

5135

2015-2016 Regular Sessions

I N S E N A T E

May 4, 2015

Introduced by Sen. O'MARA -- (at request of the Department of Environmental Conservation) -- 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 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:

1 Section 1. Section 13 of chapter 600 of the laws of 1993, amending the
2 environmental conservation law relating to the management of deer, as
3 amended by chapter 437 of the laws of 2011, is amended to read as
4 follows:
5 S 13. This act shall take effect immediately, provided however, that
6 the amendments made to paragraph c of subdivision 1 of section 11-0907
7 of the environmental conservation law made by section five of this act,
8 paragraph a of subdivision 2 of section 11-0907 of the environmental
9 conservation law made by section six of this act, paragraphs a and b of
10 subdivision 3 of section 11-0907 of the environmental conservation law
11 made by section seven of this act, paragraph b of subdivision 2 of
12 section 11-0907 of the environmental conservation law made by section
13 six of this act, paragraph c of subdivision 3 of section 11-0907 of the
14 environmental conservation law made by section seven of this act, and
15 subdivision 3 of section 11-0911 of the environmental conservation law
16 made by section eight of this act shall expire on [October 1] DECEMBER
17 31, [2015] 2018.
18 S 2. Subdivisions 8 and 10 and paragraph a of subdivision 9 of section
19 11-0903 of the environmental conservation law, as amended by chapter 437
20 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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1 8. Notwithstanding any provision of law, rule or regulation to the
2 contrary, the department may, until [October first] DECEMBER
3 THIRTY-FIRST, two thousand [fifteen] EIGHTEEN, fix by regulation the
4 open seasons, open areas, bag limit, manner of taking, possession and
5 disposition of bear and parts of bears, and the intentional and inci-
6 dental feeding of bears. Such regulations shall implement the provisions
7 of this article. Such regulations, as the department deems appropriate,
8 may provide for special permits and permit quotas. When a special permit
9 is required, the department may fix by regulation a fee for each such
10 permit issued.

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

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

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

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

38 S 4. This act shall take effect immediately.