

2009-2010 Regular Sessions

I N S E N A T E

January 18, 2009

Introduced by Sen. MARCELLINO -- 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 management of wildlife resources

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

1 Section 1. Subdivision 3 of section 11-0507 of the environmental
2 conservation law is amended to read as follows:

3 3. No person shall willfully liberate within the state any wildlife
4 except under permit from the department. The department may issue such
5 permit in its discretion, fix the terms thereof and revoke it at pleas-
6 ure. These provisions do not apply to migratory game birds, importation
7 of which is governed by regulation of the department OR TO THE RELEASE
8 OF RING-NECKED PHEASANT OR QUAIL DURING THE PERIOD AUGUST SIXTEENTH TO
9 APRIL FIFTEENTH.

10 S 2. Paragraph b of subdivision 1 of section 11-0925 of the environ-
11 mental conservation law, as added by chapter 432 of the laws of 1997, is
12 amended to read as follows:

13 b. The operator of a special dog training area may at any time during
14 the year train the operator's own dogs or the dogs of other persons on
15 such area, and permit others to train dogs. The operator may hold field
16 trials on wild game, or on liberated game, or on liberated artificially
17 propagated game, or on led or confined game, or may in writing permit
18 others to hold such trials, under such conditions as shall be agreed
19 upon by the operator and such other person; but no game shall be taken
20 by shooting at such field trial. No persons shall, on a special dog
21 training area, train a dog, hold a field trial, enter accompanied by a
22 dog, or permit a dog of which he is the owner or trainer to enter,
23 except as provided in this section or in rules adopted pursuant hereto.
24 A permit from the department must be obtained before liberation of any

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

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1 wildlife, EXCEPT FOR THE RELEASE OF RING-NECKED PHEASANT OR QUAIL DURING
2 THE PERIOD AUGUST SIXTEENTH TO APRIL FIFTEENTH and such a permit may be
3 withheld if, in the opinion of the department, granting it would endan-
4 ger the health of native wildlife species.

5 S 3. Paragraph b of subdivision 2 of section 11-0927 of the environ-
6 mental conservation law is amended to read as follows:

7 b. A permit from the department is required for liberation of any
8 wildlife. THIS PROVISION DOES NOT APPLY TO RELEASE OF RING-NECKED PHEAS-
9 ANT OR QUAIL DURING THE PERIOD AUGUST SIXTEENTH TO APRIL FIFTEENTH.

10 S 4. Paragraph c and the closing paragraph of subdivision 2 and subdi-
11 vision 3 of section 11-0903 of the environmental conservation law, para-
12 graph c and the closing paragraph of subdivision 2 and paragraph b of
13 subdivision 3 as amended and paragraph a of subdivision 3 as relettered
14 by chapter 911 of the laws of 1990, are amended to read as follows:

15 c. pheasants[, except on Long Island];

16 Such open seasons and bag limits may be fixed for the entire state[,
17 except on Long Island in the case of pheasants], or for any county or
18 part thereof, giving due regard to abundance of the species and poten-
19 tial hunting pressure. The department may regulate the taking,
20 possession and disposition of wild turkeys.

21 3. [a. On Long Island, the open season for the taking of hen pheasants
22 shall be only during the open season for the taking of pheasants speci-
23 fied in item d of the table appearing as subdivision 2 of section
24 11-0905.

25 b.] Any open season for pheasants, fixed by regulation of the depart-
26 ment in the counties of Albany, Clinton, Columbia, Delaware, Dutchess,
27 Essex, Franklin, Fulton, Greene, Herkimer, Jefferson, Lewis, Montgomery,
28 Oneida, Orange, Oswego, Otsego, Putnam, Rensselaer, Rockland, St.
29 Lawrence, Schenectady, Sullivan and Ulster shall include the intervening
30 Sundays as part of such open season.

31 S 5. Paragraphs d and e of subdivision 2 of section 11-0905 of the
32 environmental conservation law, as amended by chapter 911 of the laws of
33 1990, are amended to read as follows:

34 d. Ring-necked	[Long Island November	[Long Island, four
35 pheasant	1 through December	birds in one day,
36	31. Elsewhere, fixed]	thirty during season.
37	FIXED annually by	Elsewhere, fixed] FIXED
38	regulation	annually by regulation

39 e. Quail	[Orange, Putnam and	[Orange, Putnam and
40	Westchester counties,	Westchester counties;
41	fixed] FIXED annually	four birds in one day,
42	by regulation[; Long	ten during season.
43	Island, November 1	Long Island, six birds
44	through December 31]	in one day, forty
45		during season]
46		FIXED ANNUALLY BY
47		REGULATION.

48 S 6. This act shall take effect on the first of January next succeed-
49 ing the date on which it shall have become a law.