

SENATE, No. 3163

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED NOVEMBER 9, 2020

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Permits municipalities to enact ordinances restricting the legal hours for hunting migratory waterfowl.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning migratory waterfowl hunting and
2 supplementing chapter 4 of Title 23 of the Revised Statutes.

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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. a. Notwithstanding the provisions of the State Fish and
8 Game Code and any other law, rule, or regulation to the contrary, a
9 municipality may adopt an ordinance restricting the hours during
10 which it is permissible to hunt migratory waterfowl, provided that
11 the legal hours set forth in the ordinance are more restrictive than
12 those in the State Fish and Game Code and regulations adopted by
13 the United States Fish and Wildlife Service. The ordinance shall
14 not modify the bag limits or legal dates for any species of migratory
15 waterfowl. The ordinance shall be enforced in the same manner as
16 other municipal ordinances adopted pursuant to R.S.40:48-1.

17 b. A municipality that adopts an ordinance pursuant to
18 subsection a. of this section shall provide written notice and a copy
19 of the adopted ordinance to the Fish and Game Council, the
20 Commissioner of Environmental Protection, and the Director of the
21 Division of Fish and Wildlife.

22 c. The Division of Fish and Wildlife shall post a list of each
23 municipality that has adopted an ordinance pursuant to subsection a.
24 of this section, along with the legal hours for hunting each species
25 of migratory waterfowl in the municipality, on the division's
26 Internet website.

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28 2. This act shall take effect immediately.

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STATEMENT

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33 This bill would allow municipalities to adopt ordinances that
34 restrict the legal hours for hunting migratory waterfowl within the
35 boundaries of the municipality. The legal hours would be required
36 to be more restrictive than those established by the State Fish and
37 Game Code and regulations adopted United States Fish and Wildlife
38 Service, and the ordinances could not alter other aspects of
39 migratory waterfowl hunting, such as bag limits or hunting seasons.

40 Under the bill, a municipality that adopts an ordinance restricting
41 the legal hours for hunting migratory waterfowl would be required
42 to provide written notice and a copy of the adopted ordinance to the
43 Fish and Game Council, the Commissioner of Environmental
44 Protection, and the Director of the Division of Fish and Wildlife. In
45 order to provide information to hunters, the bill would require the
46 division to post a list of all municipalities with restricted hunting
47 hours on its website.

1 The hunting of migratory waterfowl, such as certain species of
2 ducks and geese, is regulated by the United States Fish and Wildlife
3 Service (USFWS) pursuant to the "Migratory Bird Treaty Act," 16
4 U.S.C. s.703 et seq. and by the State Fish and Game Council. The
5 USFWS establishes seasons and bag limits each year in order to
6 maintain a healthy population of each species. Shooting hours vary
7 from state to state and from species to species, but, in New Jersey,
8 the standard shooting hours for ducks and geese are between a half
9 hour before sunrise and sunset. Federal law allows states to adopt
10 more restrictive regulations for hunting migratory waterfowl than
11 those adopted by the USFWS. This bill would similarly allow
12 municipalities to adopt more restrictive shooting hours than those in
13 the State Fish and Game Code.