

STATE OF NEW YORK

4057--A

2019-2020 Regular Sessions

IN SENATE

February 26, 2019

Introduced by Sen. ANTONACCI -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to cull permits authorizing the taking of certain wildlife by certified nuisance wildlife specialists

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. Cull permits authorizing the taking of certain wildlife by
4 certified nuisance wildlife specialists.

5 1. For the purposes of this section, "certified nuisance wildlife
6 specialist" shall mean an employee of the federal or state government or
7 any city, town, village or county, public or private college or univer-
8 sity, or an airport as defined in subdivision five of section two
9 hundred forty of the general business law, responsible for wildlife
10 management, or an individual acting pursuant to a wildlife management
11 plan, who meets the criteria established by the department, that at a
12 minimum require:

13 a. a minimum level of marksmanship certification, including ongoing
14 certification; and

15 b. liability insurance coverage levels or other financial arrangements
16 approved by the department.

17 2. The department may, after reviewing the wildlife management plan,
18 and upon a finding that wildlife has become a nuisance, destructive to
19 public or private property or a threat to public health, safety or
20 welfare, issue a cull permit to any person authorizing use of a certi-
21 fied nuisance wildlife specialist to take wildlife.

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

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1 3. Notwithstanding subdivisions three and eight of section 11-0505 and
2 subdivision one of 11-0521 of this title, paragraph a of subdivision one
3 and subdivisions two, four and five of section 11-0931 of this article,
4 such cull permit authorizing the taking of wildlife by a certified
5 nuisance wildlife specialist shall, at minimum, specify:

6 a. the timeframe during which the permit must be used;

7 b. the geographical description of the area for which the permit is
8 authorized;

9 c. the species authorized to be taken;

10 d. the methods of taking wildlife permitted to be used; and

11 e. reporting requirements.

12 4. Nothing in this section shall be construed as requiring or obligat-
13 ing the department to issue a permit to take wildlife or direct the
14 taking of any wildlife when in its opinion, the nuisance, destruction of
15 property or threat to public health, safety or welfare will not be
16 effectively abated thereby.

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