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

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:

Section 1. Section 11-0702 of the environmental conservation law is amended by adding a new subdivision 3-a to read as follows:

3-A. A LIFETIME LICENSE MAY BE TRANSFERRED TO THE SPOUSE, SIBLING, HALF-SIBLING, STEP-SIBLING, PARENT, CHILD OR STEP-CHILD OF A NEW YORK STATE RESIDENT WHO WAS A MEMBER OF ANY MILITARY BRANCH OF THE UNITED STATES OF AMERICA AND WHO DIED IN COMBAT OR WHILE DEPLOYED FOR MILITARY PURPOSES. THE EXECUTOR OR EXECUTRIX OF THE ESTATE OF THE DECEASED LICENSE HOLDER, OR OTHER PERSON APPOINTED BY A COURT OF COMPETENT JURISDICTION TO ADMINISTER THE ESTATE MAY DESIGNATE THE TRANSFEREE (PROVIDED THE TRANSFEREE IS THE SPOUSE, SIBLING, HALF-SIBLING, STEP-SIBLING, PARENT, CHILD OR STEP-CHILD OF THE DECEASED), UNLESS THE TRANSFEREE WAS DESIGNATED IN ANY VALID WILL OF THE DECEDENT.

S 2. To the extent that the estate of any lifetime hunting license holder has been administered and any necessary actions to the administration of the estate have been completed, the commissioner of the department of environmental conservation is authorized to transfer any applicable license pursuant to the provisions of this act, first to the spouse of any such person then to the child or step-child of such person, then to a sibling or step-sibling of such person, then to the parent or parents of such person (and if there be more than one person in each category who wishes personally or through their guardian to be considered for the license then such commissioner shall determine who shall receive the license). Any request for a license transfer pursuant 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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effective date of this act shall be made within 90 days of its effectiveness to the commissioner stating the relationship to the decedent and providing any proof requested by the commissioner. The commissioner shall thereafter transfer such license within 180 days after the effective date of this act.

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