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

5451

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. GALLIVAN -- 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 proxy hunting and fishing licenses

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

Section 1. The environmental conservation law is amended by adding a new section 11-0708 to read as follows:

S 11-0708. PROXY LICENSES.

1. A RESIDENT (PROXY) HOLDING A VALID HUNTING AND/OR FISHING LICENSE MAY TAKE FISH AND/OR GAME FOR ANOTHER RESIDENT (BENEFICIARY) ALSO HOLDING A VALID HUNTING AND/OR FISHING LICENSE WHO SUFFERS FROM FUNCTIONAL VISUAL IMPAIRMENT, AS DEFINED BY PARAGRAPH B OF SUBDIVISION ONE OF SECTION TWO HUNDRED FIFTEEN-A OF THE ELDER LAW, IS PHYSICALLY DISABLED AS AFFIRMED BY A PHYSICIAN ON AN AFFIDAVIT TO BE PRESCRIBED BY THE COMMISSIONER, OR IS SIXTY-FIVE YEARS OF AGE OR OLDER.

2. BOTH THE PROXY AND THE BENEFICIARY SHALL POSSESS COPIES OF A COMPLETED PROXY AUTHORIZATION ON A FORM TO BE PRESCRIBED BY THE COMMISSIONER WHICH SHALL INCLUDE THE NAMES, ADDRESSES AND SIGNATURES OF THE PROXY AND BENEFICIARY, APPLICABLE HUNTING LICENSE IDENTIFICATION NUMBERS, AND DATES DURING WHICH SUCH AUTHORIZATION IS APPLICABLE. A PROXY AUTHORIZATION MAY NOT BE USED TO TAKE A SPECIES OF FISH AND/OR GAME FOR A BENEFICIARY OUTSIDE OF THE TIME SPECIFIED ON THE PROXY AUTHORIZATION.

3. A PERSON MAY NOT BE A PROXY FOR MORE THAN ONE BENEFICIARY AT A TIME. A PROXY WHO TAKES FISH AND/OR GAME FOR A BENEFICIARY SHALL BE SUBJECT TO ALL THE CONDITIONS AND REQUIREMENTS THAT WOULD APPLY TO THE BENEFICIARY IF THE BENEFICIARY PERSONALLY HUNTED AND/OR FISHED THE FISH AND/OR GAME. NO LATER THAN THIRTY DAYS AFTER TAKING SUCH FISH AND/OR GAME, A PROXY SHALL PERSONALLY DELIVER ALL PARTS OF THE FISH AND/OR GAME TO THE BENEFICIARY. A PROXY WHO TAKES FISH AND/OR GAME FOR A PERSON MAY

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

LBD11142-01-5

NOT GIVE OR RECEIVE REMUNERATION IN ORDER TO OBTAIN, GRANT, OR INFLUENCE THE GRANTING OF A PROXY AUTHORIZATION.

4. THE DEPARTMENT IS HEREBY AUTHORIZED TO PROMULGATE ALL RULES AND REGULATIONS AS MAY BE NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

S 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.