

# 23:4-55

## LEGISLATIVE HISTORY CHECK

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**LAWS OF:** 1999                      **CHAPTER:** 412

**NJSA:** 23:4-55                      (Beaver traps)

**BILL NO:** S2156                      (Substituted for A3491)

**SPONSOR(S):** Bark

**DATE INTRODUCED:** October 18, 1999

**COMMITTEE:**                      **ASSEMBLY:** -----

**SENATE:** Economic Growth

### AMENDED DURING PASSAGE:

**DATE OF PASSAGE:**                      **ASSEMBLY:** January 10, 2000

**SENATE:** January 10, 2000

**DATE OF APPROVAL:** January 18, 2000

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL:** Original  
(Amendments during passage denoted by superscript number)

#### **S2156**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill)                      [Yes](#)

**COMMITTEE STATEMENT:**    **ASSEMBLY:** No

**SENATE:**                      [Yes](#)

**FLOOR AMENDMENT STATEMENTS:**    No

**LEGISLATIVE FISCAL ESTIMATE:**    No

#### **A3491**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill)                      [Yes](#)  
(Bill and Sponsor Statement identical to S2156)

**COMMITTEE STATEMENT:**    **ASSEMBLY:**                      [Yes](#)

**SENATE:**                      No

**FLOOR AMENDMENT STATEMENTS:**    No

**LEGISLATIVE FISCAL ESTIMATE:**    No

**VETO MESSAGE:**    No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**    No

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

P.L. 1999, CHAPTER 412, *approved January 18, 2000*

Senate, No. 2156

1 AN ACT concerning the trapping, taking, capturing, killing and having  
2 in possession of beaver and amending R.S.23:4-55.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6

7 1. R.S.23:4-55 is amended to read as follows:

8 23:4-55. No person shall **[sell,]** trap, take, capture, kill or have in  
9 possession **[after the same has been trapped, taken, captured or**  
10 **killed,]** a beaver **[, and no person shall have in his possession or sell**  
11 a raw pelt of a beaver, whether caught within or without the  
12 jurisdictional limits of this State, unless the same has been tagged by  
13 the regular salaried fish and game warden of the county wherein such  
14 pelt is had in possession, or sale is to be made, and no person shall set  
15 a trap within 20 feet of any beaver lodge or beaver dam, except  
16 persons holding permits as hereinafter prescribed in this section, under  
17 a penalty of \$100.00 for each beaver so trapped, taken, sold, captured,  
18 killed or had in possession or for the violation of any other provision  
19 of this section; provided, that the Division of Fish and Game may issue  
20 permits up to and not exceeding 100 in any 1 calendar year to bona  
21 fide residents of the State to trap not more than the number of beaver  
22 permitted, except as authorized by a valid permit at a time and in a  
23 manner prescribed by the State Fish and Game Code **[during the**  
24 **period permitted therefor by said code; or, in].** In the absence of  
25 **[such]** provisions for a season and limit in [said] the code, [not more  
26 than 5 beaver between February 1 and February 28.] the season shall  
27 be January 15 through and including February 15 of each year, and the  
28 season limit shall be five beavers per permit. Permits shall expire on  
29 the last day of the open season. The Division of Fish, Game and  
30 Wildlife may issue up to and not exceeding 200 permits in any one  
31 calendar year. The fee for this permit **[shall be \$5.00, and no beaver**  
32 or raw pelt of same taken under this permit shall be sold without first  
33 having been tagged by the warden above referred to, under a penalty  
34 of \$100.00 for each offense.] is \$15.00. The penalty for violating this  
35 section is a fine of no less than \$100 and no more than \$200. The  
36 Division of Fish **[and], Game and Wildlife** may, in its discretion, issue  
37 permits to owners or lessees of land**[, a portion of which is under**  
38 **cultivation,]** to **[kill] control** beavers that are destroying said property  
39 **[, but the carcasses of all beavers killed under said permits must be**  
40 **turned over to the division for disposal].**

41 (cf: P.L.1954, c.34, s.1)

**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 underlined thus is new matter.**

1       2. This act shall take effect immediately.

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STATEMENT

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6       This bill increases the number of beaver trapping permits that may  
7 be issued in a calendar year by the Department of Environmental  
8 Protection's Division of Fish, Game and Wildlife. Currently, under  
9 R.S.23:4-55, the division is authorized to issue 100 beaver trapping  
10 permits in a calendar year. This bill increases that number to 200.  
11 This bill also provides for the season, season limit, and manner for  
12 taking beaver to be established in the State Fish and Game Code, and  
13 the bill sets forth a season and season limit in the absence of such  
14 provisions in the code. This bill also specifies the permit would expire  
15 the last day of the season; the permit fee would be \$15; and the  
16 penalty for violations would be a fine of no less than \$100 and not  
17 more than \$200. Finally, the bill allows owners and renters of land,  
18 under cultivation or not, to control beavers under special permits  
19 issued at the discretion of the Division of Fish, Game and Wildlife.

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24       Increases number of available beaver trapping permits, and authorizes  
25       DEP to control beaver by regulation.

**SENATE, No. 2156**

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**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

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INTRODUCED OCTOBER 18, 1999

**Sponsored by:**

**Senator MARTHA W. BARK**

**District 8 (Atlantic, Burlington and Camden)**

**Co-Sponsored by:**

**Assemblymen Gibson, Garrett and LeFevre**

**SYNOPSIS**

Increases number of available beaver trapping permits, and authorizes DEP to control beaver by regulation.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/11/2000)**

S2156 BARK

2

1 AN ACT concerning the trapping, taking, capturing, killing and having  
2 in possession of beaver and amending R.S.23:4-55.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. R.S.23:4-55 is amended to read as follows:

8 23:4-55. No person shall **[sell,]** trap, take, capture, kill or have in  
9 possession **[after the same has been trapped, taken, captured or**  
10 **killed,]** a beaver **[],** and no person shall have in his possession or sell  
11 a raw pelt of a beaver, whether caught within or without the  
12 jurisdictional limits of this State, unless the same has been tagged by  
13 the regular salaried fish and game warden of the county wherein such  
14 pelt is had in possession, or sale is to be made, and no person shall set  
15 a trap within 20 feet of any beaver lodge or beaver dam, except  
16 persons holding permits as hereinafter prescribed in this section, under  
17 a penalty of \$100.00 for each beaver so trapped, taken, sold, captured,  
18 killed or had in possession or for the violation of any other provision  
19 of this section; provided, that the Division of Fish and Game may issue  
20 permits up to and not exceeding 100 in any 1 calendar year to bona  
21 fide residents of the State to trap not more than the number of beaver  
22 permitted**],** except as authorized by a valid permit at a time and in a  
23 manner prescribed by the State Fish and Game Code **[during the**  
24 **period permitted therefor by said code; or, in].** In the absence of  
25 **[such]** provisions for a season and limit in [said] the code, [not more  
26 than 5 beaver between February 1 and February 28.] the season shall  
27 be January 15 through and including February 15 of each year, and the  
28 season limit shall be five beavers per permit. Permits shall expire on  
29 the last day of the open season. The Division of Fish, Game and  
30 Wildlife may issue up to and not exceeding 200 permits in any one  
31 calendar year. The fee for this permit **[shall be \$5.00, and no beaver**  
32 **or raw pelt of same taken under this permit shall be sold without first**  
33 **having been tagged by the warden above referred to, under a penalty**  
34 **of \$100.00 for each offense.] is \$15.00. The penalty for violating this**  
35 **section is a fine of no less than \$100 and no more than \$200.** The  
36 Division of Fish **[and],** Game and Wildlife may, in its discretion, issue  
37 permits to owners or lessees of land**[],** a portion of which is under  
38 cultivation,**]** to **[kill] control** beavers that are destroying said property  
39 **[],** but the carcasses of all beavers killed under said permits must be  
40 turned over to the division for disposal**].**

41 (cf: P.L.1954, c.34, s.1)

**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 underlined thus is new matter.**

**S2156 BARK**

1       2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6       This bill increases the number of beaver trapping permits that may  
7 be issued in a calendar year by the Department of Environmental  
8 Protection's Division of Fish, Game and Wildlife. Currently, under  
9 R.S.23:4-55, the division is authorized to issue 100 beaver trapping  
10 permits in a calendar year. This bill increases that number to 200.  
11 This bill also provides for the season, season limit, and manner for  
12 taking beaver to be established in the State Fish and Game Code, and  
13 the bill sets forth a season and season limit in the absence of such  
14 provisions in the code. This bill also specifies the permit would expire  
15 the last day of the season; the permit fee would be \$15; and the  
16 penalty for violations would be a fine of no less than \$100 and not  
17 more than \$200. Finally, the bill allows owners and renters of land,  
18 under cultivation or not, to control beavers under special permits  
19 issued at the discretion of the Division of Fish, Game and Wildlife.

SENATE ECONOMIC GROWTH AGRICULTURE AND  
TOURISM COMMITTEE

STATEMENT TO

**SENATE, No. 2156**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 8, 1999

The Senate Economic Growth Agriculture and Tourism Committee reports favorably Senate Bill No. 2156.

This bill increases the number of beaver trapping permits that may be issued by the Division of Fish, Game and Wildlife each calendar year. Currently the number of permits is set at 100 and this bill increases that to 200. The bill also provides that the season, manner of taking beaver and limit on the number of beavers taken shall be prescribed by the State Fish and Game code. In the absence of a set season and of limits on the number of beavers to be taken per season in the code, this bill provides that the season will be from January 15 through and including February 15 each year, and that the season limit will be 5 beavers per permit. The bill provides that a permit will cost \$15, which is an increase from the current statutory cost of \$5, and would expire on the last day of the season. The penalty for violations would be a fine of not less than \$100 and not more than \$200. The bill also authorizes the Division to issue permits to owners or lessees of land, whether it is under cultivation or not, to control beavers that are destroying their property. Current law authorizes the Division to issue a permit only if the land is under cultivation.



# ASSEMBLY, No. 3491

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED NOVEMBER 15, 1999

**Sponsored by:**

**Assemblyman JOHN C. GIBSON**

**District 1 (Cape May, Atlantic and Cumberland)**

**Assemblyman E. SCOTT GARRETT**

**District 24 (Sussex, Hunterdon and Morris)**

**Co-Sponsored by:**

**Assemblyman LeFevre**

**SYNOPSIS**

Increases number of available beaver trapping permits, and authorizes DEP to control beaver by regulation.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 11/16/1999)

1 AN ACT concerning the trapping, taking, capturing, killing and having  
2 in possession of beaver and amending R.S.23:4-55.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. R.S.23:4-55 is amended to read as follows:

8 23:4-55. No person shall **【sell,】** trap, take, capture, kill or have in  
9 possession **【after the same has been trapped, taken, captured or**  
10 **killed,】** a beaver **【,** and no person shall have in his possession or sell  
11 a raw pelt of a beaver, whether caught within or without the  
12 jurisdictional limits of this State, unless the same has been tagged by  
13 the regular salaried fish and game warden of the county wherein such  
14 pelt is had in possession, or sale is to be made, and no person shall set  
15 a trap within 20 feet of any beaver lodge or beaver dam, except  
16 persons holding permits as hereinafter prescribed in this section, under  
17 a penalty of \$100.00 for each beaver so trapped, taken, sold, captured,  
18 killed or had in possession or for the violation of any other provision  
19 of this section; provided, that the Division of Fish and Game may issue  
20 permits up to and not exceeding 100 in any 1 calendar year to bona  
21 fide residents of the State to trap not more than the number of beaver  
22 permitted **】**, except as authorized by a valid permit at a time and in a  
23 manner prescribed by the State Fish and Game Code 【during the  
24 period permitted therefor by said code; or, in】 . In the absence of  
25 **【such】** provisions for a season and limit in 【said】 the code, 【not more  
26 than 5 beaver between February 1 and February 28.】 the season shall  
27 be January 15 through and including February 15 of each year, and the  
28 season limit shall be five beavers per permit. Permits shall expire on  
29 the last day of the open season. The Division of Fish, Game and  
30 Wildlife may issue up to and not exceeding 200 permits in any one  
31 calendar year. The fee for this permit **【shall be \$5.00, and no beaver**  
32 **or raw pelt of same taken under this permit shall be sold without first**  
33 **having been tagged by the warden above referred to, under a penalty**  
34 **of \$100.00 for each offense.】 is \$15.00. The penalty for violating this**  
35 **section is a fine of no less than \$100 and no more than \$200.** The  
36 Division of Fish **【and】** , Game and Wildlife may, in its discretion, issue  
37 permits to owners or lessees of land **【,** a portion of which is under  
38 cultivation, **】** to **【kill】** control beavers that are destroying said property  
39 **【,** but the carcasses of all beavers killed under said permits must be  
40 turned over to the division for disposal **】** .

41 (cf: P.L.1954, c.34, s.1)

**EXPLANATION - Matter enclosed in bold-faced brackets 【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

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6       This bill increases the number of beaver trapping permits that may  
7 be issued in a calendar year by the Department of Environmental  
8 Protection's Division of Fish, Game and Wildlife. Currently, under  
9 R.S.23:4-55, the division is authorized to issue 100 beaver trapping  
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14 provisions in the code. This bill also specifies the permit would expire  
15 the last day of the season; the permit fee would be \$15; and the  
16 penalty for violations would be a fine of no less than \$100 and not  
17 more than \$200. Finally, the bill allows owners and renters of land,  
18 under cultivation or not, to control beavers under special permits  
19 issued at the discretion of the Division of Fish, Game and Wildlife.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3491**

**STATE OF NEW JERSEY**

DATED: DECEMBER 6, 1999

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 3491.

This bill increases the number of beaver trapping permits that may be issued in a calendar year by the Department of Environmental Protection's Division of Fish, Game and Wildlife. Currently, under R.S.23:4-55, the division is authorized to issue 100 beaver trapping permits in a calendar year. This bill increases that number to 200. This bill also provides for the season, season limit, and manner for taking beaver to be established in the State Fish and Game Code, and the bill sets forth a season and season limit in the absence of such provisions in the code. This bill also specifies that the permit would expire the last day of the season; the permit fee would be \$15; and the penalty for violations would be a fine of not less than \$100 and not more than \$200. Finally, the bill allows owners and renters of land, under cultivation or not, to control beavers under special permits issued at the discretion of the Division of Fish, Game and Wildlife.