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

5438

2009-2010 Regular Sessions

I N S E N A T E

May 5, 2009

Introduced by Sen. VALESKY -- 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 hunting ranch facilities

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

Section 1. The environmental conservation law is amended by adding a new section 11-1908 to read as follows:

S 11-1908. HUNTING RANCH FACILITIES REGULATION AND PROTECTION.

1. ALL ENTITIES WHO OWN, OPERATE OR MANAGE A FACILITY THAT HARBORS PRIVATELY-OWNED, NON-NATIVE GAME ANIMALS MAY CHARGE A FEE TO TAKE SUCH ANIMALS UPON RECEIPT OF A HUNTING RANCH FACILITY LICENSE.

2. THE OWNER OR LESSEE OF WHOLLY ENCLOSED LANDS OR AN ENTIRE ISLAND MAY APPLY TO THE DEPARTMENT OF AGRICULTURE AND MARKETS FOR A HUNTING RANCH FACILITY LICENSE. THE HOLDER OF A HUNTING RANCH FACILITY LICENSE MAY PURCHASE, POSSESS, BREED, REAR, AND HARVEST BY SHOOTING ON THE FACILITY PREMISES, CERVIDS OR ANY OTHER HOOFED, DOMESTIC OR NON-DOMESTIC ANIMALS. A HUNTING RANCH FACILITY LICENSE SHALL BE ISSUED OR RENEWED FOR A TERM OF TEN YEARS AT A MAXIMUM COST OF FIFTY DOLLARS. THE DEPARTMENT OF AGRICULTURE AND MARKETS SHALL PRESCRIBE AND FURNISH FORMS FOR APPLICATION FOR SUCH LICENSE. INFORMATION ON THE LICENSE APPLICATION SHALL INCLUDE LICENSEE NAME, LOCATION OF HUNTING RANCH FACILITY, AND PROOF OF STATE ANIMAL HEALTH COMPLIANCE. THE LICENSE SHALL BE ISSUED NO MORE THAN THIRTY DAYS AFTER SUCCESSFULLY COMPLETING APPLICATION REQUIREMENTS.

3. NO ANIMALS CAPTURED FROM THE WILD, ORIGINATING FROM A ZOO, PETTING ZOO, OR CIRCUS SHALL BE HUNTED FOR SPORT ON A HUNTING RANCH FACILITY.

4. THE FOLLOWING REQUIREMENTS SHALL APPLY TO THE DESIGNATED HUNTING AREA:

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

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A. THE HUNTING AREA SHALL BE COMPLETELY ENCLOSED BY FENCING AND ALLOW GAME ANIMALS THE OPPORTUNITY TO EXERCISE THEIR NATURAL INSTINCTS AND ABILITIES TO ELUDE BEING HARVESTED.

B. ALL HOOFED ANIMALS SHALL BE ON THE PREMISES TWO CALENDAR DAYS PRIOR TO BEING HUNTED.

C. ALL HUNTERS WITHIN THE HUNTING AREA SHALL BE UNDER THE SUPERVISION OF A GUIDE, WHO WILL ENSURE THAT HUNTERS ABIDE BY STANDARDS OF ETHICAL HUNTING.

5. THE HOLDER OF A HUNTING RANCH FACILITY LICENSE SHALL DISCLOSE IN WRITING TO PATRONS THAT ALL ANIMALS PRESENT IN THE DESIGNATED HUNTING AREA ARE PRIVATELY-OWNED ANIMALS.

6. LICENSEES SHALL NOT ADVERTISE OR OTHERWISE OFFER A GUARANTEE THAT PATRONS WILL HARVEST AN ANIMAL.

S 2. This act shall take effect immediately.