

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 8, 2015

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Introduced by M. of A. ABINANTI, TITONE, RUSSELL, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. LUPARDO, MAGEE, PRETLOW -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the regulation of live restraint cable devices to take wildlife; and providing for the repeal of such provisions upon the expiration thereof

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

1     Section 1.     Subdivision 5 of section 11-1101 of the environmental  
2 conservation law is amended to read as follows:  
3     5. Except as provided in subdivision 1 or 2 of section 11-0523 OF THIS  
4 ARTICLE with respect to destructive and menacing wildlife, no person  
5 shall (a) set or use a trap of the leg-gripping type having teeth in the  
6 jaws; (b) set a LEG HOLD trap so that wildlife when caught is suspended;  
7 (c) use, locate or set a snare or a device consisting of a noose of any  
8 material whereby an animal may be taken, EXCEPT THE DEPARTMENT MAY, BY  
9 REGULATION, AUTHORIZE THE USE OF LIVE RESTRAINT CABLE DEVICES TO TAKE  
10 COYOTE AND OTHER SPECIES AS ALLOWED BY THE DEPARTMENT IN THE NORTHERN  
11 ZONE. THESE REGULATIONS SHALL INCLUDE LIVE CABLE RESTRAINT DEVICES  
12 CONSISTING OF AT LEAST ONE SWIVEL, A RELAXING LOCK, A DEER STOP, AND A  
13 BREAK AWAY DEVICE. FOR THE PURPOSES OF THIS PROVISION:  
14     (1) A SWIVEL IS A DEVICE INCORPORATED AT THE END OF THE CABLE  
15 RESTRAINT WHICH ALLOWS THE CAPTURED ANIMAL TO FREELY ROTATE;  
16     (2) A RELAXING LOCK IS A DEVICE THAT ALLOWS THE CABLE LOOP TO STOP  
17 RESTRICTING WHEN THE CAPTURED ANIMAL STOPS PULLING;  
18     (3) A DEER STOP IS A DEVICE INCORPORATED INTO THE LOOP OF THE CABLE  
19 RESTRAINT THAT KEEPS THE CABLE RESTRAINT FROM CLOSING BEYOND A SPECIFIED  
20 CIRCUMFERENCE TO ALLOW DEER THAT MAY ENCOUNTER THE RESTRAINT TO ESCAPE;  
21 AND

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

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1 (4) A BREAK AWAY DEVICE ALLOWS THE LOOP OF THE CABLE RESTRAINT TO  
2 BREAK OPEN WHEN A SPECIFIED AMOUNT OF FORCE IS APPLIED.  
3 TRAPPERS USING LIVE CABLE RESTRAINT DEVICES MUST COMPLETE A TRAINING  
4 COURSE IN THEIR CONSTRUCTION AND USE OFFERED BY THE DEPARTMENT.  
5 S 2. This act shall take effect immediately and shall expire and be  
6 deemed repealed February 16, 2017.