

5613

2013-2014 Regular Sessions

I N A S S E M B L Y

March 4, 2013

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 section 92 of subpart B of part C of
3 chapter 62 of the laws of 2011, is 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 sanitorium 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] MENTAL HYGIENE, OR RESIDENT
9 PATIENT WHO IS DEVELOPMENTALLY DISABLED, AS DEFINED IN SECTION 1.03 OF
10 THE MENTAL HYGIENE LAW, AT A FACILITY OPERATED BY A NOT-FOR-PROFIT
11 CORPORATION WHEN SUCH FACILITY IS CERTIFIED BY THE OFFICE FOR PEOPLE
12 WITH DEVELOPMENTAL DISABILITIES, or resident patient at the rehabili-
13 tation hospital of the department of [Health] HEALTH, or at any rest
14 camp maintained by the state through the [Division] DIVISION of [Veter-
15 ans' Affairs in the Executive Department] VETERANS' AFFAIRS or any
16 inmate of a conservation work camp within the youth rehabilitation
17 facility of the department of corrections and community supervision, or
18 any inmate of a youth opportunity or youth rehabilitation center within
19 the [Office] OFFICE of [Children] CHILDREN and [Family Services] FAMILY
20 SERVICES, any resident of a nursing home or residential health care
21 facility as defined in subdivisions two and three of section twenty-
22 eight hundred one of the public health law, or any staff member or
23 volunteer accompanying or assisting one or more residents of such nurs-
24 ing home or residential health care facility on an outing authorized by

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

1 the administrator of such nursing home or residential health care facil-
2 ity may take fish as if he OR SHE held a fishing license, except that he
3 may not take bait fish by net or trap, if he OR SHE has on his OR HER
4 person an authorization upon a form furnished by the department contain-
5 ing such identifying information and data as may be required by it, and
6 signed by the superintendent or other head of such facility, institu-
7 tion, hospital, sanitarium, nursing home, residential health care facil-
8 ity or rest camp, as the case may be, or by a staff physician thereat
9 duly authorized so to do by the superintendent or other head thereof.
10 Such authorization with respect to inmates of said conservation work
11 camps shall be limited to areas under the care, custody and control of
12 the department.

13 S 2. This act shall take effect immediately.