

23:4-45

7/2/86

LEGISLATIVE HISTORY CHECKLIST

NJSA: 23:4-45

(Deer hunting--prohibit use of certain lights)

LAWS OF: 1985

CHAPTER 509

BILL NO: A4209

Sponsor(s): Cooper

Date Introduced: September 12, 1985

Committee: Assembly: -----

Senate: Natural Resources and Agriculture

Amended during passage: No

Date of Passage: Assembly: September 12, 1985

Senate: January 13, 1986

Date of Approval: January 21, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

State Game Code:

N.J.A.C. 7:25-5.25 et seq.

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ASSEMBLY, No. 4209

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 12, 1985

By Assemblywoman COOPER

AN ACT concerning the use of certain illuminating devices for hunting purposes and amending R. S. 23:4-45.

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

1 1. R. S. 23:4-45 is amended to read as follows:

2 23:4-45. *a.* No person shall hunt for, pursue, stalk, **[or]** shoot
3 *at or attempt to take, kill, injure or destroy* a wild deer, except by
4 daylight on the days *and at the times* designated by the State Fish
5 and Game Code.

6 *b.* No person or persons *while in or on a vehicle* shall throw or
7 cast the rays of any illuminating device *including, but not limited*
8 *to, a spotlight, flashlight, floodlight or headlight*, which is affixed
9 to a vehicle or which is portable, on *or in* any **[highway, road, field,**
10 **woods or marsh wherein]** *area where* deer may reasonably be ex-
11 pected to be found, while having in his or their possession or con-
12 trol, *or in or on the vehicle, or any compartment thereof, whether*
13 *or not the vehicle or compartment is locked*, any firearm, weapon
14 or other instrument **[which may be used to kill]** *capable of killing*
15 deer **[unless such firearm, weapon or other instrument is contained**
16 **in a closed and fastened case, securely tied package, or carried in**
17 **the luggage compartment of a vehicle; provided, however,]** *except*
18 *that* the foregoing shall not apply to a duly constituted law en-
19 forcement officer while in the actual performance of his duties as
20 such officer. *This subsection shall not apply to the normal use of*
21 *headlights on a vehicle traveling on any public or private road in*
22 *a normal manner.*

1 2. This act shall take effect immediately.

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 printed in italics thus is new matter.

STATEMENT

This bill would clarify the law with respect to the times and methods of deer hunting. Persons hunting deer at night have used lights illegally to find the deer and have eluded law enforcement officers by merely locking their weapons away quickly before officers can spot the unsecured weapons. This bill would prevent that practice.

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A4209 (1985)

SENATE NATURAL RESOURCES AND AGRICULTURE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4209

STATE OF NEW JERSEY

DATED: DECEMBER 5, 1985

Hunting deer at night with lights intended to stun the deer is an illegal practice. Persons engaging in this practice may elude law enforcement officers by merely locking their weapons away quickly before officers can spot the weapons. This bill would allow an arrest regardless of whether or not the firearm is in the immediate control of an alleged hunter.

A-4109, sponsored by Assemblyman Thomas Foy, D-Burlington, to provide a temporary means for certain agricultural workers to maintain eligibility for unemployment compensation, and to create a Commission to Study the Hiring, Employment and Compensation of Agricultural Labor in New Jersey.

A-4209, sponsored by Assemblywoman Delores Cooper, R-Atlantic, to specify the daylight hours during which deer hunting is permitted, to prohibit the use of a spotlight, flashlight, floodlight or headlight in hunting deer, and to expand the definition of the location of a weapon in the current law to include in a vehicle or compartment whether it is locked or not.

A-4219, sponsored by Assemblyman Thomas Deverin, D-Middlesex, to extend to July 1, 1986, the effective date of the State's recently-enacted medically needy program.

A-4323, sponsored by Assemblyman Michael Adubato, D-Essex, to impose a two-year moratorium on the implementation of property revaluation in Newark.

A-4356, sponsored by Assemblyman Robert Littell, R-Sussex, to validate certain school bond proceedings in the Sweetwater School District, Sussex County.

S-729, sponsored by Senator Leanna Brown, R-Morris, to expand the definition of eligibility for survivors' benefits under the Police and Firemens' Retirement System to include persons over 18 who are enrolled in a secondary school, and persons under the age of 24 who are enrolled in a college degree program.

- ~~REDACTED~~ -