

5332--A

Cal. No. 720

2011-2012 Regular Sessions

I N   S E N A T E

May 9, 2011

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Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the environmental conservation law, in relation to continuing the authority of the department of environmental conservation to adopt management regulations for deer and bear; and to amend chapter 600 of the laws of 1993, amending the environmental conservation law relating to the management of bear, in relation to the effectiveness of such chapter

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

1     Section 1. Section 13 of chapter 600 of the laws of 1993, amending the  
2     environmental conservation law relating to the management of bear, as  
3     amended by chapter 149 of the laws of 2007, is amended to read as  
4     follows:  
5     S 13. This act shall take effect immediately, provided however, that  
6     the amendments made to paragraph c of subdivision 1 of section 11-0907  
7     of the environmental conservation law made by section five of this act,  
8     paragraph a of subdivision 2 of section 11-0907 of the environmental  
9     conservation law made by section six of this act, paragraphs a and b of  
10    subdivision 3 of section 11-0907 of the environmental conservation law  
11    made by section seven of this act, paragraph b of subdivision 2 of  
12    section 11-0907 of the environmental conservation law made by section  
13    six of this act, paragraph c of subdivision 3 of section 11-0907 of the  
14    environmental conservation law made by section seven of this act, and  
15    subdivision 3 of section 11-0911 of the environmental conservation law  
16    made by section eight of this act shall expire on October 1, [2011]  
17    2015.

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

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1 S 2. Subdivision 8, paragraph a of subdivision 9 and subdivision 10 of  
2 section 11-0903 of the environmental conservation law, as amended by  
3 chapter 149 of the laws of 2007, are amended to read as follows:

4 8. Notwithstanding any provision of law, rule or regulation to the  
5 contrary, the department may, until October first, two thousand [eleven]  
6 FIFTEEN, fix by regulation the open seasons, open areas, bag limit,  
7 manner of taking, possession and disposition of bear and parts of bears,  
8 and the intentional and incidental feeding of bears. Such regulations  
9 shall implement the provisions of this article. Such regulations, as the  
10 department deems appropriate, may provide for special permits and permit  
11 quotas. When a special permit is required, the department may fix by  
12 regulation a fee for each such permit issued.

13 a. Until October first, two thousand [eleven] FIFTEEN, whenever in its  
14 opinion deer shall become numerous enough in any area to cause substan-  
15 tial damage to property or overbrowsing of deer range, the department  
16 may fix by regulation special open seasons for taking wild deer of  
17 either sex. Subject to this subdivision, the department may fix the  
18 conditions of such seasons.

19 10. Notwithstanding any inconsistent provision of subdivision 10 of  
20 section 11-0901 or subdivision 2, subdivision 3 or subdivision 8 of  
21 section 11-0907 of this title, until October first, two thousand [elev-  
22 en] FIFTEEN, the department is authorized to adopt regulations with  
23 respect to the manner of taking, possession, open seasons and bag limits  
24 for deer. The authority to adopt such regulations is in addition to any  
25 authority contained in this section or section 11-0913 of this title  
26 respecting regulations fixing open seasons for deer and the issuance of  
27 deer management permits.

28 S 3. Paragraph a of subdivision 1 of section 11-0913 of the environ-  
29 mental conservation law, as amended by chapter 149 of the laws of 2007,  
30 is amended to read as follows:

31 a. Until October first, two thousand [eleven] FIFTEEN, whenever in its  
32 opinion the population of deer in any area of the state except in the  
33 northern zone is such that additional harvest of deer is reasonably  
34 necessary to properly manage the deer herd in the state in balance with  
35 the available deer range and natural food supply, the department may  
36 provide by regulation for issuance of deer management permits, permit-  
37 ting the taking of one deer for the permit, in addition to the limit of  
38 one deer that may otherwise be taken by one person in a license year.

39 S 4. This act shall take effect immediately.