

13:8-64 to 13:8-68

LEGISLATIVE HISTORY CHECKLIST

NJSA 13:8-64 to 13:8-68 (Wildlife sanctuary - dedication of certain lands)

LAWS 1982 CHAPTER 167

Bill No. S1156

Sponsor(s) Vreeland

Date Introduced March 8, 1982

Committee: Assembly Agriculture & Environment

Senate Natural Resources & Agriculture

Amended during passage Yes  No  Amendments during passage denoted by asterisks

Date of Passage: Assembly Aug. 5, 1982

Senate May 17, 1982

Date of approval November 4, 1982

Following statements are attached if available:

Sponsor statement Yes  No

Committee Statement: Assembly Yes  No

Senate Yes  No

Fiscal Note Yes  No

Veto Message Yes  No

Message on signing Yes  No

Following were printed:

Reports Yes  No

Hearings Yes  No

6/22/81

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 1156

STATE OF NEW JERSEY

INTRODUCED MARCH 8, 1982

By Senator VREELAND

Referred to Committee on Natural Resources and Agriculture

AN ACT concerning the dedication of certain lands as a wildlife sanctuary and supplementing Title 13 of the Revised Statutes.

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

1 1. As used in this act, "wildlife sanctuary" means that portion  
2 of a State park dedicated to the preservation and protection of the  
3 animals inhabiting that portion of the park.

1 2. The Commissioner of Environmental Protection shall  
2 designate as a wildlife sanctuary that portion of Wawayanda State  
3 Park commonly known as the "Ferber plot" and more accurately  
4 described as BLOCK 247, part of Lot 3 and BLOCK 249, all of  
5 Lot 4A and Lot 5 Tax Maps, West Milford township, Passaic  
6 county, N. J.

1 3. *\*a.\** Any person who abuses, mutilates, injures, removes or  
2 destroys any animal inhabiting a wildlife sanctuary shall be liable  
3 to a penalty of not less than \$100.00 and not more than \$5,000.00,  
4 to be collected in a civil action instituted by the Department of  
5 Environmental Protection by a summary proceeding under "the  
6 penalty enforcement law," N. J. S. 2A:58-1 et seq. The Superior  
7 Court, county district court and municipal court shall have juris-  
8 diction to enforce "the penalty enforcement law." If the prohibited  
9 activity is of a continuing nature, each day during which it con-  
10 tinues constitutes an additional, separate and distinct offense.

11 *\*b. Nothing in this section shall be construed to interfere with*  
12 *any action taken by the Department of Environmental Protection*  
13 *to protect the public health or promote animal welfare.\**

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.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Senate committee amendments adopted May 6, 1982.

\*\*—Assembly committee amendment adopted June 21, 1982.

1 4. The release of animals onto the wildlife sanctuary by any  
2 person or group of persons for their protection and preservation  
3 shall be permitted as prescribed by the Commissioner of Environ-  
4 mental Protection.

1 5. The Commissioner of Environmental Protection \***[is autho-**  
2 **rized to promulgate]**\* *\*may propose, in accordance with the pro-*  
3 *visions of the "Administrative Procedure Act," P. L. 1968, c. 410*  
4 *(C. 52:14B-1 et seq.)\* necessary rules and regulations and pre-*  
5 *scribe procedures to effect and enforce compliance with this act.*  
6 *\*\***[Copies of all such rules and regulations shall be submitted to***  
7 *the Senate Natural Resources and Agriculture Committee on a day*  
8 *when the Senate shall be meeting in the course of a regular or*  
9 *special session. The provisions of the "Administrative Procedure*  
10 *Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) to the contrary not-*  
11 *withstanding, no rule or regulation proposed pursuant to this sec-*  
12 *tion shall take effect if, within 60 days of the date of its submittal,*  
13 *the committee has not approved the rule or regulation.\*]\*\**

1 6. This act shall take effect immediately.

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5 Lot 4A and Lot 5 Tax Maps, West Milford township, Passaic  
6 county, N. J.

1 3. Any person who abuses, mutilates, injures, removes or  
2 destroys any animal inhabiting a wildlife sanctuary shall be liable  
3 to a penalty of not less than \$100.00 and not more than \$5,000.00,  
4 to be collected in a civil action instituted by the Department of  
5 Environmental Protection by a summary proceeding under "the  
6 penalty enforcement law," N. J. S. 2A:58-1 et seq. The Superior  
7 Court, county district court and municipal court shall have juris-  
8 diction to enforce "the penalty enforcement law." If the prohibited  
9 activity is of a continuing nature, each day during which it con-  
10 tinues constitutes an additional, separate and distinct offense.

1 4. The release of animals onto the wildlife sanctuary by any  
2 person or group of persons for their protection and preservation  
3 shall be permitted as prescribed by the Commissioner of Environ-  
4 mental Protection.

- 1 5. The Commissioner of Environmental Protection is authorized  
2 to promulgate necessary rules and regulations and prescribe pro-  
3 cedures to effect and enforce compliance with this act.
- 1 6. This act shall take effect immediately.

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STATEMENT

Some 212 acres of land in West Milford township, New Jersey were recently acquired by the State Department of Environmental Protection for inclusion in the Wawayanda State Park. This land, commonly known as the "Ferber plot", was used by the Ferbers as a place where man could observe animals in their natural habitat. The Ferbers also permitted interested groups to release orphaned, injured or displaced animals onto the property to ensure their safety during convalescence and readaptation to the wild.

This bill would set aside that portion of Wawayanda State Park as a wildlife sanctuary. The bill provides for the protection of the animals inhabiting the sanctuary and permits the release of animals onto the grounds of the sanctuary for their protection.

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SENATE, No. 1156

STATE OF NEW JERSEY

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2 designate as a wildlife sanctuary that portion of Wawayanda State  
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5 Lot 4A and Lot 5 Tax Maps, West Milford township, Passaic  
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1 3. *\*a.\** Any person who abuses, mutilates, injures, removes or  
2 destroys any animal inhabiting a wildlife sanctuary shall be liable  
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5 Environmental Protection by a summary proceeding under "the  
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7 Court, county district court and municipal court shall have juris-  
8 diction to enforce "the penalty enforcement law." If the prohibited  
9 activity is of a continuing nature, each day during which it con-  
10 tinues constitutes an additional, separate and distinct offense.

11 *\*b. Nothing in this section shall be construed to interfere with*  
12 *any action taken by the Department of Environmental Protection*  
13 *to protect the public health or promote animal welfare.\**

**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.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Senate committee amendments adopted May 6, 1982.

1 4. The release of animals onto the wildlife sanctuary by any  
2 person or group of persons for their protection and preservation  
3 shall be permitted as prescribed by the Commissioner of Environ-  
4 mental Protection.

1 5. The Commissioner of Environmental Protection \***[is autho-**  
2 **riized to promulgate]**\* *\*may propose, in accordance with the pro-*  
3 *visions of the "Administrative Procedure Act," P. L. 1968, c. 410*  
4 *(C. 52:14B-1 et seq.)\** necessary rules and regulations and pre-  
5 scribe procedures to effect and enforce compliance with this act.  
6 *\*Copies of all such rules and regulations shall be submitted to the*  
7 *Senate Natural Resources and Agriculture Committee on a day*  
8 *when the Senate shall be meeting in the course of a regular or*  
9 *special session. The provisions of the "Administrative Procedure*  
10 *Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) to the contrary not-*  
11 *withstanding, no rule or regulation proposed pursuant to this sec-*  
12 *tion shall take effect if, within 60 days of the date of its submittal,*  
13 *the committee has not approved the rule or regulation.\**

1 6. This act shall take effect immediately.

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ASSEMBLY AGRICULTURE AND ENVIRONMENT  
COMMITTEE

STATEMENT TO  
**SENATE, No. 1156**

[OFFICIAL COPY REPRINT]

with Assembly committee amendment

**STATE OF NEW JERSEY**

DATED: JUNE 21, 1982

Some 212 acres of land in West Milford township, New Jersey were recently acquired by the State Department of Environmental Protection for inclusion in the Wawayanda State Park. This land, commonly known as the "Ferber plot", was used by the Ferbers as a place where man could observe animals in their natural habitat. The Ferbers also permitted interested groups to release orphaned, injured or displaced animals onto the property to ensure their safety during convalescence and readaptation to the wild.

This bill would set aside that portion of Wawayanda State Park as a wildlife sanctuary. The bill provides for the protection of the animals inhabiting the sanctuary and permits the release of animals onto the grounds of the sanctuary for their protection.

The bill also specifically states that the Department of Environmental Protection is not subject to the prohibition contained in section 3 of the bill. The department may take any action to carry out its function of protecting the public health and promoting animal welfare. The bill further allows the department to adopt rules to effect and enforce compliance with the act. The Assembly Agriculture and Environment Committee amended the bill to delete the language which required that these proposed rules would be submitted to the Senate Committee on Natural Resources and Agriculture and would require the committee's express approval to become effective.



SENATE NATURAL RESOURCES AND AGRICULTURE  
COMMITTEE

STATEMENT TO

**SENATE, No. 1156**

with Senate committee amendment

**STATE OF NEW JERSEY**

DATED: MAY 6, 1982

Some 212 acres of land in West Milford township, New Jersey were recently acquired by the State Department of Environmental Protection for inclusion in the Wawayanda State Park. This land, commonly known as the "Ferber plot", was used by the Ferbers as a place where man could observe animals in their natural habitat. The Ferbers also permitted interested groups to release orphaned, injured or displaced animals onto the property to ensure their safety during convalescence and readaptation to the wild.

This bill would set aside that portion of Wawayanda State Park as a wildlife sanctuary. The bill provides for the protection of the animals inhabiting the sanctuary and permits the release of animals onto the grounds of the sanctuary for their protection.

The Senate Natural Resources and Agricultural Committee amended the bill to specifically state that the Department of Environmental Protection is not subject to the liability defined in section 3 of the bill. The department may take any action to carry out its function of protecting the public health and promoting animal welfare. The committee further amended the bill to allow the department to propose rules to effect and enforce compliance with the act. These proposed rules are to be submitted to the Senate Committee on Natural Resources and Agriculture and would require the committee's express approval to become effective.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE, NOV. 4, 1982

CONTACT: CARL GOLDEN

Gov. Thomas H. Kean today signed legislation designating 212 acres of Wawayanda State Park in West Milford Township, Passaic County, as a wildlife refuge.

Kean signed the bill, S-1156, sponsored by Sen. James P. Vreeland, R-Morris, at a ceremony in the Governor's office.

The legislation prohibits hunting in the 212 acre tract and provides for fines of not less than \$100 and not more than \$5,000 for anyone who violates the law by abusing, injuring, removing or destroying any animal in the sanctuary.

The acreage was part of an estate owned by Fred and Hedwig Ferber who were widely known for their dedication to protection of animal life.

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