

# STATE OF NEW YORK

10079

## IN ASSEMBLY

March 6, 2020

Introduced by M. of A. LUPARDO -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to authorizing the issuance of special airport air strike hazard permits

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The environmental conservation law is amended by adding a  
2 new section 11-0522 to read as follows:

3 § 11-0522. Special airport air strike hazard permits authorizing take  
4 for wildlife control at airports.

5 1. For the purposes of this section, an airport air strike hazard  
6 permit may be issued to an employee of the federal or state government  
7 responsible for wildlife management at an airport, or an airport as  
8 defined in subdivision five of section two hundred forty of the general  
9 business law, or contractor thereof, when such person or airport or  
10 contractor is acting pursuant to a wildlife management plan.

11 2. The department may, after reviewing the airport wildlife management  
12 plan, and upon a finding that wildlife has become a nuisance, destruc-  
13 tive to public or private property or a threat to public health or  
14 welfare, issue a special permit to any person authorized in subdivision  
15 one of this section who is qualified to conduct such wildlife management  
16 activities at the airport and the affected area surrounding the airport  
17 as directed by the federal aviation administration.

18 3. In addition to other permitted wildlife management activities, the  
19 department is authorized to exempt the permit holder from the provisions  
20 of subdivisions three and eight of section 11-0505 and subdivision one  
21 of section 11-0521 of this title and paragraph a of subdivision one and  
22 subdivisions two, four, and five of section 11-0931 of this article.

23 4. Nothing in this section shall be construed as requiring or obligat-  
24 ing the department to issue a permit to take wildlife or direct the  
25 taking of any wildlife when in its opinion, the nuisance, destruction of  
26 property or threat to public health and welfare will not be effectively  
27 abated thereby, or where the person or airport has not demonstrated

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

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1 qualifications necessary to take wildlife in such a manner to the satis-  
2 faction of the department.

3 § 2. This act shall take effect on the ninetieth day after it shall  
4 have become a law. Effective immediately the addition, amendment and/or  
5 repeal of any rule or regulation necessary for the implementation of  
6 this act on its effective date are authorized to be made and completed  
7 on or before such effective date.