

7508

I N S E N A T E

May 15, 2014

Introduced by Sen. GIPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to deer management, expanding longbow hunting season and authorizing towns to enact local laws relating to the discharge of longbows

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

1 Section 1. Section 11-0907 of the environmental conservation law is
2 amended by adding a new subdivision 11 to read as follows:

3 11. DURING ANY SPECIAL MUZZLE-LOADING FIREARM OPEN SEASON ESTABLISHED
4 PURSUANT TO SUBDIVISION EIGHT OF THIS SECTION LONGBOW HUNTING SHALL ALSO
5 BE PERMITTED IN THE NORTHERN ZONE.

6 S 2. Section 11-0305 of the environmental conservation law is amended
7 by adding a new subdivision 19 to read as follows:

8 19. TO PREPARE OR CAUSE TO BE PREPARED A STATE DEER MANAGEMENT PLAN
9 FOR THE WHITE-TAILED DEER (*ODOCOILEUS VIRGINIANUS*). SAID PLAN SHALL
10 ESTABLISH GOALS AND METHODS FOR DEER MANAGEMENT AND POPULATION CONTROL,
11 INCLUDING HUNTING REGULATIONS AND SHALL BE REEVALUATED AND UPDATED EVERY
12 FIVE YEARS. SUCH PLAN SHALL INCLUDE AN ANALYSIS OF CURRENT DEER DENSITIES
13 ON A REGIONAL BASIS AND ANALYZE WHETHER IT IS SCIENTIFICALLY APPROPRIATE
14 TO REDUCE THE DEER POPULATION TO BETWEEN TEN TO TWENTY-FIVE PER
15 SQUARE MILE. SUCH PLAN SHALL ALSO INCLUDE ANALYSIS OF THE ROLE OF DEER
16 IN THE SPREAD OF TICK-BORNE DISEASES AND OUTLINE METHODS FOR DECREASING
17 THE TRANSMISSION OF TICK-BORNE DISEASE DUE TO DEER POPULATION.

18 S 3. Paragraph a of subdivision 2 of section 11-0907 of the environmental
19 conservation law, as amended by section 14 of part EE of chapter
20 55 of the laws of 2014, is amended to read as follows:

21 a. Regular open hunting seasons for deer are established separately
22 for the named regions or parts of regions, or named counties listed in
23 column one of the table set forth in this subdivision, and are specified
24 as seasons for taking by pistol, rifle, shotgun or long bow, or for
25 taking by shotgun, crossbow or long bow only, or for taking by long bow
26 only, as indicated in column three entitled "Manner of Taking". Where
27 taking of big game by shotgun is permitted by this chapter such shotgun

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

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1 may contain rifling in all or a portion of the barrel, provided, howev-
 2 er, if the barrel or a portion thereof does contain rifling only shells
 3 having non-metallic cases, except for the base, may be used. In the
 4 areas identified in column one except in the "closed areas" specified in
 5 subdivision five of this section the game specified in column two may be
 6 taken in the open season stated in column two immediately following the
 7 specification of the game, in the manner specified in column three.

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TABLE

9 10	Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
11 12 13 14	(a) Northern Zone	Deer, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, crossbow or long bow
15 16 17 18 19 20 21 22	(b) Catskill region except Delaware, Greene, Sullivan, Ulster counties and those counties or portions thereof listed in item (i) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun[,] OR crossbow [or long bow]
23 24 25 26	(c) Counties of Delaware, Greene, Sullivan and Ulster	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun[,] OR crossbow [or long bow]
27 28 29 30 31 32 33 34 35	(d) Eastern region, except Columbia, Fulton, Orange, Rensselaer, Saratoga, Washington Counties and those counties or portions thereof listed in item (i) of this paragraph	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, crossbow[,] OR muzzle loading firearm [or long bow only]
36 37 38 39 40 41 42	(e) Fulton, Saratoga, Washington (parts in the Southern zone), Columbia, Orange, and Rensselaer counties	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun[,] OR crossbow [or long bow]
43 44 45 46 47 48	(f) Southern tier, central and Western region, except those counties or portions thereof listed in item (i), (k)	Deer, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, crossbow[,] OR muzzle loading firearm [or long bow only]

1	or (l) of this		
2	paragraph		
3	(g) [Westchester	Deer of either sex,	long bow only
4	County] SOUTHERN	[November] OCTOBER	
5	ZONE EXCEPT	1 through	
6	SUFFOLK COUNTY	December 31	
7	(h) Suffolk County	Deer of either sex	long bow only
8		Second Monday in	
9		November through	
10		December thirty-first	
11	(i) The counties of	Deer, the first Monday	Pistol, shotgun,
12	Allegany, Cattaraugus,	after November 15	crossbow,
13	Cayuga, Chautauqua	through first Tuesday	muzzle loading
14	except that portion	after December 7	firearm[,] OR
15	of the county north		rifle [or
16	of route 20, Chemung,		long bow only]
17	Chenango, Herkimer,		
18	Madison,		
19	Montgomery, Oneida,		
20	Oswego, Otsego,		
21	Schoharie, Schuyler,		
22	Steuben, Tioga,		
23	Wyoming and Yates		
24	and that portion of		
25	the county of		
26	Broome east of the		
27	Susquehanna river		
28	(k) The county of	Deer, the first	Pistol, shotgun,
29	Ontario	Saturday after November	crossbow,
30		15 through first Sunday	muzzle loading
31		after December 7	firearm[,] OR
32			rifle [or
33			long bow only]
34	(l) The county of	Deer, the first	Pistol, shotgun,
35	Wayne	Saturday after November	crossbow,
36		15 through first Sunday	muzzle loading
37		after December 7	firearm[,] OR
38			rifle [or long
39			bow only]

40 S 4. Paragraph a of subdivision 2 of section 11-0907 of the environ-
 41 mental conservation law, as amended by section 15 of part EE of chapter
 42 55 of the laws of 2014, is amended to read as follows:

43 a. Regular open hunting seasons for big game are established separate-
 44 ly for the named regions or parts of regions, or named counties listed
 45 in column one of the table set forth in this subdivision, and are speci-
 46 fied as seasons for taking by pistol, rifle, shotgun or long bow, or for
 47 taking by shotgun or long bow only, or for taking by long bow only, as
 48 indicated in column three entitled "Manner of Taking". Where taking of
 49 big game by shotgun is permitted by this chapter such shotgun may
 50 contain rifling in all or a portion of the barrel, provided, however, if
 51 the barrel or a portion thereof does contain rifling only shells having

1 non-metallic cases, except for the base, may be used. In the areas iden-
 2 tified in column one except in the "closed areas" specified in subdivi-
 3 sion 5 the game specified in column two may be taken in the open season
 4 stated in column two immediately following the specification of the
 5 game, in the manner specified in column three.

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TABLE

7 8	Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
9 10 11 12	(a) Northern Zone	Deer and bear, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, crossbow or long bow
13 14 15 16 17 18 19 20	(b) Catskill region except Delaware, Greene, Sullivan, Ulster counties and those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun[,] OR crossbow [or long bow]
21 22 23 24 25 26 27 28 29	(c) Counties of Delaware, Greene, Sullivan and Ulster	Deer, first Monday after November 15 through first Tuesday after December 7; Bear, first Monday after November 15 through second Tuesday after December 7	Pistol, rifle, shotgun[,] OR crossbow [or long bow]
30 31 32 33 34 35 36 37 38	(d) Eastern region, except Columbia, Fulton, Orange, Rensselaer, Saratoga, Washington Counties and those counties or portions thereof listed in item (i) of this paragraph	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, crossbow[,] OR muzzle loading firearm [or long bow only]
39 40 41 42 43 44 45	(e) Fulton, Saratoga, Washington (parts in the Southern zone), Columbia, Orange, and Rensselaer counties	Deer and bear, first Monday after November 15 through first Tuesday after December 7	Pistol, rifle, shotgun[,] OR crossbow [or long bow]
46 47 48	(f) Southern tier, central and Western region, except those	Deer and bear, first Monday after November 15 through first	Pistol, shotgun, crossbow[,] OR muzzle loading firearm

1 counties or portions Tuesday after [or long bow only]
 2 thereof listed in December 7
 3 item (i) of
 4 this paragraph

5 (g) [Westchester Deer of either sex, Long bow only
 6 County] SOUTHERN [November] OCTOBER 1
 7 ZONE EXCEPT through December 31
 8 SUFFOLK COUNTY

9 (h) Suffolk County Deer of either sex long bow only
 10 Second Monday in
 11 November through
 12 December thirty-first

13 (i) The counties of Deer and bear, the Pistol, shotgun,
 14 Allegany, Cattaraugus, first Monday after crossbow,
 15 Chautauqua except November 15 through muzzle loading
 16 that portion of the first Tuesday after firearm[,] OR
 17 county north of route December 7 rifle [or
 18 20, Chenango, long bow only]
 19 Herkimer, Montgomery,
 20 Oneida, Oswego,
 21 Otsego, Schoharie,
 22 Tioga and Wyoming
 23 and that portion
 24 of the county
 25 of Broome east of the
 26 Susquehanna river

27 S 5. Subdivision 7 of section 11-0903 of the environmental conserva-
 28 tion law is amended by adding a new paragraph h to read as follows:
 29 H. NOTWITHSTANDING THE PROVISIONS OF THIS SUBDIVISION TO THE CONTRARY,
 30 THE TOWN BOARD OF ANY TOWN SHALL BE AUTHORIZED TO ENACT LOCAL LAWS TO:
 31 (I) PERMIT HUNTING ON SATURDAY AND SUNDAY DURING SUCH SEASON; (II)
 32 PERMIT THE USE OF A LONG BOW TO TAKE WILD DEER DURING SUCH SEASON IN
 33 AREAS DESIGNATED BY THE DEPARTMENT AND THE TOWN; AND (III) TO REPEAL THE
 34 REQUIREMENT OF A SPECIAL PERMIT PROVIDED BY THE DEPARTMENT AND ISSUED BY
 35 THE TOWN CLERK DURING SUCH SEASON AS PROVIDED FOR BY THIS SUBDIVISION.
 36 S 6. Paragraph a of subdivision 4 of section 11-0931 of the environ-
 37 mental conservation law is amended by adding a new subparagraph 2-a to
 38 read as follows:
 39 (2-A) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH TWO OF THIS PARA-
 40 GRAPH TO THE CONTRARY, ANY TOWN, ACTING THROUGH ITS TOWN BOARD, SHALL BE
 41 AUTHORIZED TO ENACT LOCAL LAWS TO PERMIT A PERSON TO DISCHARGE A LONG
 42 BOW A DISTANCE OF NOT LESS THAN ONE HUNDRED FIFTY FEET FROM A DWELLING
 43 HOUSE, FARM BUILDING OR FARM STRUCTURE ACTUALLY OCCUPIED OR USED, OR
 44 OCCUPIED FACTORY.
 45 S 7. This act shall take effect immediately, provided that the amend-
 46 ments to paragraph a of subdivision 2 of section 11-0907 of the environ-
 47 mental conservation law made by section three of this act shall be
 48 subject to the expiration and repeal of such paragraph pursuant to chap-
 49 ter 600 of the laws of 1993, as amended, when upon such date the
 50 provisions of section four of this act shall take effect.