

2582

2013-2014 Regular Sessions

I N S E N A T E

January 22, 2013

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

AN ACT to amend the environmental conservation law, in relation to big game hunting by people between the ages of twelve and sixteen years, with adult supervision

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

1 Section 1. Subdivision 2 of section 11-0701 of the environmental
2 conservation law is amended by adding a new paragraph d to read as
3 follows:
4 D. A JUNIOR BIG GAME LICENSE ENTITLES A RESIDENT HOLDER WHO IS BETWEEN
5 THE AGES OF TWELVE AND SIXTEEN YEARS TO HUNT WILD DEER AND BEAR DURING
6 THE REGULAR BIG GAME SEASON, AS PROVIDED IN TITLE 9 OF THIS ARTICLE, AS
7 IF SUCH PERSON HELD A BIG GAME LICENSE, SUBJECT TO THE PROVISIONS OF
8 SUBDIVISION SIX OF SECTION 11-0929 AND SUBDIVISION THREE OF SECTION
9 11-0713 OF THIS ARTICLE. IT ENTITLES A NON-RESIDENT HOLDER WHO IS
10 BETWEEN THE AGES OF TWELVE AND SIXTEEN YEARS TO HUNT WILD DEER AND BEAR
11 DURING REGULAR BIG GAME SEASON, AS PROVIDED IN TITLE 9 OF THIS ARTICLE,
12 AS IF SUCH PERSON HELD A NON-RESIDENT BEAR TAG, SUBJECT TO THE
13 PROVISIONS OF SECTION 11-0929 AND SUBDIVISION THREE OF SECTION 11-0713
14 OF THIS ARTICLE.
15 S 2. Section 11-0929 of the environmental conservation law is amended
16 by adding a new subdivision 6 to read as follows:
17 6. A JUNIOR BIG GAME LICENSEE, BETWEEN THE AGES OF TWELVE AND SIXTEEN
18 YEARS, SHALL NOT HUNT DEER OR BEAR WITH FIREARMS UNLESS HE OR SHE IS
19 ACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN, OR BY A PERSON OVER
20 EIGHTEEN YEARS OF AGE DESIGNATED IN WRITING BY HIS OR HER PARENT OR
21 LEGAL GUARDIAN WHO HAS AT LEAST ONE YEAR'S EXPERIENCE IN HUNTING DEER OR
22 BEAR, AND SUCH ACCOMPANYING PARENT, LEGAL GUARDIAN, OR PERSON HOLDS A
23 VALID LICENSE ENTITLING HIM OR HER TO HUNT BIG GAME WITH FIREARMS.
24 S 3. Subdivision 2, paragraph b of subdivision 4 and subdivision 6 of
25 section 11-0703 of the environmental conservation law, subdivision 2 as
26 amended by chapter 507 of the laws of 2010, paragraph b of subdivision 4
27 as amended by chapter 178 of the laws of 2011 and subdivision 6 as

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

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1 amended by chapter 344 of the laws of 2008, are amended to read as
2 follows:

3 2. Except as provided in section 11-0704 of this title, no license,
4 permit, tag or stamp is transferable. No person shall alter, change,
5 lend to another or attempt to transfer to another any license or any
6 button, permit, tag or stamp issued therewith. No person, while hunting,
7 shall possess a license, button, permit, tag or stamp which was issued
8 to another person unless actually accompanied by the person to whom such
9 license, button, permit, tag or stamp was issued. No person shall
10 purchase, possess or use more than one junior archery, junior hunting,
11 JUNIOR BIG GAME, small and big game, big game, bowhunting, muzzle-load-
12 ing, sportsman, or resident super-sportsman license or stamp, non-resi-
13 dent bowhunting or muzzle-loading license, non-resident super-sportsman
14 license, non-resident bear tag or special permit for the current license
15 year, except as permitted by regulation of the department. Notwithstand-
16 ing the prohibitions contained in this subdivision, the department may
17 authorize by rule or regulation the transfer of deer management permits,
18 issued pursuant to section 11-0913 of this article, to any person
19 licensed to hunt deer pursuant to this title.

20 b. A person under the age of [fourteen] TWELVE years is ineligible for
21 any license[, other than a junior archery license,] which authorizes the
22 holder to hunt big game. [A] EXCEPT AS PROVIDED IN PARAGRAPH D OF SUBDI-
23 VISION 2 OF SECTION 11-0701 OF THIS TITLE, A person under the age of
24 sixteen years is ineligible for a small and big game, sportsman or resi-
25 dent super-sportsman, non-resident super-sportsman, non-resident big
26 game, non-resident bowhunting license, or bowhunting stamp. A person is
27 ineligible for a small game, small and big game, junior hunting, big
28 game, junior archery, sportsman and resident super-sportsman, non-resi-
29 dent super-sportsman, or non-resident bowhunting or muzzle-loading
30 license unless such person meets the requirements of subdivision 3 of
31 section 11-0713 of this title.

32 6. a. Except as provided in section 11-0707 and section 11-0709 of
33 this title, no person shall (1) hunt wildlife, other than deer or bear,
34 or take fish with a gun, unless such person holds and is entitled to
35 exercise the privileges of a small game, junior hunting, JUNIOR BIG
36 GAME, small and big game, free sportsman, sportsman or resident super-
37 sportsman, or non-resident super-sportsman license; (2) hunt antlerless
38 deer in a special open season therefor pursuant to subdivision 6 of
39 section 11-0903 of this article unless such person holds and is entitled
40 to exercise the privileges of and has on his or her person while so
41 hunting a JUNIOR BIG GAME, small and big game, big game, junior archery,
42 free sportsman, junior hunting if the licensee is at least fourteen
43 years old, sportsman, resident super-sportsman, non-resident super-
44 sportsman or non-resident bowhunting or muzzle-loading license, and a
45 special antlerless deer license; (3) take fish or frogs in the manner
46 described in subdivision 4 of section 11-0701 of this title unless such
47 person is entitled to exercise the privileges of a fishing license; (4)
48 trap wildlife unless such person holds a trapping license.

49 b. Except as provided in section 11-0707 and section 11-0709 of this
50 title, no resident shall (1) hunt wild deer or bear unless such person
51 holds and is entitled to exercise the privileges of a small and big
52 game, JUNIOR BIG GAME, junior archery, junior hunting if the licensee is
53 at least fourteen years old, free sportsman, sportsman, or resident
54 super-sportsman license, and meets the requirements of this article; (2)
55 hunt wild deer or bear with a longbow in a special longbow season unless
56 such person holds and is entitled to exercise the privileges of a small

1 and big game, junior archery, free sportsman, sportsman, or resident
2 super-sportsman license with a bowhunting stamp affixed and meets the
3 requirements of this article; or (3) hunt wild deer or bear with a
4 muzzle-loading firearm in a special muzzle-loading firearm season unless
5 such person holds a small and big game, free sportsman, sportsman,
6 junior hunting if the licensee is at least fourteen years old, or resi-
7 dent super-sportsman license with a muzzle-loading stamp affixed and
8 meets the requirements of this article.

9 c. Except as provided in section 11-0707 and section 11-0709 of this
10 title, no non-resident shall (1) hunt wild deer unless such person holds
11 and is entitled to exercise the privileges of a big game, JUNIOR BIG
12 GAME, junior archery, junior hunting if the licensee is at least four-
13 teen years old, non-resident super-sportsman, or non-resident bowhunting
14 or muzzle-loading license; (2) hunt wild deer with a longbow in a
15 special longbow season unless such person holds and is entitled to exer-
16 cise the privileges of a non-resident super-sportsman, non-resident
17 bowhunting, or junior archery license; (3) hunt wild deer with a
18 muzzle-loading firearm in a special muzzle-loading firearm season unless
19 such person holds a non-resident super-sportsman or non-resident
20 muzzle-loading license; (4) hunt wild bear unless such person holds a
21 junior hunting license if the licensee is at least fourteen years old, a
22 junior archery license, or a non-resident bear tag in combination with
23 one of the non-resident deer licenses listed in subparagraph 1, 2 or 3
24 of this paragraph.

25 S 4. Subdivision 2 of section 11-0713 of the environmental conserva-
26 tion law, as amended by chapter 25 of the laws of 2011, is amended to
27 read as follows:

28 2. The issuing officer shall not issue a junior archery license to a
29 person between the ages of twelve and sixteen YEARS or a junior hunting
30 license OR JUNIOR BIG GAME LICENSE to a person between the ages of
31 twelve and sixteen years unless at the time of issuance applicant is
32 accompanied by his or her parent or legal guardian who shall consent to
33 the issuance of the license and shall so signify by signing his or her
34 name in ink across the face of it. At no time shall such licenses be
35 issued by mail to persons between the ages of twelve and sixteen years.

36 S 5. Subdivision 3 of section 11-0719 of the environmental conserva-
37 tion law, as amended by chapter 25 of the laws of 2011, is amended to
38 read as follows:

39 3. A junior hunting license issued to a person who is at least twelve
40 and less than sixteen years of age or a junior archery OR JUNIOR BIG
41 GAME license issued to a person who is between the ages of twelve and
42 sixteen years may be revoked by the department upon proof satisfactory
43 to the department that such person, while under the age of sixteen, has
44 engaged in hunting wildlife with a gun or longbow, in circumstances in
45 which a license is required, while not accompanied by his or her parent,
46 guardian or other adult as provided in section 11-0929 of this article.
47 If such license or privilege is revoked the department shall fix the
48 period of such revocation, which is not to exceed six years. The depart-
49 ment may require that such person successfully complete a department
50 sponsored course and obtain a certificate of qualification in responsi-
51 ble hunting or responsible bowhunting practices before being issued
52 another hunting or bowhunting license.

53 S 6. This act shall take effect immediately.