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

8915

2009-2010 Regular Sessions

I N A S S E M B L Y

June 15, 2009

Introduced by M. of A. SWEENEY -- (at request of the Department of Environmental Conservation) -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the management of migratory game birds; and providing for the repeal of certain provisions upon expiration thereof

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

Section 1. Subdivision 1 of section 11-0307 of the environmental conservation law, as amended by chapter 494 of the laws of 1984, is amended to read as follows:

1. The department [shall] MAY adopt rules and regulations in relation to migratory game birds [consistent with], PROVIDED SUCH REGULATIONS ARE NO LESS RESTRICTIVE THAN federal regulations made under authority of the Migratory Bird Treaty Act of July 3, 1918, (16 U.S.C. secs. 703-711), as [presently constituted or as hereafter] MAY BE amended FROM TIME TO TIME.

S 2. Subdivision 1 of section 11-0903 of the environmental conservation law is amended to read as follows:

1. Open seasons and bag limits with respect to migratory game birds shall be those PUBLISHED ANNUALLY IN THE FEDERAL REGISTER BY THE U.S. DEPARTMENT OF THE INTERIOR, [fixed by] UNLESS the department [in] ADOPTS regulations pursuant to section 11-0307[, to conform with federal regulations made under authority of the Migratory Bird Treaty Act of July 3, 1918 (16 U.S.C. SS 703-711)]. NOTICE OF SUCH OPEN SEASONS AND BAG LIMITS SHALL BE PROVIDED BY DEPARTMENT PRESS RELEASE AND ANY OTHER MEANS THAT THE DEPARTMENT DETERMINES TO BE APPROPRIATE AND EFFECTIVE, INCLUDING POSTING ON THE DEPARTMENT'S PUBLIC WEBSITE.

S 3. Paragraph a of subdivision 2 of section 11-0905 of the environmental conservation law, as amended by chapter 911 of the laws of 1990, is amended to read as follows:

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

LBD07813-05-9

a. Migratory game birds, all species	Fixed annually by FEDERAL regulation, UNLESS THE STATE ADOPTS REGULATION	Fixed annually by FEDERAL regulation, UNLESS THE STATE ADOPTS REGULATION

S 4. Section 11-0323 of the environmental conservation law is amended to read as follows:

S 11-0323. Publication of Fish and Wildlife Law.

The department shall compile and index each year after the adjournment of the legislature the laws relating to fish and wildlife as amended to date. Copies of the compilation shall be printed in pamphlet form of pocket size in the number for which the legislature may appropriate funds. The department shall also prepare a syllabus of such laws AND INFORMATION INFORMING MIGRATORY GAME BIRD HUNTERS WHERE THEY CAN OBTAIN INFORMATION REGARDING OPEN SEASONS AND BAG LIMITS and shall deliver copies to county, city, town and village clerks in numbers sufficient for the furnishing of one copy to each person to whom a hunting, trapping or fishing license is issued. Each such licensee shall be entitled to one copy of such syllabus.

S 5. This act shall take effect immediately; provided, however, that the amendments made by sections one, two and three of this act shall be deemed repealed on May 1, 2011.