

ASSEMBLY AGRICULTURE COMMITTEE

AMENDMENTS

to

ASSEMBLY, No. 1365

(Sponsored by Assemblymen BENSON and HOUGHTALING, and
Assemblywoman MURPHY)

REPLACE SECTION 1 TO READ:

1. As used in this act:

"Competitive event" means any activity, competition, contest, derby, tournament, or other organized activity where participants are encouraged to take wildlife and are rewarded by the receipt of a prize or any kind of inducement or reward.

"Covered wildlife" means ¹[all animal life existing in a wild state, or any part, product, egg, or offspring, or] a bobcat, coyote, crow, fox, mink, opossum, rabbit, raccoon, skunk, squirrel, weasel, woodchuck, or¹ the dead body or parts ¹[,]¹ thereof ¹[, except for fish, shellfish, mollusks, or crustaceans]¹.

"Division" means the Division of Fish and Wildlife in the Department of Environmental Protection.

"Harass" means to annoy, attack, disrupt normal behavior patterns of, or otherwise disturb wildlife without taking it.

"Person" means any individual, association, estate, firm, joint venture, limited liability corporation ^{1,1} organization, partnership, receiver, syndicate, trust, or other legal entity.

"Take" means to hunt, capture, kill, trap, catch, net, possess, or collect, or to attempt to hunt, capture, kill, trap, catch, net, possess, or collect, wildlife.

REPLACE SECTION 2 TO READ:

2. a. ¹[It] Except in conjunction with a field trial or field day authorized by a license issued pursuant to R.S.23:4-26, it¹ shall be unlawful ¹:

(1)¹ to harass or take covered wildlife at a competitive event ¹[. It shall be unlawful] ; or

(2)¹ for any person to organize, sponsor, promote, conduct, or participate in a competitive event at which the participants harass or take covered wildlife.

b. A person who violates this section shall be guilty of a disorderly persons offense and, in addition to the applicable penalties pursuant to

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Title 2C of the New Jersey Statutes, shall be subject to a five-year suspension of:

(1) any license or permit issued to the person by the Division of Fish and Wildlife; and

(2) all privileges to take or possess wildlife.

c. Any covered wildlife injured as a result of a competitive event held in violation of this section shall be transported to a licensed wildlife rehabilitator or State licensed veterinarian for proper treatment or, if necessary, the administration of humane euthanasia. Euthanasia shall only be administered after the best efforts to rehabilitate and release the animal have failed.

d. The Division of Fish and Wildlife shall forfeit the remains of any covered wildlife killed at a competitive event held in violation of this section, or euthanized pursuant to subsection c. of this section, from the organizer, participant, or promotor in possession thereof, as applicable. It shall become the property of the division.

e. The provisions of this section may be enforced by municipal police officers, the State Police, and law enforcement officers in the Division of Fish and Wildlife and the Division of Parks and Forestry in the Department of Environmental Protection.

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