

ASSEMBLY COMMERCE, ECONOMIC DEVELOPMENT AND
AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 360

STATE OF NEW JERSEY

DATED: SEPTEMBER 12, 2024

The Assembly Commerce, Economic Development and Agriculture Committee reports favorably Assembly Bill No. 360.

This bill would amend the law concerning the feeding of black bear. Under current law, the prohibition on the feeding of black bear does not apply in the case of an unintentional feeding of a black bear. "Unintentional feeding" is defined in the law as using or placing any material for a purpose other than to attract or entice black bears but which results in the attraction or enticement of a black bear, and includes the use of bait for deer in accordance with section 1 of P.L.1997, c.424 (C.23:4-24.4) and the State Fish and Game Code.

This bill clarifies that the prohibition applies to any food and includes the placement of food. The bill deletes the exemption for, and the definition of, "unintentional feeding," and replaces it with a specific list of activities or actions that are not considered to be the feeding of black bear. The bill provides that the following activities would not be subject to the prohibition in the bill: (1) any person licensed pursuant to law to possess wildlife; (2) any crop, agricultural product, or animal feed on the premises of any person engaged in agricultural or horticultural activities; (3) a birdfeeder maintained between the dates of April 1 and November 30, provided that certain conditions are met; (4) the placement of food at a shelter or pound licensed by the Department of Health or a municipally approved managed cat colony, provided that any uneaten food is removed every night; (5) the feeding of companion animals, provided that any uneaten food is removed every night; and (6) any action by federal, State, or local authorities that requires feeding, baiting, or luring of wildlife for management or scientific purpose.

The bill would also amend the current law concerning the use of civil penalties recovered for violations. Under current law, any penalties are to be paid to the Division of Fish and Wildlife. Under this bill, any penalties collected would be remitted to the municipality in which the violation occurred.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.