation Com.● Same as S 1385. Print A 2124.

1966. A-4833. REILLY; Multi-sponsored by: FARRELL -- Amends Section 319, Conservation Law, to repeal and fix certain new provisions relative to taking of striped bass, including right to take such bass not less than 16 inches in length in marine district only by hook and line angling methods in certain manner, or by use of hand, spring or elastic powered spearguns, where legally permitted, under certain conditions, and to fix certain other provisions relating to taking of fluke or summer flounder. Conservation Com.● Same as A 5081. Print A 4995.

1966. A-2796. PISANI -- Amends Section 319, Conservation Law, to fix size, bag limit and manner of taking striped bass in marine district, with authorization for conservation dept. to create and indoctrinate non-salaried force of deputy fishery wardens, established cooperatively between dept. and marine district sportsmen's federations, to aid in educating public and assisting in enforcement as to striped bass. Conservation Com.● Same as S 1553. Print A 2869.

1966. A-3630. MELTON: Multi-sponsored by: KREMER -- Amends Section 319, Conservation Law, to make general changes in provisions relating to taking striped bass in marine district of NY including bag and possession limit, and to require that metallic tag shall be affixed thereto. Conservation Com.● Same as S 2395. Print A3705.

1966. A-1760. SCHMIDT -- Amends Section 319, Conservation Law, to repeal certain provisions relating to taking of striped bass, and to fix new provisions relating to such taking in marine district of state, including provision that such bass not less than 16 inches in length may be taken in district only by hook and line angling methods in certain prescribed manner, and to make other provisions relating to liberation of bass from nets, tagging and bag and possession limit. Conservation Com.● Print A 1780.

1966. S-1385. B. SMITH -- Amends Section 319, Conservation Law, to repeal and fix new provisions relating to manner of taking striped bass, to prescribe bag and possession limit, to authorize conservation dept. to create unarmed non-salaried force of deputy fish wardens throughout marine district, and to provide that striped bass shall be known as game fish in state. Conservation Com. Same as A 2083. Print S 1410.

1966. S-2395. B. SMITH -- Amends Section 319, Conservation Law, to make general changes in provisions relating to taking striped bass in marine district of NY, including bag and possession limit, and to require that metallic tag shall be affixed thereto. Conservation Com. Same as A 3630. Print S 2472.

1966. S-3824. KNORR -- Amends Section 319, Conservation Law, to repeal certain provisions relating to taking of striped bass, and to fix new provisions relative thereto in marine district of state, including minimum length, use of nets, purchase, sale or exchange, bag and possession limits, with conservation dept. authorized to create volunteer force of non-salaried deputy fishery wardens in cooperation with marine district sportsmen's association. Conservation Com. Print S 3981.

1967. S-550. GIOFFRE -- Amends Section 319, Conservation Law, to fix size, bag limit and manner of taking striped bass in marine district, with conservation dept. to create and indoctrinate non-salaried force of deputy fishery wardens, established cooperatively between dept. and marine district sportsmen's federations, to aid in educating public and assisting in enforcement as to striped bass. Conservation Com. Same as A 1354.

1967. A-1354. PISANI -- Amends Section 319, Conservation Law, to fix size, bag limit and manner of taking striped bass in marine district, with conservation dept. to create and indoctrinate non-salaried force of deputy fishery wardens, established cooperatively between dept. and marine district sportsmen's federations, to aid in educating public and assisting in enforcement as to striped bass. Conservation Com. Same as S 550. Print A 1354.

1967. A-4954. REILLY -- Amends Section 319, Conservation Law, to repeal and fix certain new provisions relative to taking of striped bass, including right to take bass not less than 16 inches in length in marine district only by hook and line angling methods in certain manner, or by use of certain type of spearguns, under certain conditions, and to make other provisions as to taking of fluke and summer flounder. Conservation Com.● Print A 5204.

1967. A-2471. SCHMIDT -- Amends Section 319, Conservation Law, to repeal certain provisions relating to taking of striped bass, and to fix new provisions relating to such taking in marine

district of state, including provision that such bass not less than 16 inches in length may be taken only by hook and line angling methods in prescribed manner, and to make provisions as to liberation of bass from nets, tagging and bag and possession limit. Conservation Com. Print A 2487.

1968. S-574. GIOFFRE -- Amends Section 319, Conservation Law, to provide that conservation dept. may impose bag and possession limit should it be deemed necessary, based on striped bass population studies, with notice to be through publicized memorandum issued no later than April 30 each year for which limit is imposed and with conservation dept. to create and indoctrinate non-salaried force of deputy fishery wardens, established cooperatively between dept. and marine district sportsmen's federations, to educate public and assist in enforcement. Conservation Com.

1968. A-5962. THORP -- Amends Section 319, Conservation Law, to revise and make general changes in provisions relating to taking of striped bass and regulations thereof by conservation dept. Conservation Com. Mar 20 Rept Mar 25 3rd rdg Mar 28 Amended Apr 29 Amended May 21 Amended. May 24 Committed to Rules Com. 5962-A, B, C.

1968. S-4583. B. SMITH -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, and to provide for regulating taking of striped bass for commercial purposes and issuing license therefor by conservation dept. and to fix minimum size limits for taking and attaching metallic tag thereto in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Mar 20 Rept Mar 25 3rd rdg Apr 10 Amended May 6 Passed. May 7 Assembly Rules Com. 4583-A.

1968. A-2430. SCHMIDT -- Amends Section 319, Conservation Law, to repeal certain provisions relating to taking of striped bass, and to fix new provisions for taking in marine district of state, with bass not less than 16 inches in length to be taken only by hook and line angling methods in prescribed manner, and to make provisions as to liberation of bass from nets, tagging and bag and possession limits. Conservation Com.

1968. A-4625. REILLY -- Amends Section 319, Conservation Law, to repeal and fix certain new provisions relative to taking of striped bass, including right to take bass not less than 16 inches in length in marine district only by hook and line angling methods in certain manner, or by use of certain type of spearguns under certain conditions; makes other provisions as to taking of fluke and summer flounder. Conservation Com. Mar 5 Amend and recommit. 4625-A.

1969. A-2191. PISANI -- Amends Section 319, Conservation Law, to fix size, bag limit and manner of taking striped bass in marine district, with conservation dept. to create and indoctrinate non-salaried force of deputy fishery wardens, established cooperatively between dept. and marine district sportsmen's federations, to aid in educating public and assisting in enforcement as to striped bass. Conservation Com.

1969. S-2016. GIOFFRE -- Amends Section 319, Conservation Law, to provide that conservation dept. may impose bag and possession limit on striped bass based on population studies with notice to be published not later than April 30 of any year, and with dept. to create and indoctrinate non-salaried force of deputy fishery wardens to educate public and assist in enforcement. Conservation Com. Same as A 3116.

1969. A-4966. MCCARTHY; Multi-sponsored by: THORP -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, and to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept. and to fix minimum size limits for taking and attaching metallic tag thereto in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as S 2912. Mar 7 Amend and recommit. 4966-A.

1969. A-3116. PISANI -- Amends Section 319, Conservation Law, to provide that conservation dept. may impose bag and possession limit on striped bass based on population studies with notice to be published not later than April 30 of any year, and with dept. to create and indoctrinate non-salaried force of deputy fishery wardens to educate public and assist in enforcement. Conservation Com. Same as S 2016.

1969. S-4341. SPENO -- Amends Section 319, Conservation Law, to revise and make general changes in provisions relating to taking of striped bass in marine district and regulations thereof by conservation dept. Conservation Com.

1969. S-2912. B. SMITH -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, and to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept. and to fix minimum size limits for taking and attaching metallic tag thereto in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as A 4966. Mar 6 Rept Mar 7 Amended 3rd rdg Mar 24 Passed. Mar 25 Assembly Rules Com \*May 2 Senate Vote reconsidered Restored to 3rd rdg Recommitted to Conservation Com. 2912-A.

1969. A-2473. SCHMIDT -- Amends Section 319, Conservation Law, to repeal certain provisions relating to taking of striped bass, and to fix new provisions for taking in marine districts, with bass not less than 16 inches in length to be taken only by hook and line angling methods in prescribed manner, and to make provisions as to liberation of bass from nets, tagging and bag and possession limits. Conservation Com.

1970. A-6413. RULES COM. (Request of Messrs. Costigan, Lane) -- Amends Sections 291, 319, 320, 322, 323, 387, re-numbers Sections 324, 325, as Sections 325, 326, adds Section 324, Conservation Law, to prohibit taking of striped bass less than 16 inches in length, by any person in any manner in waters of state, to prohibit use of haul seines in waters from Shagwong Point around Montauk Point to Sandpiper road in area of Ditch Plains, and to provide that no person shall place or use nets, except beam trawls and otter trawls, nor employ other method or device for taking of striped bass for commercial purposes in marine and coastal district without being licensed by dept.; makes other provisions as to taking of striped bass, including taking for commercial purposes. Conservation Com. Same as S 9043. Mar 31 Rept Apr 2 3rd rdg Apr 11 Motion to amend lost. Passed. Apr 16 Senate Finance Com. (Apr 19 Rept 3rd rdg Passed. Apr 20 To Gov. May 20 Vetoed (Memo 285).

1970. A-1550. MCCARTHY; Multi-sponsored by: THORP, BURNS, JERABEK, REILLY, BALLETTA, McCLOSKEY, BIONDO, PISANI, FLACK, MICHAELS, STRAUB, KREMER, HARWOOD, WAGER, SCHMIDT, COOPERMAN, BERLE, HARRIS -- Amends Section 319, adds 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, and to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept., and to fix minimum size limits for taking and attaching metallic tag thereto, in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as S 2912.

1970. S-4341. SPENO -- Amends Section 319, Conservation Law, to revise and make general changes in provisions relating to taking of striped bass in marine district and regulations thereof by conservation dept. Conservation Com.

1970. S-2016. GIOFFRE -- Amends Section 319, Conservation Law, to provide that conservation dept. may impose bag and possession limit on striped bass based on population studies with notice to be published not later than April 30 of any year, and with dept. to create and indoctrinate non-salaried force of deputy fishery wardens to educate public and assist in enforcement. Conservation Com.

1970. S-2912. B. SMITH -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at

any time and in any number and may be bought and sold at any time, and to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept., and to fix minimum size limits for taking and attaching metallic tag thereto, in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as A 1550. Mar 10 Rept Mar 16 3rd rdg Amended Mar 30 Passed. Assembly Conservation Com.● 2912-A\*, B.

1970. S-9043. RULES COM. -- Amends Sections 291, 319, 320, 322, 323, 387, rennumbers Sections 324, 325, as Sections 325, 326, adds Section 324, Conservation Law, to prohibit taking of striped bass less than 16 inches in length, by any person in any manner in waters of state, to prohibit use of haul seines in waters from Shagwong Point around Montauk Point to Sandpiper road in area of Ditch Plains, and to provide that no person shall place or use nets, except beam trawls and otter trawls, nor employ other method or device for taking of striped bass for commercial purposes in marine and coastal district without being licensed by dept.; makes other provisions as to taking of striped bass, including taking for commercial purposes. Conservation Com. Same as A 6413.

1971. S-4864. GIUFFREDA -- Amends Sections 291, 319, 320, 322, 323, 387, rennumbers Sections 324, 325 as Sections 325, 326, adds Section 324, Conservation Law, to prohibit taking of striped bass for commercial purposes in waters of marine district by net, beam trawls, pair trawls and otter trawls, or any other method or device, without first obtaining license from conservation dept., and to make general changes in open seasons and manner of taking striped bass. Conservation Com. Same as A 6086.

1971. A-4367. WERTZ; Multi-sponsored by: COSTIGAN -- Amends Sections 154, 320, 387, Conservation Law, to make it unlawful to take striped bass in marine district waters by use of chum or chumming, and to define chum as chopped or cutup fish, shellfish or other form of marine life, vegetable matter or small live fish thrown overboard to attract fish to fishing boat. Conservation Com. Apr 7 Rept Apr 8 3rd rdg Apr 26 Passed. May 11 Senate Rules Com. Rept.

1971. A-6086. COSTIGAN; Multi-sponsored by: WERTZ, LANE -- Amends Sections 291, 319, 320, 322, 323, 387, rennumbers Sections 324, 325 as Section 325, 326, adds Section 324, Conservation Law, to prohibit taking of striped bass for commercial purposes in waters of marine district by net, beam trawls, pair trawls and otter trawls, or any other method or device, without first obtaining license from conservation dept., and to make general changes in open seasons and manner of taking striped bass. Conservation Com. Same as S 4864. Mar 16 Rept Mar 17 3rd rdg Mar 31 Motion to amend lost Passed. Apr 6 Senate Rules Com Jun 5 Com discharged Committed to Conservation Com Rept 3rd rdg Jun 6 lost.

1971. A-3830. WERTZ; Multi-sponsored by: BERLE, CALA-BRETTA, COOPERMAN, GOLD, HARWOOD, KREMER, LANDES, NINE, OLIVIERI, H. POSNER, STEIN, STRAUB, THORP, WAGER, HEALTY -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept., to fix minimum size limits for taking and to require attaching metallic tag thereto in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as S 1442.

1971. S-3573. GIUFFREDA -- Amends Sections 154, 320, 387, Conservation Law, to make it unlawful to take striped bass in marine district waters by use of chum or chumming, and to define chum as chopped or cutup fish, shellfish or other form of marine life, vegetable matter or small live fish thrown overboard to attract fish to fishing boat. Conservation Com.

1971. S-1442. B. SMITH -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept., to fix minimum size limits for taking and to require attaching metallic tag thereto in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as A 3830. Mar 11 Rept Mar 16 3rd rdg Mar 22 Passed. Mar 23 Assembly Conservation Com.

1972. S-1442. B. SMITH -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept., to fix minimum size limits for taking and to require attaching metallic tag thereto in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as A 3830.

1972. S-4864. GIUFFREDA -- Amends Sections 291, 319, 320, 322, 323, 387, renumbers Sections 324, 325 as Sections 325, 326, adds Section 324, Conservation Law, to prohibit taking of striped bass for commercial purposes in waters of marine district by net, beam trawls, pair trawls and otter trawls, or any other method or device, without first obtaining license from conservation dept., and to make general changes in open seasons and manner of taking striped bass. Conservation Com.

1972. A-3830. WERTZ; Multi-sponsored by: BERLE, CALA-BRETTA, COOPERMAN, GOLD, HARWOOD, KREMER, LANDES, NINE, OLIVIERI, H. POSNER, STEIN, STRAUB, THORP, WAGER, HEALEY, REILLY -- Amends Section 319, adds Section 319-a, Conservation Law, to strike out provision that striped bass not less than 16 inches in length may be taken in any manner at any time and in any number and may be bought and sold at any time, to provide for regulating taking for commercial purposes and issuing license therefor by conservation dept., to fix minimum size limits for taking and to require attaching metallic tag there-to in case of sale to consumer; makes other provisions as to powers of conservation dept. Conservation Com. Same as S 1442.

1972. S-3573. GIUFFREDA -- Amends Sections 154, 320, 387, Conservation Law, to make it unlawful to take striped bass in marine district waters by use of chum or chumming, and to define chum as chopped or cutup fish, shellfish or other form of marine life, vegetable matter or small live fish thrown overboard to attract fish to fishing boat. Conservation Com.

1972. A-4367. WERTZ; Multi-sponsored by: COSTIGAN -- Amends Sections 154, 320, 387, Conservation Law, to make it un-lawful to take striped bass in marine district waters by use of chum or chumming, and to define chum as chopped or cutup fish, shellfish or other form of marine life, vegetable matter or small live fish thrown overboard to attract fish to fishing boat. Conservation Com. Apr 11 Rept Apr 12 3rd rdg.

Section

1972. A-11190. BERLE -- Adds/319-a Conservation Law, to make it unlawful on or after Jan. 1, 1973, to buy sell or ex-change for remuneration, striped bass, or parts thereof, taken by any method in waters of state. Conservation Com.

1973. A-2520. BERLE -- Adds Section 11-1304, amends Section 13-0339, Environmental Conservation Law, to strike out provisions allowing taking in any manner and at any time and in any number, striped bass not less than 16 inches in length, and power to buy and sell same at any time when lawfully taken and possessed, and to enact new provisions making it unlawful to buy, sell or exchange for remuneration, striped bass taken by any method in state, and to permit comr. to set regulations restricting method of taking and establishing size and catch limits. Environmental Com.

1973. A-5896. MANNIX -- Amends Section 13-0339, Environ-mental Conservation Law, to require that striped bass measuring less than 16 inches be returned to water alive and unharmed. Environmental Com. Same as S 3632.

1973. S-3632. PISANI -- Amends Sectior 13-0339, Environ-mental Conservation Law, to require that striped bass measuring less than 16 inches be returned to water alive and unharmed. Conservation Com. Same as A 5896.



## Weakfish

1969. A-3353. SCHMIDT -- Amends Section 319, Conservation Law, to prohibit taking of weakfish less than 14, instead of 9 inches. Conservation Com.

1970. A-2371. SCHMIDT; Multi-sponsored by: GIORDANO -- Amends Section 319, Conservation Law, to provide that weakfish less than 14 instead of 9 inches, may not be bought, sold or offered for sale. Conservation Com.

1971. A-3210. SCHMIDT -- Amends Section 319, Conservation Law, to provide that weakfish less than 14, instead of 9 inches, may not be bought, sold or offered for sale. Conservation Com.

1972. A-3210. SCHMIDT -- Amends Section 319, Conservation Law, to provide that weakfish less than 14, instead of 9 inches may not be bought, sold or offered for sale. Conservation Com.

1973. A-5895. MANNIX -- Amends Section 13-0339, Environmental Conservation Law, to prohibit buying, selling or offering for sale of weakfish less than 14, instead of 9 inches in length. Environmental Com. Same as S 3634.

1973. S-3634. PISANI -- Amends Section 13-0339, Environmental Conservation Law, to prohibit buying, selling or offering for sale of weakfish less than 14, instead of 9 inches in length. Conservation Com. Same as A 5895.

### Miscellaneous State Lands (Above Water); Harbor Seals; Definition of Marine District, Extended

1964. A-4230. CUMMINGS -- Amends Section 532, Real Property Tax Law, to provide that all state lands maintained and operated by conservation dept. exclusive of improvements thereon, shall be subject to taxation for all purposes, instead of all state lands located within boundaries of Allegany state park in Cattaraugus co. Taxation Com. Same as S 2638. Print A 4393.

1964. S-2638. MORIARTY -- Amends Section 532, Real Property Tax Law, to provide that all state lands maintained and operated by conservation dept. exclusive of improvements thereon shall be subject to taxation for all purposes, instead of all state lands located within boundaries of Allegany state park in Cattaraugus co. Taxation Com. Same as A 4230. Print S 2778.

1965. S-4213. BERMAN -- Amends Section 152, Conservation Law, to extend provisions prohibiting taking or killing of any fish protected by law or game or protective wildlife, except as permitted by fish and game law, to include taking and killing of harbor seals, and to include selling thereof. Conservation Com.

May 20 Rept May 24 3rd rdg May 25 Passed. Assembly Rules  
Com. Print S 4721.

1965. A-5306. GIOFFRE -- Amends Section 300, Conservation Law, to extend marine district to include Hudson river from its present northerly line at south end of Manhattan Island, north to Kingston-Rhinebeck. Conservation Com. Print A 5584.

1965. A-4668. RYAN -- Amends Section 300, Conservation Law, to provide that marine district shall also include Hudson river from its present northerly line at south end of Manhattan Island, north to Kingston-Rhinebeck. Conservation Com. Same as S 3758. Print A 4791.

1965. S-3758. GORDON -- Amends Section 300, Conservation Law, to provide that marine district shall also include Hudson River from its present northerly line at south end of Manhattan Island, north to Kingston-Rhinebeck. Conservation Com. Same as A 4668. Print S 4081.

