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

845

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 making contests and competitions to take wildlife unlawful

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

Section 1. Subdivisions 14, 15 and 16 of section 11-0901 of the environmental conservation law, subdivision 14 as renumbered by chapter 486 of the laws of 1985, are renumbered subdivisions 15, 16 and 17 and a new subdivision 14 is added to read as follows:

14. IT SHALL BE UNLAWFUL FOR ANY PERSON TO ORGANIZE, CONDUCT, PROMOTE OR PARTICIPATE IN ANY CONTEST OR COMPETITION WHERE THE OBJECTIVE OF SUCH CONTEST OR COMPETITION IS TO TAKE THE GREATEST NUMBER OF WILDLIFE. ANY WILDLIFE INJURED DURING THE COURSE OF A CONTEST OR COMPETITION CONDUCTED IN VIOLATION OF THIS SUBDIVISION SHALL BE TRANSPORTED TO A LICENSED WILDLIFE REHABILITATOR OR VETERINARIAN FOR TREATMENT OR HUMANE EUTHANASIA. THE REMAINS OF ANY WILDLIFE KILLED DURING THE COURSE OF A CONTEST OR COMPETITION CONDUCTED IN VIOLATION OF THIS SUBDIVISION SHALL BE FORFEITED BY EVERY ORGANIZER, PROMOTER, PARTICIPANT OR ANY OTHER PERSON CONDUCTING OR INVOLVED IN SUCH CONTEST OR COMPETITION, AND THE REMAINS OF SUCH WILDLIFE SHALL BECOME THE PROPERTY OF THE DEPARTMENT.

S 2. Section 71-0921 of the environmental conservation law is amended by adding a new subdivision 10-a to read as follows:

10-A. VIOLATIONS OF SUBDIVISION FOURTEEN OF SECTION 11-0901 OF THIS CHAPTER INVOLVING UNLAWFUL CONTESTS AND COMPETITIONS TO TAKE WILDLIFE. EACH SUCH MISDEMEANOR SHALL BE PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BY A FINE OF NOT LESS THAN FIVE HUNDRED DOLLARS NOR MORE THAN TWO THOUSAND DOLLARS, OR BY BOTH SUCH IMPRISONMENT AND FINE.

S 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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