

# STATE OF NEW YORK

7952

## IN SENATE

March 13, 2018

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 deer, 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 209 of the laws of 2015, is amended to read as  
4 follows:

5 § 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 December 31, [~~2018~~  
17 2021].

18 § 2. Subdivision 8, paragraph a of subdivision 9 and subdivision 10 of  
19 section 11-0903 of the environmental conservation law, as amended by  
20 chapter 209 of the laws of 2015, are amended to read as follows:

21 8. Notwithstanding any provision of law, rule or regulation to the  
22 contrary, the department may, until December thirty-first, two thousand  
23 [~~eighteen~~ twenty-one], fix by regulation the open seasons, open areas,  
24 bag limit, manner of taking, possession and disposition of bear and

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

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1 parts of bears, and the intentional and incidental feeding of bears.  
2 Such regulations shall implement the provisions of this article. Such  
3 regulations, as the department deems appropriate, may provide for  
4 special permits and permit quotas. When a special permit is required,  
5 the department may fix by regulation a fee for each such permit issued.

6 a. Until December thirty-first, two thousand [~~eighteen~~] twenty-one,  
7 whenever in its opinion deer shall become numerous enough in any area to  
8 cause substantial damage to property or overbrowsing of deer range, the  
9 department may fix by regulation special open seasons for taking wild  
10 deer of either sex. Subject to this subdivision, the department may fix  
11 the conditions of such seasons.

12 10. Notwithstanding any inconsistent provision of subdivision 10 of  
13 section 11-0901 or subdivision 2, subdivision 3 or subdivision 8 of  
14 section 11-0907 of this title, until December thirty-first, two thousand  
15 [~~eighteen~~] twenty-one, the department is authorized to adopt regulations  
16 with respect to the manner of taking, possession, open seasons and bag  
17 limits for deer. The authority to adopt such regulations is in addition  
18 to any authority contained in this section or section 11-0913 of this  
19 title respecting regulations fixing open seasons for deer and the issu-  
20 ance of deer management permits.

21 § 3. Paragraph a of subdivision 1 of section 11-0913 of the environ-  
22 mental conservation law, as amended by chapter 209 of the laws of 2015,  
23 is amended to read as follows:

24 a. Until December thirty-first, two thousand [~~eighteen~~] twenty-one,  
25 whenever in its opinion the population of deer in any area of the state  
26 except in the northern zone is such that additional harvest of deer is  
27 reasonably necessary to properly manage the deer herd in the state in  
28 balance with the available deer range and natural food supply, the  
29 department may provide by regulation for issuance of deer management  
30 permits, permitting the taking of one deer for the permit, in addition  
31 to the limit of one deer that may otherwise be taken by one person in a  
32 license year.

33 § 4. This act shall take effect immediately.