

SENATE, No. 2071

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1997

BY Senator BASSANO

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

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

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

7 23:4-1. No person shall capture, kill, injure, destroy or have in
8 possession or hunt, hunt for, or attempt to capture, kill, injure or
9 destroy any reedbird, wild swans, wood duck, wild geese, brant, wild
10 ducks, rails or marsh hens, gallinules, coot (commonly known as crow
11 duck), upland plover, black-bellied plover, golden plover, greater or
12 lesser yellowlegs, willets, sandpipers, dowitchers or robin snipe, brown
13 backs, curlews, turnstones or calico backs, godwits or marlin, tattlers,
14 Wilson snipe or jacksnipe, woodcock or any other birds commonly
15 known as shore birds, surf snipe or bay snipe, unless an open season
16 is prescribed therefor by the regulations of the United States
17 Department of the Interior, made under the provisions of an Act of
18 Congress relating to migratory birds, and then only during the
19 respective open seasons fixed for such birds by such regulations.

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

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

32 Unless otherwise prescribed by the State Fish and Game Code, the
33 open season for quail, rabbit, hare, gray, black or fox squirrel, male
34 English or ring-necked pheasant, ruffed grouse, or partridge, except

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

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

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

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

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

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

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38 2. This act shall take effect immediately.

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STATEMENT

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

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3 Prohibits black bear hunting.