

**SENATE CONCURRENT
RESOLUTION No. 61**

STATE OF NEW JERSEY

213th LEGISLATURE

INTRODUCED JANUARY 28, 2008

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

Senator PHILIP E. HAINES

District 8 (Burlington)

Co-Sponsored by:

Senators Adler and Van Drew

SYNOPSIS

Proposed constitutional amendment to preserve right of people to hunt, fish and harvest game subject to certain regulations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/17/2008)

1 A **CONCURRENT RESOLUTION** proposing to amend Article I of the
2 New Jersey Constitution by adding a new paragraph.

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4 **BE IT RESOLVED** by the Senate of the State of New Jersey (the
5 General Assembly concurring):

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7 1. The following proposed amendment to the Constitution of the
8 State of New Jersey is agreed to:

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10 **PROPOSED AMENDMENT**

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12 Amend Article I by adding a new paragraph 23 to read as
13 follows:

14 23. The people have the right to hunt, fish and harvest game,
15 subject to reasonable regulations. Consistent with the public trust
16 to conserve birds, fish, game and wildlife, traditional methods may
17 be used to take non-threatened species traditionally pursued. Public
18 hunting and fishing shall be the preferred means of managing and
19 controlling non-threatened wildlife. Nothing in this paragraph shall
20 be construed to modify any provision of common law or statutes
21 relating to trespass, eminent domain, or any other property rights.

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23 2. When this proposed amendment to the Constitution is finally
24 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
25 shall be submitted to the people at the next general election
26 occurring more than three months after the final agreement and
27 shall be published at least once in at least one newspaper of each
28 county designated by the President of the Senate, the Speaker of the
29 General Assembly and the Secretary of State, not less than three
30 months prior to the general election.

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32 3. This proposed amendment to the Constitution shall be
33 submitted to the people at that election in the following manner and
34 form:

35 There shall be printed on each official ballot to be used at the
36 general election, the following:

37 a. In every municipality in which voting machines are not used, a
38 legend which shall immediately precede the question as follows:

39 If you favor the proposition printed below make a cross (X), plus
40 (+), or check (✓) in the square opposite the word "Yes." If you are
41 opposed thereto make a cross (X), plus (+) or check (✓) in the
42 square opposite the word "No."

43 b. In every municipality the following question:

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	<p>YES</p>	<p>CONSTITUTIONAL AMENDMENT TO PRESERVE THE RIGHT OF THE PEOPLE TO HUNT, FISH AND HARVEST GAME Shall the proposed amendment to Article I of the State Constitution, agreed to by the Legislature, preserving the right of the people to hunt, fish and harvest game subject to reasonable regulations, be approved?</p>
	<p>NO</p>	<p>INTERPRETIVE STATEMENT Approval of this amendment would make hunting, fishing and harvesting game a constitutionally protected right in the State. The right to hunt, fish and harvest game would be subject to reasonable regulations. Traditional methods may be used to take non-threatened species traditionally pursued so long as they are consistent with the public trust to conserve birds, fish, game and wildlife. Public hunting and fishing would be the preferred means of managing and controlling non-threatened wildlife. Nothing in the amendment would modify any provision of common law or statutory law relating to trespass, eminent domain, or any other property rights.</p>

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STATEMENT

6 The proposed constitutional amendment would create a
 7 constitutional right to hunt, fish, and harvest game subject to
 8 reasonable regulations. The amendment would also require that,
 9 consistent with the public trust to conserve birds, fish, game and
 10 wildlife, traditional methods may be used to take non-threatened
 11 species traditionally pursued. Public hunting and fishing would be
 12 the preferred means of managing and controlling non-threatened
 13 wildlife. Nothing in the amendment would be construed to modify
 14 any provision of common law or statutory law relating to trespass,
 15 eminent domain, or any other property rights.