

3782--A

Cal. No. 207

2009-2010 Regular Sessions

I N S E N A T E

March 31, 2009

Introduced by Sens. THOMPSON, PARKER, PERKINS, SCHNEIDERMAN, STEWART-COUSINS -- (at request of the Department of Environmental Conservation) -- 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, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to 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 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:

1 Section 1. Subdivision 1 of section 11-0307 of the environmental
2 conservation law, as amended by chapter 494 of the laws of 1984, is
3 amended to read as follows:
4 1. The department [shall] MAY adopt rules and regulations in relation
5 to migratory game birds [consistent with], PROVIDED SUCH REGULATIONS ARE
6 NO LESS RESTRICTIVE THAN federal regulations made under authority of the
7 Migratory Bird Treaty Act of July 3, 1918, (16 U.S.C. secs. 703-711), as
8 [presently constituted or as hereafter] MAY BE amended FROM TIME TO
9 TIME.
10 S 2. Subdivision 1 of section 11-0903 of the environmental conserva-
11 tion law is amended to read as follows:
12 1. Open seasons and bag limits with respect to migratory game birds
13 shall be those PUBLISHED ANNUALLY IN THE FEDERAL REGISTER BY THE U.S.
14 DEPARTMENT OF THE INTERIOR, [fixed by] UNLESS the department [in] ADOPTS
15 regulations pursuant to section 11-0307[, to conform with federal regu-
16 lations made under authority of the Migratory Bird Treaty Act of July 3,
17 1918 (16 U.S.C. SS 703-711)]. NOTICE OF SUCH OPEN SEASONS AND BAG

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

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1 LIMITS SHALL BE PROVIDED BY DEPARTMENT PRESS RELEASE AND ANY OTHER MEANS
2 THAT THE DEPARTMENT DETERMINES TO BE APPROPRIATE AND EFFECTIVE, INCLUD-
3 ING POSTING ON THE DEPARTMENT'S PUBLIC WEBSITE.

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

7 a. Migratory game	Fixed annually	Fixed annually
8 birds, all species	by FEDERAL	by FEDERAL
9	regulation,	regulation,
10	UNLESS THE	UNLESS THE
11	STATE ADOPTS	STATE ADOPTS
12	REGULATION	REGULATION

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

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

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

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