

2883

2009-2010 Regular Sessions

I N S E N A T E

March 5, 2009

Introduced by Sen. BONACIC -- 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 the transfer of lifetime hunting licenses held by military members killed in combat

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

1 Section 1. Section 11-0702 of the environmental conservation law is
2 amended by adding a new subdivision 3-a to read as follows:
3 3-A. A LIFETIME LICENSE MAY BE TRANSFERRED TO THE SPOUSE, SIBLING,
4 HALF-SIBLING, STEP-SIBLING, PARENT, CHILD OR STEP-CHILD OF A NEW YORK
5 STATE RESIDENT WHO WAS A MEMBER OF ANY MILITARY BRANCH OF THE UNITED
6 STATES OF AMERICA AND WHO DIED IN COMBAT OR WHILE DEPLOYED FOR MILITARY
7 PURPOSES. THE EXECUTOR OR EXECUTRIX OF THE ESTATE OF THE DECEASED
8 LICENSE HOLDER, OR OTHER PERSON APPOINTED BY A COURT OF COMPETENT JURIS-
9 DICTION TO ADMINISTER THE ESTATE MAY DESIGNATE THE TRANSFEREE (PROVIDED
10 THE TRANSFEREE IS THE SPOUSE, SIBLING, HALF-SIBLING, STEP-SIBLING,
11 PARENT, CHILD OR STEP-CHILD OF THE DECEASED), UNLESS THE TRANSFEREE WAS
12 DESIGNATED IN ANY VALID WILL OF THE DECEDENT.
13 S 2. To the extent that the estate of any lifetime hunting license
14 holder has been administered and any necessary actions to the adminis-
15 tration of the estate have been completed, the commissioner of the
16 department of environmental conservation is authorized to transfer any
17 applicable license pursuant to the provisions of this act, first to the
18 spouse of any such person then to the child or step-child of such
19 person, then to a sibling or step-sibling of such person, then to the
20 parent or parents of such person (and if there be more than one person
21 in each category who wishes personally or through their guardian to be
22 considered for the license then such commissioner shall determine who
23 shall receive the license). Any request for a license transfer pursuant
24 to the provisions of this act for persons having died prior to the

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

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1 effective date of this act shall be made within 90 days of its effec-
2 tiveness to the commissioner stating the relationship to the decedent
3 and providing any proof requested by the commissioner. The commissioner
4 shall thereafter transfer such license within 180 days after the effec-
5 tive date of this act.

6 S 3. This act shall take effect immediately and shall apply to the
7 license of any member of any military branch of the United States of
8 America who died in combat or while deployed for military purposes on or
9 after September 11, 2001.