

SENATE, No. 345

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

SYNOPSIS

Authorizes local law enforcement officers to conduct certain alternative deer control methods.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning special deer management permits, and
2 amending P.L.2000, c.46.

3

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

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7 1. Section 2 of P.L.2000, c.46 (C.23:4-42.4) is amended to read
8 as follows:

9 2. a. Upon submission of an application pursuant to section 1
10 of P.L.2000, c.46 (C.23:4-42.3), or at any time thereafter, a county
11 board of agriculture, municipal governing body, owner or operator
12 of an airport, or county governing body may submit to the division
13 for its approval a community based deer management plan
14 proposing alternative control methods to reduce the number of deer
15 in an area designated as a special deer management area pursuant to
16 section 1 of P.L.2000, c.46. A county board of agriculture,
17 municipal governing body, owner or operator of an airport, or
18 county governing body may submit a community based deer
19 management plan concurrently with an application to the division
20 for designation of a special deer management area.

21 Two or more municipalities may submit a single community
22 based deer management plan for a special deer management area
23 that covers more than one municipality.

24 The county board of agriculture or the division may request the
25 Center for Wildlife Damage Control in the New Jersey Agricultural
26 Experiment Station at Rutgers, The State University, to coordinate
27 and facilitate the development of a community based deer
28 management plan.

29 b. A community based deer management plan shall:

30 (1) delineate the boundaries of the special deer management
31 area;

32 (2) describe the proposed alternative control methods to reduce
33 the number of deer in the special deer management area, which may
34 include the methods authorized pursuant to section 3 of P.L.2000,
35 c.46 (C.23:4-42.5);

36 (3) identify any organization that will participate in the
37 implementation of the alternative control methods proposed in the
38 plan, and describe its qualifications;

39 (4) describe the methods that will be used to notify the public,
40 including residents located within and adjacent to the special deer
41 management area, of the alternative control methods proposed in
42 the plan and the specific times and the specific places when and
43 where they will be used;

44 (5) describe the precautions that will be taken to ensure the
45 safety of the public;

46 (6) document the written consent of each affected landowner for
47 access to that person's land if access to private property is necessary
48 to implement the plan;

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

Matter underlined thus is new matter.

1 (7) attach a resolution, adopted by the governing body of the
2 municipality in which the special deer management area is located,
3 which endorses the community based deer management plan, except
4 this requirement shall not apply to a community based deer
5 management plan submitted by a county governing body for lands
6 owned by the county; and

7 (8) include such additional information as the division may
8 determine to be necessary to properly review a community based
9 deer management plan.

10 c. The division shall promptly review a community based deer
11 management plan submitted pursuant to P.L.2000, c.46, and either
12 approve the plan, approve the plan subject to modification, or
13 disapprove the plan and return it to the applicant setting forth in
14 writing the reasons for its decision. If the division approves a
15 community based deer management plan, the division shall submit
16 it to the Fish and Game Council for its review and action pursuant
17 to section 3 of P.L.2000, c.46 (C.23:4-42.5).

18 d. Whenever practicable, a community based deer management
19 plan shall provide for the donation of deer in accordance with the
20 venison donation program established pursuant to section 1 of
21 P.L.1997, c.268 (C.23:4-42.7).

22 e. For the purposes of P.L.2000, c.46 (C.23:4-42.3 et seq.) **["**
23 **"alternative"]** :

24 "Alternative control method" or "alternative deer control
25 method" means any technique, other than traditional hunting,
26 employed to reduce a deer population, which may include, but need
27 not be limited to, controlled hunting, shooting by an authorized
28 agent, capture and euthanization, capture and removal, and fertility
29 control.

30 "Authorized agent" means an individual authorized by the
31 division to administer an alternative deer control method and named
32 on a special deer management permit issued pursuant to section 4 of
33 P.L.2000, c.46 (C.23:4-42.6), and may include, but is not limited to,
34 a local law enforcement officer, upon the request of a municipal
35 governing body, trained or otherwise approved by the division to
36 employ alternative deer control methods.

37 (cf: P.L.2010, c.54, s.2)

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39 2. This act shall take effect immediately.
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42 STATEMENT

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44 This bill would define the term "authorized agent" as used in
45 P.L.2000, c.46 (C.23:4-42.3 et seq.), the law authorizing
46 community based management plans, to provide that term may
47 include local law enforcement officers.

1 A community based deer management plan is a plan by which a
2 county board of agriculture, the governing body of a county or
3 municipality, or the owner or operator of an airport may request,
4 from the Division of Fish and Wildlife, a special deer management
5 permit to implement alternative deer control methods in order to
6 manage a deer population that is causing significant property
7 damage in that area. Under this bill, the term "authorized agent"
8 may include, but is not limited to, upon the request of a municipal
9 governing body, a local law enforcement officer trained or
10 otherwise approved by the division to employ alternative deer
11 control methods.