

ASSEMBLY, No. 716

STATE OF NEW JERSEY

INTRODUCED DECEMBER 19, 1960

By Assemblymen DAVIS, FREDERICK, KOENIG, HALPIN, and BARKALOW

(Without Reference)

AN Act concerning the Fish and Game Council and amending an act entitled
"Department of Conservation and Economic Development Act of 1948" (P.
L. 1948, c. 448), approved October 25, 1948.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 36 of the act of which this act is amendatory is amended to
2 read as follows:

3 36. If after such hearing the council is satisfied that the proposed regula-
4 tion, amendment or repealer, or any part of such regulation, amendment or
5 repealer, is advisable, it may adopt the same, and if so, it shall state the date
6 on which it takes effect and the council shall cause a true copy of the same
7 to be filed with the Secretary of State.

8 Every regulation, amendment or repealer adopted by the council pur-
9 suant to the provisions of this article shall become effective at the time speci-
10 fied therein but not sooner than 5 days after its publication in the New Jersey
11 Register following such filing, if such register be then required to be pub-
12 lished by the Secretary of State; or if such register is not then required to
13 be published by the Secretary of State, then not sooner than 10 days after
14 such filing.

15 The council may publish and distribute summaries of such regulations,
16 amendments, and repealers in such manner as it may from time to time deter-
17 mine.

18 Copies of the State Fish and Game Code, and its amenduents, duly cer-
19 tified by the chairman of the council shall be received in evidence in all court
20 or other judicial proceedings in the State.

21 *If the Governor shall find that an emergency exists by reason of unusual*
22 *snow, flood or other natural disaster, the council may amend any regulation*
23 *establishing open and closed seasons, to extend, shorten or abolish such sea-*
24 *son, without public hearings, and such amendment may become effective im-*
25 *mediately.*

1 2. This act shall take effect immediately.

STATEMENT

Under the present law (13:1B-33 and 34) the Fish and Game Council must give 20 days' notice for a public hearing, and any regulations adopted cannot take effect until 10 days after such hearing. As a result of the crippling blizzard which struck New Jersey December 11, 1960, at the beginning of the scheduled 6-day firearms male deer season, many thousands of hunters have been unable to participate in this year's season. To provide for this situation and to insure proper control and utilization of this resource, it is necessary to permit an extension of the open season without the waiting period where emergency for this purpose is declared by the Governor.