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

7583

2015-2016 Regular Sessions

I N A S S E M B L Y

May 19, 2015

Introduced by M. of A. LUPARDO, ENGLEBRIGHT -- (at request of the Department of Environmental Conservation) -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to extending the authority of the department of environmental conservation to manage deer and bear and to amend chapter 600 of the laws of 1993, amending the environmental conservation law relating to the management of bear, in relation to the effectiveness of such chapter

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

Section 1. Section 13 of chapter 600 of the laws of 1993, amending the environmental conservation law relating to the management of deer, as amended by chapter 437 of the laws of 2011, is amended to read as follows:

S 13. This act shall take effect immediately, provided however, that the amendments made to paragraph c of subdivision 1 of section 11-0907 of the environmental conservation law made by section five of this act, paragraph a of subdivision 2 of section 11-0907 of the environmental conservation law made by section six of this act, paragraphs a and b of subdivision 3 of section 11-0907 of the environmental conservation law made by section seven of this act, paragraph b of subdivision 2 of section 11-0907 of the environmental conservation law made by section six of this act, paragraph c of subdivision 3 of section 11-0907 of the environmental conservation law made by section seven of this act, and subdivision 3 of section 11-0911 of the environmental conservation law made by section eight of this act shall expire on [October 1] DECEMBER 31, [2015] 2018.

S 2. Subdivisions 8 and 10 and paragraph a of subdivision 9 of section 11-0903 of the environmental conservation law, as amended by chapter 437 of the laws of 2011, are amended to read as follows:

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

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8. Notwithstanding any provision of law, rule or regulation to the contrary, the department may, until [October first] DECEMBER THIRTY-FIRST, two thousand [fifteen] EIGHTEEN, fix by regulation the open seasons, open areas, bag limit, manner of taking, possession and disposition of bear and parts of bears, and the intentional and incidental feeding of bears. Such regulations shall implement the provisions of this article. Such regulations, as the department deems appropriate, may provide for special permits and permit quotas. When a special permit is required, the department may fix by regulation a fee for each such permit issued.

a. Until [October first] DECEMBER THIRTY-FIRST, two thousand [fifteen] EIGHTEEN, whenever in its opinion deer shall become numerous enough in any area to cause substantial damage to property or overbrowsing of deer range, the department may fix by regulation special open seasons for taking wild deer of either sex. Subject to this subdivision, the department may fix the conditions of such seasons.

10. Notwithstanding any inconsistent provision of subdivision 10 of section 11-0901 or subdivision 2, subdivision 3 or subdivision 8 of section 11-0907 of this title, until [October first] DECEMBER THIRTY-FIRST, two thousand [fifteen] EIGHTEEN, the department is authorized to adopt regulations with respect to the manner of taking, possession, open seasons and bag limits for deer. The authority to adopt such regulations is in addition to any authority contained in this section or section 11-0913 of this title respecting regulations fixing open seasons for deer and the issuance of deer management permits.

S 3. Paragraph a of subdivision 1 of section 11-0913 of the environmental conservation law, as amended by chapter 437 of the laws of 2011, is amended to read as follows:

a. Until [October first] DECEMBER THIRTY-FIRST, two thousand [fifteen] EIGHTEEN, whenever in its opinion the population of deer in any area of the state except in the northern zone is such that additional harvest of deer is reasonably necessary to properly manage the deer herd in the state in balance with the available deer range and natural food supply, the department may provide by regulation for issuance of deer management permits, permitting the taking of one deer for the permit, in addition to the limit of one deer that may otherwise be taken by one person in a license year.

S 4. This act shall take effect immediately.