

ASSEMBLY, No. 2016

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1996

By Assemblyman O'TOOLE

1 AN ACT prohibiting the hunting of black bear and amending R.S.23:4-

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. R.S.23:4-1 is amended to read as follows:

8 23:4-1. No person shall capture, kill, injure, destroy or have in  
9 possession or hunt, hunt for, or attempt to capture, kill, injure or  
10 destroy any reedbird, wild swans, wood duck, wild geese, brant, wild  
11 ducks, rails or marsh hens, gallinules, coot (commonly known as crow  
12 duck), upland plover, black-bellied plover, golden plover, greater or  
13 lesser yellowlegs, willets, sandpipers, dowitchers or robin snipe, brown  
14 backs, curlews, turnstones or calico backs, godwits or marlin, tattlers,  
15 Wilson snipe or jacksnipe, woodcock or any other birds commonly  
16 known as shore birds, surf snipe or bay snipe, unless an open season  
17 is prescribed therefor by the regulations of the United States  
18 Department of the Interior, made under the provisions of an Act of  
19 Congress relating to migratory birds, and then only during the  
20 respective open seasons fixed for such birds by such regulations.

21 No person shall capture, kill, injure, destroy or have in possession  
22 any quail, rabbit, hare, gray, black or fox squirrel, raccoon,  
23 woodchuck, English or ring-necked pheasant, ruffed grouse, wild  
24 turkey, partridge, or any other game bird or game animal, other than  
25 those mentioned in the first paragraph of this section, unless an open  
26 season is prescribed therefor by the State Fish and Game Code, and  
27 then only during the respective open seasons fixed by such code; or,  
28 in the absence of such provision in **[said]** the code, unless an open  
29 season is prescribed therefor by law, and then only during the  
30 respective open seasons fixed by this section.

31 There shall be no open season nor any hunting by permit for black  
32 bear.

33 Unless otherwise prescribed by the State Fish and Game Code, the  
34 open season for quail, rabbit, hare, gray, black or fox squirrel, male

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 English or ring-necked pheasant, ruffed grouse, or partridge, except  
2 as hereinafter in this article is restricted, shall be from November 10  
3 to December 10; provided, however, no person shall capture, kill,  
4 injure, destroy or have in his possession any of the birds or animals  
5 mentioned in this paragraph on the first day of any open season for  
6 such birds and animals before 9 a.m.

7 Unless otherwise prescribed by the State Fish and Game Code, the  
8 open season for woodchuck shall be from May 1 to September 30;  
9 between sunrise and sunset only.

10 Unless otherwise prescribed by the State Fish and Game Code, the  
11 open season for raccoon shall be from November 1 to January 15,  
12 between sunset and sunrise only, except during the open season for  
13 deer.

14 Unless otherwise provided by the State Fish and Game Code, the  
15 birds and animals for which an open season is prescribed by this  
16 section may be possessed during the respective open seasons therefor  
17 and for the additional period of 10 days immediately succeeding the  
18 open seasons.

19 Except as otherwise specifically provided by this act or any other  
20 law, for capturing, killing, injuring, destroying, or having in possession  
21 or hunting, hunting for, or attempting to capture, kill, injure or destroy  
22 any of the game birds or game animals mentioned in this section, or  
23 any other game bird or game animal, other than during the respective  
24 open seasons, if any, and at the times, if any, fixed therefor by the  
25 respective provisions of the State Fish and Game Code, or, in the  
26 absence of any such provisions in [said] the code, fixed therefor by this  
27 section, or for violating any other provision of this section, a person  
28 shall be liable to a penalty of not less than \$20.00 and not more than  
29 \$100.00 for each bird or animal or part thereof unlawfully captured,  
30 killed, injured, destroyed, had in possession, or hunted, hunted for,  
31 attempted to be captured, killed, injured or destroyed; provided,  
32 however, that a person shall be liable to a penalty of not less than  
33 \$100.00 and not more than \$300.00 for each wild turkey, black bear,  
34 coyote, bobcat, otter, or part thereof, unlawfully captured, killed,  
35 injured, destroyed, possessed, or hunted, hunted for, attempted to be  
36 captured, killed, injured or destroyed.

37 (cf: P.L.1979, c.385, s.3)

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39 2. This act shall take effect immediately.

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#### STATEMENT

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44 This bill would statutorily prohibit any form of hunting for black  
45 bear. Currently, such a prohibition is established by regulation only.

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3 Prohibits black bear hunting.