

177--A

Cal. No. 10

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

1 Section 1. Paragraph c of subdivision 2 of section 11-0701 of the
2 environmental conservation law, as amended by section 7 of part F of
3 chapter 82 of the laws of 2002, is amended to read as follows:
4 c. A junior archery license entitles a resident holder who is between
5 the ages of [fourteen] TWELVE and sixteen years to hunt wild deer and
6 bear with a longbow during the special archery season and during the
7 regular season, as provided in title 9 of this article, as if such
8 person held a license which authorizes the holder to hunt big game with
9 a bowhunting stamp affixed, subject to the provisions of section 11-0929
10 and subdivision 3 of section 11-0713 of this article. It entitles a
11 non-resident holder who is between the ages of [fourteen] TWELVE and
12 sixteen years to hunt wild deer and bear with a longbow during the
13 special archery season and during the regular season, as provided in
14 title 9 of this article, as if such person held a non-resident bowhunt-
15 ing license, a non-resident license which authorizes the holder to hunt
16 deer and a non-resident bear tag, subject to the provisions of section
17 11-0929 and subdivision 3 of section 11-0713 of this article.
18 S 2. Subdivision 2 of section 11-0713 of the environmental conserva-
19 tion law, as amended by chapter 344 of the laws of 2008, is amended to
20 read as follows:

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

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

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

12 3. A junior hunting license issued to a person who is at least twelve
13 and less than sixteen years of age or a junior archery license issued to
14 a person who is [fourteen or fifteen] BETWEEN THE AGES OF TWELVE AND
15 SIXTEEN years [of age] may be revoked by the department upon proof
16 satisfactory to the department that such person, while under the age of
17 sixteen, has engaged in hunting wildlife with a gun or longbow, in
18 circumstances in which a license is required, while not accompanied by
19 his or her parent, guardian or other adult as provided in section
20 11-0929 of this article. If such license or privilege is revoked the
21 department shall fix the period of such revocation, which is not to
22 exceed [four] SIX years. The department may require that such person
23 successfully complete a department sponsored course and obtain a certifi-
24 cate of qualification in responsible hunting or responsible bowhunting
25 practices before being issued another hunting or bowhunting license.

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

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

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

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

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

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

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