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

855

2009-2010 Regular Sessions

I N S E N A T E

January 21, 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 protecting information on hunting, fishing and trapping license and permit applications from disclosure outside of the department of environmental conservation

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

Section 1. Subdivision 2 of section 11-0305 of the environmental conservation law, as amended by section 1 of part D of chapter 61 of the laws of 2000, is amended to read as follows:

2. To issue the licenses and permits provided for by law, to fix their terms, and the fees therefor, when no statutory provision is made, to designate agents to sell and promote the sale of licenses, to adopt procedures for the issuance of licenses, to establish the design and format of licenses and the information to be contained thereon, TO PROTECT FROM DISCLOSURE OR RELEASE INFORMATION SUBMITTED TO LICENSING AGENTS OR THE DEPARTMENT BY PERSONS SEEKING TO OBTAIN A HUNTING, FISHING OR TRAPPING LICENSE, PERMIT, STAMP, BUTTON OR TAG, CONSISTENT WITH THE PROVISIONS OF SUBDIVISION SIX OF SECTION 11-0713 OF THIS ARTICLE, to provide where it deems appropriate for tags and buttons, to adopt license conditions respecting tagging or identifying fish and wildlife being possessed or transported, to establish procedures and requirements for reporting license sales and handling and remittance of license revenues by persons or entities issuing such licenses, to provide for acceptable methods of payment of license fees, and to revoke licenses and permits as provided by law;

S 2. Section 11-0713 of the environmental conservation law is amended by adding a new subdivision 6 to read as follows:

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

LBD06328-01-9

6. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, INFORMATION PROVIDED TO A LICENSING AGENT OR THE DEPARTMENT BY A PERSON IN FURTHERANCE OF SUCH PERSON'S OBTAINING A LICENSE, PERMIT, STAMP, BUTTON OR TAG ISSUED PURSUANT TO THIS TITLE, SHALL NOT BE DISCLOSED OR RELEASED OUTSIDE OF THE DEPARTMENT, PROVIDED THAT THIS SUBDIVISION SHALL NOT PROHIBIT THE DEPARTMENT FROM SHARING SUCH INFORMATION WITH: LAW ENFORCEMENT PERSONNEL; OR STATE OR FEDERAL ENTITIES ENGAGED IN CHILD SUPPORT ENFORCEMENT AS AUTHORIZED AND REQUIRED BY STATE OR FEDERAL LAW OR REGULATION. THE DEPARTMENT SHALL ESTABLISH PROCEDURES TO ENSURE THAT SUCH INFORMATION IS PROTECTED FROM DISCLOSURE OUTSIDE OF THE DEPARTMENT, AS PROVIDED IN THIS SUBDIVISION.

S 3. This act shall take effect immediately.