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

2021--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 13, 2011

Introduced by M. of A. GUNTHER, SCHROEDER, MAGEE, TITONE, LATIMER, RUSSELL -- Multi-Sponsored by -- M. of A. AMEDORE, BARCLAY, CROUCH, GIGLIO, HAWLEY, P. LOPEZ, LUPARDO, MOLINARO, RABBITT -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to reducing the required minimum age for obtaining a junior archery license

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

Section 1. Paragraph c of subdivision 2 of section 11-0701 of the environmental conservation law, as amended by section 7 of part F of chapter 82 of the laws of 2002, is amended to read as follows:

c. A junior archery license entitles a resident holder who is between the ages of [fourteen] TWELVE and sixteen years to hunt wild deer and bear with a longbow during the special archery season and during the regular season, as provided in title 9 of this article, as if such person held a license which authorizes the holder to hunt big game with a bowhunting stamp affixed, subject to the provisions of section 11-0929 and subdivision 3 of section 11-0713 of this article. It entitles a non-resident holder who is between the ages of [fourteen] TWELVE and sixteen years to hunt wild deer and bear with a longbow during the special archery season and during the regular season, as provided in title 9 of this article, as if such person held a non-resident bowhunting license, a non-resident license which authorizes the holder to hunt deer and a non-resident bear tag, subject to the provisions of section 11-0929 and subdivision 3 of section 11-0713 of this article.

S 2. Subdivision 2 of section 11-0713 of the environmental conservation law, as amended by chapter 344 of the laws of 2008, is amended to read as follows:

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

LBD01682-02-1

2. The issuing officer shall not issue a junior archery license to a person between the ages of [fourteen] TWELVE and sixteen or a junior hunting license to a person between the ages of twelve and sixteen years unless at the time of issuance applicant is accompanied by his or her parent or legal guardian who shall consent to the issuance of the license and shall so signify by signing his OR HER name in ink across the face of it. At no time shall such licenses be issued by mail to persons between the ages of twelve and sixteen years.

S 3. Subdivision 3 of section 11-0719 of the environmental conservation law, as amended by chapter 344 of the laws of 2008, is amended to read as follows:

3. A junior hunting license issued to a person who is at least twelve and less than sixteen years of age or a junior archery license issued to a person who is [fourteen or fifteen] BETWEEN THE AGES OF TWELVE AND SIXTEEN years [of age] may be revoked by the department upon proof satisfactory to the department that such person, while under the age of sixteen, has engaged in hunting wildlife with a gun or longbow, in circumstances in which a license is required, while not accompanied by his or her parent, guardian or other adult as provided in section 11-0929 of this article. If such license or privilege is revoked the department shall fix the period of such revocation, which is not to exceed [four] SIX years. The department may require that such person successfully complete a department sponsored course and obtain a certificate of qualification in responsible hunting or responsible bowhunting practices before being issued another hunting or bowhunting license.

S 4. Section 11-0929 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

5. A JUNIOR ARCHERY LICENSEE, WHO IS TWELVE OR THIRTEEN YEARS OF AGE, SHALL NOT HUNT DEER OR BEAR UNLESS:

(A) HE OR SHE IS ACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN, OR BY A PERSON DESIGNATED IN WRITING BY HIS OR HER PARENT OR LEGAL GUARDIAN ON A FORM PRESCRIBED BY THE DEPARTMENT WHO IS TWENTY-ONE YEARS OF AGE OR OLDER AND

(B) SUCH PARENT, GUARDIAN OR PERSON HAS HAD AT LEAST THREE YEAR'S EXPERIENCE IN HUNTING DEER OR BEAR BY LONGBOW AND

(C) SUCH PARENT, GUARDIAN OR PERSON HOLDS A LICENSE THAT AUTHORIZES THE HOLDER TO HUNT BIG GAME AND

(D) SUCH PARENT, GUARDIAN OR PERSON MAINTAINS PHYSICAL CONTROL OVER THE MINOR HE OR SHE IS ACCOMPANYING AT ALL TIMES WHILE HUNTING. FOR THE PURPOSES OF THIS PARAGRAPH "PHYSICAL CONTROL" SHALL MEAN THAT THE PHYSICAL PROXIMITY OF THE MINOR TO THE PARENT, GUARDIAN OR PERSON IS SUCH THAT THE PARENT, GUARDIAN OR PERSON IS REASONABLY ABLE TO ISSUE VERBAL DIRECTIONS AND INSTRUCTIONS, MAINTAIN CONSTANT VISUAL CONTACT, AND OTHERWISE PROVIDE GUIDANCE AND SUPERVISION TO THE MINOR.

S 5. This act shall take effect on the ninetieth day after it shall have become a law.