S T A T E O F N E W Y O R K

S. 3223 A. 6788

2009-2010 Regular Sessions

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

March 12, 2009

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

IN ASSEMBLY -- Introduced by M. of A. GLICK, MILLMAN, McDONOUGH, BING, PAULIN, GREENE, ROSENTHAL, WEISENBERG, COLTON, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. COOK, DINOWITZ, GALEF, MAISEL, McENENY, PHEFFER, J. RIVERA, SWEENEY, TITUS -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the prohibition on canned shoots

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

Section 1. Subdivision 1 of section 11-1904 of the environmental conservation law, as added by chapter 208 of the laws of 1999, is amended to read as follows:

1. No person who owns, operates or manages a facility that harbors non-native big game mammals shall knowingly permit:

a. The taking on such premises by any person who pays [a] ANY fee to take a live non-native big game mammal by any of the following means:

(1) the shooting or spearing of a non-native big game mammal that is tied or hobbled;

(2) the shooting or spearing of a non-native big game mammal that is staked or attached to any object;

(3) the shooting or spearing of a non-native big game mammal that is confined in a box, pen, cage or similar container [of ten or less contiguous acres] OR IN A FENCED OR OTHER AREA from which there is no means for such mammal to escape;

(4) the deliberate release of a non-native big game mammal that is confined in a box, pen, cage or similar container [of ten or less contiguous acres] OR IN A FENCED OR OTHER AREA FROM WHICH THERE IS NO

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

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MEANS FOR SUCH MAMMAL TO ESCAPE in the presence of any person who is, or will be, shooting or spearing such non-native big game mammal.

b. For purposes of this section:

(1) shooting shall mean the discharge of any type of firearm or bow and arrow; [and]

(2) spearing shall mean the use of any hand or mechanically propelled single or multiple pronged pike, blade, or harpoon; AND

(3) FEE SHALL INCLUDE, BUT NOT BE LIMITED TO, THE PAYMENT OF ANY COMPENSATION OR REMUNERATION FOR ROOM, BOARD, MEALS, LODGING OR ANY OTHER GOODS OR SERVICES ON THE PREMISES.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.