

4450

2013-2014 Regular Sessions

I N A S S E M B L Y

February 5, 2013

Introduced by M. of A. BARCLAY, SALADINO, KOLB, GIGLIO, OAKS, BLANKEN-
BUSH, TENNEY, PALMESANO -- Multi-Sponsored by -- M. of A. BUTLER,
CERETTO, CROUCH, HAWLEY, KATZ, McLAUGHLIN -- read once and referred to
the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to big
game hunting by people between the ages of twelve and sixteen years,
with adult supervision

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

1 Section 1. Subdivision 2 of section 11-0701 of the environmental
2 conservation law is amended by adding a new paragraph d to read as
3 follows:
4 D. A JUNIOR BIG GAME LICENSE ENTITLES A RESIDENT HOLDER WHO IS BETWEEN
5 THE AGES OF TWELVE AND SIXTEEN YEARS TO HUNT WILD DEER AND BEAR DURING
6 THE REGULAR BIG GAME SEASON, AS PROVIDED IN TITLE 9 OF THIS ARTICLE, AS
7 IF SUCH PERSON HELD A BIG GAME LICENSE, SUBJECT TO THE PROVISIONS OF
8 SUBDIVISION FIVE OF SECTION 11-0929 AND SUBDIVISION THREE OF SECTION
9 11-0713 OF THIS ARTICLE. IT ENTITLES A NON-RESIDENT HOLDER WHO IS
10 BETWEEN THE AGES OF TWELVE AND SIXTEEN YEARS TO HUNT WILD DEER AND BEAR
11 DURING REGULAR BIG GAME SEASON, AS PROVIDED IN TITLE 9 OF THIS ARTICLE,
12 AS IF SUCH PERSON HELD A NON-RESIDENT BEAR TAG, SUBJECT TO THE
13 PROVISIONS OF SECTION 11-0929 AND SUBDIVISION THREE OF SECTION 11-0713
14 OF THIS ARTICLE.
15 S 2. Section 11-0929 of the environmental conservation law is amended
16 by adding a new subdivision 6 to read as follows:
17 6. A JUNIOR BIG GAME LICENSEE, BETWEEN THE AGES OF TWELVE AND SIXTEEN
18 YEARS, SHALL NOT HUNT DEER OR BEAR WITH FIREARMS UNLESS HE OR SHE IS
19 ACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN, OR BY A PERSON OVER
20 EIGHTEEN YEARS OF AGE DESIGNATED IN WRITING BY HIS OR HER PARENT OR
21 LEGAL GUARDIAN WHO HAS AT LEAST ONE YEAR'S EXPERIENCE IN HUNTING DEER OR
22 BEAR, AND SUCH ACCOMPANYING PARENT, LEGAL GUARDIAN, OR PERSON HOLDS A
23 VALID LICENSE ENTITLING HIM OR HER TO HUNT BIG GAME WITH FIREARMS.
24 S 3. Subdivision 2, paragraph b of subdivision 4 and subdivision 6 of
25 section 11-0703 of the environmental conservation law, subdivision 2 as

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

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1 amended by chapter 507 of the laws of 2010, paragraph b of subdivision 4
2 as amended by chapter 178 of the laws of 2011, subdivision 6 as amended
3 by chapter 344 of the laws of 2008, are amended to read as follows:

4 2. Except as provided in section 11-0704 of this title, no license,
5 permit, tag or stamp is transferable. No person shall alter, change,
6 lend to another or attempt to transfer to another any license or any
7 button, permit, tag or stamp issued therewith. No person, while hunting,
8 shall possess a license, button, permit, tag or stamp which was issued
9 to another person unless actually accompanied by the person to whom such
10 license, button, permit, tag or stamp was issued. No person shall
11 purchase, possess or use more than one junior archery, junior hunting,
12 JUNIOR BIG GAME, small and big game, big game, bowhunting, muzzle-load-
13 ing, sportsman, or resident super-sportsman license or stamp, non-resi-
14 dent bowhunting or muzzle-loading license, non-resident super-sportsman
15 license, non-resident bear tag or special permit for the current license
16 year, except as permitted by regulation of the department. Notwithstand-
17 ing the prohibitions contained in this subdivision, the department may
18 authorize by rule or regulation the transfer of deer management permits,
19 issued pursuant to section 11-0913 of this article, to any person
20 licensed to hunt deer pursuant to this title.

21 b. A person under the age of [fourteen] TWELVE years is ineligible for
22 any license, other than a junior archery license, which authorizes the
23 holder to hunt big game. [A] EXCEPT AS PROVIDED IN PARAGRAPH D OF SUBDI-
24 VISION A OF SECTION 11-0701 OF THIS TITLE, A person under the age of
25 sixteen years is ineligible for a small and big game, sportsman or resi-
26 dent super-sportsman, non-resident super-sportsman, non-resident big
27 game, non-resident bowhunting license, or bowhunting stamp. A person is
28 ineligible for a small game, small and big game, junior hunting, big
29 game, junior archery, sportsman and resident super-sportsman, non-resi-
30 dent super-sportsman, or non-resident bowhunting or muzzle-loading
31 license unless such person meets the requirements of subdivision 3 of
32 section 11-0713 of this title.

33 6. a. Except as provided in section 11-0707 and section 11-0709 of
34 this title, no person shall (1) hunt wildlife, other than deer or bear,
35 or take fish with a gun, unless such person holds and is entitled to
36 exercise the privileges of a small game, junior hunting, JUNIOR BIG
37 GAME, small and big game, free sportsman, sportsman or resident super-
38 sportsman, or non-resident super-sportsman license; (2) hunt antlerless
39 deer in a special open season therefor pursuant to subdivision 6 of
40 section 11-0903 of this article unless such person holds and is entitled
41 to exercise the privileges of and has on his or her person while so
42 hunting a JUNIOR BIG GAME, small and big game, big game, junior archery,
43 free sportsman, junior hunting if the licensee is at least fourteen
44 years old, sportsman, resident super-sportsman, non-resident super-
45 sportsman or non-resident bowhunting or muzzle-loading license, and a
46 special antlerless deer license; (3) take fish or frogs in the manner
47 described in subdivision 4 of section 11-0701 of this title unless such
48 person is entitled to exercise the privileges of a fishing license; (4)
49 trap wildlife unless such person holds a trapping license.

50 b. Except as provided in section 11-0707 and section 11-0709 of this
51 title, no resident shall (1) hunt wild deer or bear unless such person
52 holds and is entitled to exercise the privileges of a small and big
53 game, JUNIOR BIG GAME, junior archery, junior hunting if the licensee is
54 at least fourteen years old, free sportsman, sportsman, or resident
55 super-sportsman license, and meets the requirements of this article; (2)
56 hunt wild deer or bear with a longbow in a special longbow season unless

1 such person holds and is entitled to exercise the privileges of a small
2 and big game, junior archery, free sportsman, sportsman, or resident
3 super-sportsman license with a bowhunting stamp affixed and meets the
4 requirements of this article; or (3) hunt wild deer or bear with a
5 muzzle-loading firearm in a special muzzle-loading firearm season unless
6 such person holds a small and big game, free sportsman, sportsman,
7 junior hunting if the licensee is at least fourteen years old, or resi-
8 dent super-sportsman license with a muzzle-loading stamp affixed and
9 meets the requirements of this article.

10 c. Except as provided in section 11-0707 and section 11-0709 of this
11 title, no non-resident shall (1) hunt wild deer unless such person holds
12 and is entitled to exercise the privileges of a big game, JUNIOR BIG
13 GAME, junior archery, junior hunting if the licensee is at least four-
14 teen years old, non-resident super-sportsman, or non-resident bowhunting
15 or muzzle-loading license; (2) hunt wild deer with a longbow in a
16 special longbow season unless such person holds and is entitled to exer-
17 cise the privileges of a non-resident super-sportsman, non-resident
18 bowhunting, or junior archery license; (3) hunt wild deer with a
19 muzzle-loading firearm in a special muzzle-loading firearm season unless
20 such person holds a non-resident super-sportsman or non-resident
21 muzzle-loading license; (4) hunt wild bear unless such person holds a
22 junior hunting license if the licensee is at least fourteen years old, a
23 junior archery license, or a non-resident bear tag in combination with
24 one of the non-resident deer licenses listed in subparagraph 1, 2 or 3
25 of this paragraph.

26 S 4. Subdivision 2 of section 11-0713 of the environmental conserva-
27 tion law, as amended by chapter 25 of the laws of 2011, is amended to
28 read as follows:

29 2. The issuing officer shall not issue a junior archery license to a
30 person between the ages of twelve and sixteen YEARS or a junior hunting
31 OR JUNIOR BIG GAME license to a person between the ages of twelve and
32 sixteen years unless at the time of issuance applicant is accompanied by
33 his or her parent or legal guardian who shall consent to the issuance of
34 the license and shall so signify by signing his or her name in ink
35 across the face of it. At no time shall such licenses be issued by mail
36 to persons between the ages of twelve and sixteen years.

37 S 5. Subdivision 3 of section 11-0719 of the environmental conserva-
38 tion law, as amended by chapter 25 of the laws of 2011, is amended to
39 read as follows:

40 3. A junior hunting license issued to a person who is at least twelve
41 and less than sixteen years of age or a junior archery OR JUNIOR BIG
42 GAME license issued to a person who is between the ages of twelve and
43 sixteen years may be revoked by the department upon proof satisfactory
44 to the department that such person, while under the age of sixteen, has
45 engaged in hunting wildlife with a gun or longbow, in circumstances in
46 which a license is required, while not accompanied by his or her parent,
47 guardian or other adult as provided in section 11-0929 of this article.
48 If such license or privilege is revoked the department shall fix the
49 period of such revocation, which is not to exceed six years. The depart-
50 ment may require that such person successfully complete a department
51 sponsored course and obtain a certificate of qualification in responsi-
52 ble hunting or responsible bowhunting practices before being issued
53 another hunting or bowhunting license.

54 S 6. This act shall take effect immediately.