S T A T E O F N E W Y O R K

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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:

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

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

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

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

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

a. Regular open hunting seasons for deer are established separately for the named regions or parts of regions, or named counties listed in column one of the table set forth in this subdivision, and are specified as seasons for taking by pistol, rifle, shotgun or long bow, or for taking by shotgun, crossbow or long bow only, or for taking by long bow only, as indicated in column three entitled "Manner of Taking". Where 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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may contain rifling in all or a portion of the barrel, provided, however, if the barrel or a portion thereof does contain rifling only shells having non-metallic cases, except for the base, may be used. In the areas identified in column one except in the "closed areas" specified in subdivision five of this section the game specified in column two may be taken in the open season stated in column two immediately following the specification of the game, in the manner specified in column three.

TABLE

Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
(a) Northern Zone	Deer, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, crossbow or long bow
(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]
(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]
(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]
(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]
(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]

or (l) of this paragraph		
(g) [Westchester County] SOUTHERN ZONE EXCEPT SUFFOLK COUNTY	Deer of either sex, [November] OCTOBER 1 through December 31	long bow only
(h) Suffolk County	Deer of either sex Second Monday in November through December thirty-first	long bow only
(i) The counties of Allegany, Cattaraugus, Cayuga, Chautauqua except that portion of the county north of route 20, Chemung, Chenango, Herkimer, Madison, Montgomery, Oneida, Oswego, Otsego, Schoharie, Schuyler, Steuben, Tioga, Wyoming and Yates and that portion of the county of Broome east of the Susquehanna river	Deer, the first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, crossbow, muzzle loading firearm[,] OR rifle [or long bow only]
(k) The county of Ontario	Deer, the first Saturday after November 15 through first Sunday after December 7	Pistol, shotgun, crossbow, muzzle loading firearm[,] OR rifle [or long bow only]
(l) The county of Wayne	Deer, the first Saturday after November 15 through first Sunday after December 7	Pistol, shotgun, crossbow, muzzle loading firearm[,] OR rifle [or long bow only]

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

a. Regular open hunting seasons for big game are established separately for the named regions or parts of regions, or named counties listed in column one of the table set forth in this subdivision, and are specified as seasons for taking by pistol, rifle, shotgun or long bow, or for taking by shotgun or long bow only, or for taking by long bow only, as indicated in column three entitled "Manner of Taking". Where taking of big game by shotgun is permitted by this chapter such shotgun may contain rifling in all or a portion of the barrel, provided, however, if the barrel or a portion thereof does contain rifling only shells having

non-metallic cases, except for the base, may be used. In the areas identified in column one except in the "closed areas" specified in subdivision 5 the game specified in column two may be taken in the open season stated in column two immediately following the specification of the game, in the manner specified in column three.

TABLE

Column One Area	Column Two Game and Open Season	Column Three Manner of Taking
(a) Northern Zone	Deer and bear, next to last Saturday in October through first Sunday in December	Pistol, rifle, shotgun, crossbow or long bow
(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]
(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]
(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]
(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]
(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

counties or portions thereof listed in item (i) of this paragraph	Tuesday after December 7	[or long bow only]
(g) [Westchester County] SOUTHERN ZONE EXCEPT SUFFOLK COUNTY	Deer of either sex, [November] OCTOBER 1 through December 31	Long bow only
(h) Suffolk County	Deer of either sex Second Monday in November through December thirty-first	long bow only
(i) The counties of Allegany, Cattaraugus, Chautauqua except that portion of the county north of route 20, Chenango, Herkimer, Montgomery, Oneida, Oswego, Otsego, Schoharie, Tioga and Wyoming and that portion of the county of Broome east of the Susquehanna river	Deer and bear, the first Monday after November 15 through first Tuesday after December 7	Pistol, shotgun, crossbow, muzzle loading firearm[,] OR rifle [or long bow only]

S 5. Subdivision 7 of section 11-0903 of the environmental conservation law is amended by adding a new paragraph h to read as follows:

H. NOTWITHSTANDING THE PROVISIONS OF THIS SUBDIVISION TO THE CONTRARY, THE TOWN BOARD OF ANY TOWN SHALL BE AUTHORIZED TO ENACT LOCAL LAWS TO: (I) PERMIT HUNTING ON SATURDAY AND SUNDAY DURING SUCH SEASON; (II) PERMIT THE USE OF A LONG BOW TO TAKE WILD DEER DURING SUCH SEASON IN AREAS DESIGNATED BY THE DEPARTMENT AND THE TOWN; AND (III) TO REPEAL THE REQUIREMENT OF A SPECIAL PERMIT PROVIDED BY THE DEPARTMENT AND ISSUED BY THE TOWN CLERK DURING SUCH SEASON AS PROVIDED FOR BY THIS SUBDIVISION.

S 6. Paragraph a of subdivision 4 of section 11-0931 of the environmental conservation law is amended by adding a new subparagraph 2-a to read as follows:

(2-A) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH TWO OF THIS PARAGRAPH TO THE CONTRARY, ANY TOWN, ACTING THROUGH ITS TOWN BOARD, SHALL BE AUTHORIZED TO ENACT LOCAL LAWS TO PERMIT A PERSON TO DISCHARGE A LONG BOW A DISTANCE OF NOT LESS THAN ONE HUNDRED FIFTY FEET FROM A DWELLING HOUSE, FARM BUILDING OR FARM STRUCTURE ACTUALLY OCCUPIED OR USED, OR OCCUPIED FACTORY.

S 7. This act shall take effect immediately, provided that the amendments to paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law made by section three of this act shall be subject to the expiration and repeal of such paragraph pursuant to chapter 600 of the laws of 1993, as amended, when upon such date the provisions of section four of this act shall take effect.