

4-22-16

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

(Animal cruelty)

NJSA: 4:22-16

LAWS OF: 1997 CHAPTER: 88

BILL NO: S465

SPONSOR(S): Lipman and Cardinale

DATE INTRODUCED: January 18, 1996

COMMITTEE: ASSEMBLY: Environment

SENATE: Senior Citizens

AMENDED DURING PASSAGE: No Senate Committee substitute enacted

DATE OF PASSAGE: ASSEMBLY: March 13, 1997

SENATE: March 18, 1996

DATE OF APPROVAL: May 8, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

KBP:pp

4-22-16
S465
Lipman and Cardinale
Environment
Senior Citizens
March 13, 1997
March 18, 1996
May 8, 1997

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 465

STATE OF NEW JERSEY

ADOPTED MARCH 7, 1996

Sponsored by Senators LIPMAN and CARDINALE

1 AN ACT concerning the animal cruelty laws and the killing of certain
2 types of rats ¹[and] ¹and¹ mice ¹[and other animals posing a
3 significant public health threat]¹ , and amending R.S.4:22-16.

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

7
8 1. R.S.4:22-16 is amended to read as follows:
9 4:22-16. Nothing contained in this article shall be construed to
10 prohibit or interfere with:

11 a. Properly conducted scientific experiments performed under the
12 authority of the Department of Health or the United States
13 Department of Agriculture. Those departments may authorize the
14 conduct of such experiments or investigations by agricultural stations
15 and schools maintained by the State or federal government, or by
16 medical societies, universities, colleges and institutions incorporated
17 or authorized to do business in this State and having among their
18 corporate purposes investigation into the causes, nature, prevention
19 and cure of diseases in men and animals; and may for cause revoke
20 such authority;

21 b. The killing or disposing of an animal or creature by virtue of the
22 order of a constituted authority of the State;

23 c. The shooting or taking of game or game fish in such manner
24 and at such times as is allowed or provided by the laws of this State;

25 d. The training or engaging of a dog to accomplish a task or
26 participate in an activity or exhibition designed to develop the physical
27 or mental characteristics of that dog. These activities shall be carried

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AES committee amendments adopted February 10, 1997.

1 out in accordance with the practices, guidelines or rules established by
2 an organization founded for the purpose of promoting and enhancing
3 working dog activities or exhibitions; in a manner which does not
4 adversely affect the health or safety of the dog; and may include
5 avalanche warning, guide work, obedience work, carting, dispatching,
6 freight racing, packing, sled dog racing, sledding, tracking, and weight
7 pull demonstrations;

8 e. The raising, keeping, care, treatment, marketing, and sale of
9 domestic livestock in accordance with the standards developed and
10 adopted therefor pursuant to subsection a. of section 1 of P.L.1995,
11 c.311 (C.4:22-16.1); and

12 f. The killing or disposing¹, by a reasonable or commercially
13 acceptable method or means,¹ of a Norway or brown rat (Rattus
14 norvegicus), black rat (Rattus rattus), or house mouse (Mus musculus)
15 ¹[, or any other animal deemed by the Department of Health, in
16 consultation with the New Jersey Society for the Prevention of Cruelty
17 to Animals, to pose a significant threat to the public health and
18 identified as such in rules and regulations which shall be adopted by
19 the Department of Health pursuant to the "Administrative Procedure
20 Act," P.L.1968, c.410 (C.52:14B-1 et seq.) within 180 days of the
21 effective date of P.L. , c. (C.) (now before the Legislature as
22 this bill).]¹ by any person, or with the permission or at the direction
23 of that person, while the animal is on property either owned or leased
24 by, or otherwise under the control of, that person, provided that the
25 animal is not a pet .

26 (cf: P.L.1995, c.311, s.2)

27

28 2. This act shall take effect immediately.

29

30

31

32

33 Exempts killing of certain types of rats and mice from animal cruelty
34 laws.

SENATE, No. 465

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senator LIPMAN

1 AN ACT concerning the animal cruelty laws and the killing of certain
2 types of rats, mice and other animals posing a significant public
3 health threat, and amending R.S.4:22-16.

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

7
8 1. R.S.4:22-16 is amended to read as follows:

9 4:22-16. Nothing contained in this article shall be construed to
10 prohibit or interfere with:

11 a. Properly conducted scientific experiments performed under the
12 authority of the State Department of Health. That department may
13 authorize the conduct of such experiments or investigations by
14 agricultural stations and schools maintained by the State or federal
15 government, or by medical societies, universities, colleges and
16 philanthropic institutions incorporated or authorized to do business in
17 this State and having among their corporate purposes investigation
18 into the causes, nature, prevention and cure of diseases in men and
19 animals; and may for cause revoke such authority;

20 b. The killing or disposing of an animal or creature by virtue of the
21 order of a constituted authority of the State;

22 c. The shooting or taking of game or game fish in such manner and
23 at such times as is allowed or provided by the laws of this State;

24 d. The training or engaging of a dog to accomplish a task or
25 participate in an activity or exhibition designed to develop the physical
26 or mental characteristics of that dog. These activities shall be carried
27 out in accordance with the practices, guidelines or rules established by
28 an organization founded for the purpose of promoting and enhancing
29 working dog activities or exhibitions; in a manner which does not
30 adversely affect the health or safety of the dog; and may include
31 avalanche warning, guide work, obedience work, carting, dispatching,
32 freight racing, packing, sled dog racing, sledding, tracking, and weight
33 pull demonstrations; and

34 e. The killing or disposing of a Norway or brown rat (Rattus

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 norvegicus), black rat (Rattus rattus), or house mouse (Mus
2 musculus), or any other animal deemed by the Department of Health to
3 pose a significant threat to the public health and identified as such in
4 rules and regulations which shall be adopted by the Department of
5 Health pursuant to the "Administrative Procedure Act," P.L.1968,
6 c.410 (C.52:14B-1 et seq.) within 180 days of the effective date of
7 P.L. , c. (C.) (now before the Legislature as this bill), by any
8 person, or with the permission or at the direction of that person, while
9 the animal is on property either owned or leased by, or otherwise
10 under the control of, that person, provided that the animal is not a pet.
11 (cf: P.L.1985, c.433, s.1)

12
13 2. This act shall take effect immediately.

14
15
16 STATEMENT

17
18 This bill would exempt from the animal cruelty laws the killing or
19 disposing of a Norway or brown rat (Rattus norvegicus), black rat
20 (Rattus rattus), or house mouse (Mus musculus), or any other animal
21 deemed by the Department of Health to pose a significant threat to the
22 public health and identified as such in rules and regulations which shall
23 be adopted by the department within 180 days of the effective date of
24 the bill, by any person, or with the permission or at the direction of
25 that person, while the animal is on property either owned or leased by,
26 or otherwise under the control of, that person, provided that the
27 animal is not a pet.

28
29
30
31
32 Exempts killing of certain types of rats, mice and other animals from
33 animal cruelty laws.

ASSEMBLY ENVIRONMENT, SCIENCE AND TECHNOLOGY
COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 465

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 10, 1997

The Assembly Environment, Science and Technology Committee favorably reports the Senate Committee Substitute for Senate Bill No. 465 with committee amendments.

The Senate Committee Substitute would exempt from the animal cruelty laws the killing or disposing of a Norway or brown rat (*Rattus norvegicus*), black rat (*Rattus rattus*), or house mouse (*Mus musculus*), or any other animal deemed by the Department of Health, in consultation with the New Jersey Society for the Prevention of Cruelty to Animals, to pose a significant threat to the public health and identified as such in rules and regulations which shall be adopted by the department within 180 days of the effective date of the bill, by any person, or with the permission or at the direction of that person, while the animal is on property either owned or leased by, or otherwise under the control of, that person, provided that the animal is not a pet.

The committee amended the Senate Committee Substitute to (1) provide that the killing or disposing of the animal must be done by a reasonable or commercially acceptable method or means; and (2) limit the bill's provisions to apply only to the killing or disposing of Norway (brown) rats, black rats, and house mice.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 1951 of 1996 as also amended and reported by the committee.

SENATE SENIOR CITIZENS, VETERANS' AFFAIRS AND
AGRICULTURE COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 465

STATE OF NEW JERSEY

DATED: MARCH 7, 1996

The Senate Senior Citizens, Veterans' Affairs and Agriculture Committee reports favorably a Senate Committee Substitute for Senate Bill No. 465.

This committee substitute would exempt from the animal cruelty laws the killing or disposing of a Norway or brown rat (*Rattus norvegicus*), black rat (*Rattus rattus*), or house mouse (*Mus musculus*), or any other animal deemed by the Department of Health, in consultation with the New Jersey Society for the Prevention of Cruelty to Animals, to pose a significant threat to the public health and identified as such in rules and regulations which shall be adopted by the department within 180 days of the effective date of the bill, by any person, or with the permission or at the direction of that person, while the animal is on property either owned or leased by, or otherwise under the control of, that person, provided that the animal is not a pet.