

5532

2011-2012 Regular Sessions

I N A S S E M B L Y

February 23, 2011

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the
Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
authorizing developmentally disabled residents of a not-for-profit
facility to fish without a license

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

1 Section 1. Subdivision 3 of section 11-0707 of the environmental
2 conservation law, as amended by chapter 319 of the laws of 2003, is
3 amended to read as follows:
4 3. Any person who is a patient at any facility in this state main-
5 tained by the United States Veterans' Administration or at any hospital
6 or sanatorium for treatment of tuberculosis maintained by the state or
7 any municipal corporation thereof or resident patient at any institution
8 of the department of Mental Hygiene, OR RESIDENT PATIENT WHO IS DEVELOP-
9 MENTALLY DISABLED, AS DEFINED IN SECTION 1.03 OF THE MENTAL HYGIENE LAW,
10 AT A FACILITY OPERATED BY A NOT-FOR-PROFIT CORPORATION WHEN SUCH FACILI-
11 TY IS CERTIFIED BY THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILI-
12 TIES, or resident patient at the rehabilitation hospital of the depart-
13 ment of Health, or at any rest camp maintained by the state through the
14 Division of Veterans' Affairs in the Executive Department or any inmate
15 of a conservation work camp within the youth rehabilitation facility of
16 the department of correction, or any inmate of a youth opportunity or
17 youth rehabilitation center within the Office of Children and Family
18 Services, any resident of a nursing home or residential health care
19 facility as defined in subdivisions two and three of section twenty-
20 eight hundred one of the public health law, or any staff member or
21 volunteer accompanying or assisting one or more residents of such nurs-
22 ing home or residential health care facility on an outing authorized by
23 the administrator of such nursing home or residential health care facil-
24 ity may take fish as if he OR SHE held a fishing license, except that he

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

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1 OR SHE may not take bait fish by net or trap, if he OR SHE has on his OR
2 HER person an authorization upon a form furnished by the department
3 containing such identifying information and data as may be required by
4 it, and signed by the superintendent or other head of such facility,
5 institution, hospital, sanitarium, nursing home, residential health care
6 facility or rest camp, as the case may be, or by a staff physician ther-
7 eat duly authorized so to do by the superintendent or other head there-
8 of. Such authorization with respect to inmates of said conservation work
9 camps shall be limited to areas under the care, custody and control of
10 the department.
11 S 2. This act shall take effect immediately.