

23:4-63.6

May 5, 1971

LEGISLATIVE NOTES ON R.S. 23:4-63.6  
(Mechanical devices designed to scare marauding wildlife)  
(1970 amendment)

Copy 2

No similar bills introduced, 1968 or 1969.

L. 1970, Chapter 164 - A675  
Introduced February 16 by Parker and W.L. Smith.  
Senate amendment adopted May 7, 1970 (copy enclosed).  
No statement.

No clippings located at V.F. - N.J. - Birds.

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**ASSEMBLY, No. 675**

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**STATE OF NEW JERSEY**

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INTRODUCED FEBRUARY 16, 1970

By Assemblymen PARKER and W. L. SMITH

Referred to Committee on Agriculture, Conservation and  
Natural Resources

AN ACT to amend "An act concerning the use of certain mechanical devices designed to scare or repel marauding birds and other wildlife from the destruction of property, and supplementing chapter 4 of Title 23 of the Revised Statutes," approved May 5, 1964 (P. L. 1964, c. 37).

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

1 1. Section 2 of P. L. 1964, chapter 37 (C. 23:4-63.6) is amended  
2 to read as follows:

3 2. The Division of Fish and Game is authorized to issue permits  
4 to the owners of lands used for agricultural purposes for the use  
5 of said devices and no such device shall be used by any person  
6 without first obtaining such permit. *Whenever the governing body*  
7 *of any municipality adopts a resolution pointing to undue hardship*  
8 *on nearby residents as a result of the use of any such device, and*  
9 *requests that the division deny or cancel the right to use such*  
10 *device, the Director of the Division of Fish and Game, after careful*  
11 *review of all available evidence and upon consultation with any*  
12 *county or State-wide advisory group he may designate to advise*  
13 *him on such matters, may deny or cancel a permit to use such device*  
14 *when he determines that the use thereof creates an undue hardship*  
15 *on nearby residents. The division shall promulgate rules and regu-*  
16 *lations governing the types and use of such devices as will insure*  
17 *the safety of the public.*

1 2. This act shall take effect immediately.

SENATE AMENDMENTS TO  
**ASSEMBLY, No. 675**

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**STATE OF NEW JERSEY**

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ADOPTED MAY 7, 1970

Amend page 1, section 1, line 3, delete "Fish and Game", and insert in lieu thereof "Fish, Game and Shell Fisheries".

Amend page 1, section 1, line 10, delete "Fish and Game," and insert in lieu thereof "Fish, Game and Shell Fisheries,".

Amend page 1, section 1, line 10, delete "careful".

Amend page 1, section 1, lines 11, 12 and 13, delete "and upon consultation with any county or Statewide advisory group he may designate to advise him on such matters".

Amend page 1, section 1, line 15, after "residents.", insert "In arriving at any such decision, the director may consult with any county or Statewide advisory group he may designate to advise him on such matters.".