



**CHAUTAUQUA COUNTY**  
**MOTION NO. \_\_\_\_\_**

**TITLE:** Supporting Amendment of New York State Environmental Conservation Law to Restrict the Firing of Hunting Rifles within 1,000 Feet of a Home or Dwelling and Require Hunters to Obtain Permission to Hunt on Privately Owned Properties in Chautauqua County.

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**AT THE REQUEST OF:** Legislators Duff and Mueller:

WHEREAS, a pregnant woman was accidentally shot in the head by a hunter's stray bullet while she was pulling out of her home driveway in North Whitehall Township, Pennsylvania on December 3, 2004, and a stray bullet killed a toddler inside his home in Sullivan County, New York on November 20, 2008, and a man was shot in his trailer home by a hunter's stray bullet in Jefferson County, New York on November 14, 2010; and

WHEREAS, all of these rifle firings occurred on private property and more than four hundred (400) feet from the victims' homes; and

WHEREAS, the Pennsylvania Game Commission requested the U.S. Army study a typical hunter's rifle bullet travel distance including ricochets after the 2004 incident, and the resulting study found, among other things, that a bullet fired from a rifle can travel an average of fourteen hundred (1400) feet even at zero degrees and that a ricochet bullet can travel an additional thirty-four hundred (3400) feet; and

WHEREAS, this year the New York State Legislature passed Chapter 321 of the Laws of 2011 and the Governor signed into law changes to the existing Environmental Conservation Law that permit hunters to fire a rifle in Chautauqua County South of Route 20 when hunting for deer and bear; and

WHEREAS, the State Legislature sponsors of the Assembly and Senate Bills (A6055/S801) that culminated in such permissive hunting recognized the potential danger to civilians in Chautauqua County when rifles are fired on flat parts of Chautauqua County by limiting its application exclusively to the lands north of U.S. Route 20; and

WHEREAS, the Chautauqua County Legislature well recognizes the geographical diversity of the entire County and finds many portions of the County south of Route 20 are just as flat or just as well populated as the portions of the County north of Route 20; and

WHEREAS, the Chautauqua County Legislature find the recently enacted rifle hunting legislation raises the potential for increased risk of severe injury or loss of life to innocent people as well as probable property damage in Chautauqua County from stray bullets; therefore be it

**RESOLVED,** The Chautauqua County Legislature requests the New York State Assembly and Senate sponsor and adopt legislation that amends the current Environmental Conservation Laws in respect to hunting in Chautauqua County as follows:

(1) restrict the firing of a rifle or shotgun within 1,000 feet of a dwelling or other permanent structure knowingly occupied by children or adults, and (2) require hunters obtain written permission to hunt on privately owned land in Chautauqua County before hunting with rifles on private property and (3) declare that a violation of such provisions by hunters will result in a criminal act subject to appropriate fines and penalties, confiscation of their hunting weapons, or suspension of the license to hunt; and be it further

RESOLVED, That the Clerk of the Chautauqua County Legislature is hereby directed to send copies of this Motion to Governor Andrew Cuomo, Senator Catharine Young, Assemblyman Andrew Goodell.