

ASSEMBLY, No. 1507

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman KEVIN J. ROONEY

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Exempts State residents 65 years of age and older from certain hunting, trapping, and fishing fees and license requirements.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning hunting, trapping, and fishing fees and licenses,
2 and amending various parts of the statutory law.

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

6
7 1. Section 12 of P.L.1982, c.180 (C.23:3-1a) is amended to
8 read as follows:

9 12. The Fish and Game Council may, on one occasion only at
10 such time as may be deemed appropriate by the Fish and Game
11 Council, by regulation adopted by August 1 of the preceding year,
12 determine the fees for hunting, fishing and trapping licenses,
13 permits, tags, certificates , and stamps under R.S.23:3-3, R.S.23:3-
14 4, section 2 of P.L.1951, c.226 (C.23:3-4.1), section 8 of P.L.1986,
15 c.198 (C.23:3-4.11), R.S.23:3-25, section 7 of P.L.1986, c.198
16 (C.23:3-27.1), R.S.23:3-29, section 1 of P.L.1959, c.37 (C.23:3-
17 56.1), section 3 of P.L.1952, c.328 (C.23:3-59), section 3 of
18 P.L.1975, c.117 (C.23:3-61.3), section 2 of P.L.1970, c.247
19 (C.23:3-63), section 5 of P.L.1970, c.247 (C.23:3-66) , and section
20 11 of P.L.1982, c.180 (C.23:3-1.1), in the following manner:

21 a. The amount of the applicable fee on the effective date of
22 P.L.1991, c.286 (C.23:3-1a et al.) shall be the base fee.

23 b. The base fee may be adjusted on one occasion only at such
24 time as may be deemed appropriate by the Fish and Game Council
25 by adding to that base fee an amount equal to a percentage of the
26 base fee as determined by the Fish and Game Council; provided,
27 however, that the amount added shall not exceed an amount equal to
28 10% of the base fee.

29 c. Any adjustment in fees shall be rounded to the nearest \$0.25.

30 d. Notwithstanding any law, rule, or regulation to the contrary,
31 a State resident 65 years of age or older shall not be charged any fee
32 to obtain any hunting or trapping license, permit, certificate, or
33 stamp.

34 (cf: P.L.1991, c.286, s.1)

35
36 2. Section 6 of P.L.1999, c.282 (C.23:3-1g) is amended to read
37 as follows:

38 6. For the purpose of meeting the costs of complying with
39 information collection activities mandated by the United States Fish
40 and Wildlife Service Migratory Bird Harvest Information Program,
41 the division is authorized to charge a fee of \$2.00 to any person
42 who hunts migratory birds, which fee shall be in addition to any
43 other fees charged for licenses, permits, or stamps required by law
44 to hunt migratory birds , except that, notwithstanding any law, rule,

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 or regulation to the contrary, a State resident 65 years of age or
2 older shall not be charged a fee pursuant to this section.

3 (cf: P.L.1999, c.282, s.6)

4
5 3. Section 11 of P.L.1982, c.180 (C.23:3-1.1) is amended to
6 read as follows:

7 11. a. The division shall issue a special license combining the
8 resident's firearm hunting license, the resident's bow and arrow
9 license and the resident's fishing license as provided under
10 R.S.23:3-4 into one license to be designated as the "All Around
11 Sportsman License."

12 b. The "All Around Sportsman License" shall authorize its
13 holder to hunt with a shotgun or bow and arrow and to angle or
14 attempt to take fish in the fresh waters of this State at the time, and
15 in the manner, provided by law and the State Fish and Game Code,
16 except that this license shall not authorize its holder to take trout
17 from the fresh waters of the State.

18 c. A resident of this State above the age of 16 years may
19 procure the "All Around Sportsman License" from the division at
20 Trenton or from its agents as designated by the division. It shall not
21 be valid unless it contains the signature of the owner written in ink.
22 Each license issued under this section shall expire on December 31
23 next following its issuance.

24 d. (1) The division shall determine the form of the "All
25 Around Sportsman License." The fee for this license shall be
26 \$71.25 and an issuance fee of \$1.00, or as adjusted by the Fish and
27 Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-
28 1a). Notwithstanding any law, rule, or regulation to the contrary, a
29 State resident 65 years of age or older shall not be charged a fee or
30 an issuance fee to obtain the "All Around Sportsman License."

31 (2) The fee for an "All Around Sportsman License" shall be
32 reduced by \$10 when application therefor is made at the same time
33 with: (1) another resident of this State who applies for a resident's
34 fishing license, is above 16 years of age and below 65 years of age,
35 and has not bought an "All Around Sportsman License" or resident's
36 fishing license after 2010, or (2) a nonresident who applies for a
37 nonresident's annual fishing license, is above 16 years of age, and
38 has not bought a nonresident's annual fishing license after 2010.
39 The fee for a resident's fishing license bought in accordance with
40 the requirements of this paragraph shall be \$10.75 and an issuance
41 fee of \$1.00, and the fee for a nonresident's annual fishing license
42 bought in accordance with the requirements of this paragraph shall
43 be \$16.50 and an issuance fee of \$1.00.

44 e. The amounts remitted to the State Treasury from the
45 collection of any fee pursuant to this section shall be deposited to
46 the credit of the "hunters' and anglers' license fund."

47 (cf: P.L.2015, c.99, s.1)

1 4. R.S.23:3-4 is amended to read as follows:

2 23:3-4. The licenses issued under this article shall include,
3 among others authorized by law, the following:

4 a. A license issued to a person above 16 years of age, or in the
5 case of an apprentice firearm hunting license or an apprentice bow
6 and arrow license, a license issued to a person above 14 years of
7 age, who has an actual and bona fide domicile in this State at the
8 time of the application for the license and who has had an actual
9 and bona fide domicile in this State for at least six months
10 immediately prior thereto, provided that for a resident's trapping
11 license the person shall be above 12 years of age. These licenses
12 shall be designated as the resident's firearm hunting license, the
13 resident's bow and arrow license, the resident's trapping license, the
14 resident's fishing license, the resident's apprentice firearm hunting
15 license, and the resident's apprentice bow and arrow license.

16 (1) (a) The resident's firearm hunting license shall authorize its
17 holder to hunt with hounds and firearms only, and a fee of \$26.50
18 and an issuance fee of \$1.00 shall be charged therefor, except that
19 **【a person above the age of 65 years shall be charged a fee of \$14.50**
20 **and an issuance fee of \$1.00】** no fee or issuance fee shall be
21 charged for any person who is 65 years of age or older.

22 (b) The resident's apprentice firearm hunting license shall
23 authorize its holder to hunt only with hounds and firearms and only
24 when accompanied by a holder, above 21 years of age, of a regular
25 resident's or nonresident's firearm hunting license. A fee of \$26.50
26 and an issuance fee of \$1.00 shall be charged for a resident's
27 apprentice firearm hunting license, except that **【a person above the**
28 **age of 65 years shall be charged a fee of \$14.50 and an issuance fee**
29 **of \$1.00】** no fee or issuance fee shall be charged for any person
30 who is 65 years of age or older. The resident's apprentice firearm
31 hunting license may be issued to a person only twice during the
32 lifetime of the person.

33 (2) (a) The resident's bow and arrow license shall authorize its
34 holder to hunt with bow and arrow only, and a fee of \$30.50 and an
35 issuance fee of \$1.00 shall be charged therefor, except that **【a**
36 **person above the age of 65 shall be charged a fee of \$15.50 and an**
37 **issuance fee of \$1.00】** no fee or issuance fee shall be charged for
38 any person who is 65 years of age or older.

39 (b) The resident's apprentice bow and arrow license shall
40 authorize its holder to hunt only with bow and arrow and only when
41 accompanied by a holder, above 21 years of age, of a regular
42 resident's or nonresident's bow and arrow license. A fee of \$30.50
43 and an issuance fee of \$1.00 shall be charged for a resident's
44 apprentice bow and arrow license, except that **【a person above the**
45 **age of 65 years shall be charged a fee of \$15.50 and an issuance fee**
46 **of \$1.00】** no fee or issuance fee shall be charged for any person
47 who is 65 years of age or older. The resident's apprentice bow and

1 arrow license may be issued to a person only twice during the
2 lifetime of the person.

3 (3) The resident's trapping license shall authorize its holder to
4 trap only, and a fee of \$31.50 and an issuance fee of \$1.00 shall be
5 charged therefor, except that a person above 12 years and under 16
6 years of age , or 65 years of age or older, shall be charged no fee.

7 (4) The resident's fishing license shall authorize its holder to
8 fish only, and a fee of \$21.50 and an issuance fee of \$1.00 shall be
9 charged therefor, except (a) in any case where the applicant is
10 **【above 70】** 65 years of age or older and is otherwise qualified, no
11 license shall be required, and (b) **【a person above 65 years and**
12 **under 70 years of age shall be charged a fee of \$11.50 and an**
13 **issuance fee of \$1.00, and (c)】** as otherwise provided in paragraph
14 (5) of this subsection, paragraph (2) of subsection c. of this section,
15 or paragraph (2) of subsection d. of section 11 of P.L.1982, c.180
16 (C.23:3-1.1).

17 (5) The resident's fishing buddy license shall authorize its
18 holder to fish only, and can only be obtained through application at
19 the same time with: (a) another resident of this State who applies
20 for a resident's fishing license, is above 16 years of age and below
21 65 years of age, and has not bought a resident's fishing license after
22 2010, or (b) a nonresident who applies for a nonresident's annual
23 fishing license, is above 16 years of age, and has not bought a
24 nonresident's annual fishing license after 2010. The fee for a
25 resident's fishing buddy license and for a resident's fishing license
26 issued pursuant to this paragraph shall each be \$10.75 and an
27 issuance fee of \$1.00. The fee for a nonresident's annual fishing
28 license issued pursuant to this paragraph shall be \$16.50 and an
29 issuance fee of \$1.00.

30 (6) Any resident of this State who is totally blind, upon
31 application to the division, shall be entitled to a resident's fishing
32 license without fee or charge.

33 b. A license issued to a person above 16 years of age, or in the
34 case of an apprentice firearm hunting license or an apprentice bow
35 and arrow license, a license issued to a person above 14 years of
36 age, not entitled to a resident's license, authorizing the person to
37 trap or to hunt, as applicable, except that a nonresident's two-day
38 small game firearm hunting license shall not permit the taking,
39 hunting, or killing of deer or turkey. These licenses shall be
40 designated as the nonresident's firearm hunting license, the
41 nonresident's apprentice firearm hunting license, the nonresident's
42 bow and arrow license, the nonresident's apprentice bow and arrow
43 license, the nonresident's trapping license, and the nonresident's
44 two-day small game firearm hunting license.

45 A nonresident's apprentice firearm hunting license shall
46 authorize its holder to hunt only with hounds and firearms and only
47 when accompanied by a holder, above 21 years of age, of a regular
48 resident's or nonresident's firearm hunting license. A nonresident's

1 apprentice bow and arrow license shall authorize its holder to hunt
2 with bow and arrow only and only when accompanied by a holder,
3 above 21 years of age, of a regular resident's or nonresident's bow
4 and arrow license. The nonresident's apprentice firearm hunting
5 license and the nonresident's apprentice bow and arrow license may
6 each be issued to a person only twice during the lifetime of the
7 person.

8 (1) The fees for the nonresident's firearm hunting license, the
9 nonresident's apprentice firearm hunting license, the nonresident's
10 bow and arrow license, and the nonresident's apprentice bow and
11 arrow license shall each be \$134.50 and an issuance fee of \$1.00.

12 (2) The fee for the nonresident's trapping license shall be
13 \$199.50 and an issuance fee of \$1.00.

14 (3) The fee for a nonresident's two-day small game firearm
15 hunting license shall be \$35.50 and an issuance fee of \$1.00.

16 c. A license issued to a person above 16 years of age not
17 entitled to a resident's license, authorizing the person to fish only.
18 These licenses shall be designated as the nonresident's annual
19 fishing license, the nonresident's annual fishing buddy license, the
20 nonresident's two-day fishing license, valid for a period of two
21 consecutive days, and the nonresident's seven-day vacation fishing
22 license, valid for a period of seven consecutive days.

23 The nonresident's annual fishing buddy license can only be
24 obtained through application at the same time with: a resident of
25 this State who applies for a resident's fishing license, is above 16
26 years of age and below 65 years of age, and has not bought a
27 resident's fishing license after 2010; or a nonresident who applies
28 for a nonresident's annual fishing license, is above 16 years of age,
29 and has not bought a nonresident's annual fishing license after 2010.

30 (1) The fee for the nonresident's annual fishing license shall be
31 \$33.00 and an issuance fee of \$1.00, except as otherwise provided
32 pursuant to paragraph (2) of this subsection, paragraph (5) of
33 subsection a. of this section, or paragraph (2) of subsection d. of
34 section 11 of P.L.1982, c.180 (C.23:3-1.1).

35 (2) The fee for a nonresident's annual fishing buddy license
36 shall be \$16.50 and an issuance fee of \$1.00. The fee for a
37 resident's fishing license obtained through application at the same
38 time with an application for a nonresident's annual fishing buddy
39 license in accordance with this subsection shall be \$10.75 and an
40 issuance fee of \$1.00, and the fee for a nonresident's annual fishing
41 license obtained through application at the same time with an
42 application for a nonresident's annual fishing buddy license in
43 accordance with this subsection shall be \$16.50 and an issuance fee
44 of \$1.00.

45 (3) The fee for the nonresident's two-day fishing license shall be
46 \$8.00 and an issuance fee of \$1.00.

47 (4) The fee for the nonresident's seven-day fishing license shall
48 be \$18.50 and an issuance fee of \$1.00.

1 d. Every license issued hereunder shall be void after December
2 31 next succeeding its issuance, except the one-day hunting license,
3 which shall expire on the date of issuance; the nonresident's seven-
4 day fishing license, which is valid only for seven consecutive days
5 after date of issuance; the nonresident's two-day fishing license,
6 which shall expire on the day after the date of issuance; and the
7 nonresident's two-day small game firearm hunting license, which
8 shall expire on the day after the date of issuance.

9 Any license issued hereunder to a person under 16 years of age
10 shall be void after December 31 of the year in which the licensee
11 becomes 16 years of age.

12 e. The fees for licenses set forth in this section may be adjusted
13 by the Fish and Game Council pursuant to section 12 of P.L.1982,
14 c.180 (C.23:3-1a).
15 (cf: P.L.2017, c.131, s.63)
16

17 5. Section 2 of P.L.1951, c.226 (C.23:3-4.1) is amended to read
18 as follows:

19 2. The division may, in its discretion, issue a license to a
20 person above the age of 16 years authorizing him to hunt for one
21 day only in areas licensed under subsections b. and d. of R.S.23:3-
22 29, or at a shoot to kill field trial which is being held under a proper
23 permit from the division. The fee for this license shall be \$11.50,
24 or as adjusted by the Fish and Game Council pursuant to section 12
25 of P.L.1982, c.180 (C.23:3-1a), and an issuance fee of \$1.00.
26 Notwithstanding any law, rule, or regulation to the contrary, a State
27 resident 65 years of age or older shall not be charged a fee or an
28 issuance fee to obtain a license pursuant to this section. The fees
29 collected hereunder shall be remitted to the State Treasurer, and
30 placed to the credit of the "hunters' and anglers' license fund," and
31 be disbursed by the State Treasurer on vouchers certified to by the
32 division.

33 (cf: P.L.1999, c.282, s.11)
34

35 6. Section 8 of P.L.1986, c.198 (C.23:3-4.11) is amended to
36 read as follows:

37 8. All persons in possession of a muzzleloader rifle or other
38 rifle while hunting or trapping shall have in their possession, in
39 addition to the appropriate and valid firearm hunting license or
40 trapping license, an appropriate and valid rifle permit. The division
41 is authorized to charge a fee of \$17.00 for each permit issued,
42 except that (1) a person under 16 years of age shall be charged a fee
43 of \$8.00 , and (2) notwithstanding any law, rule, or regulation to the
44 contrary, a State resident 65 years of age or older shall not be
45 charged a fee to obtain a permit pursuant to this section. A rifle
46 permit issued hereunder shall be valid for a period not to exceed
47 two years. The amount remitted to the State Treasury for rifle

1 permits shall be deposited to the credit of the "hunters' and anglers'
2 license fund."

3 The fee for a permit issued pursuant to this section may be
4 adjusted by the Fish and Game Council pursuant to section 12 of
5 P.L.1982, c.180 (C.23:3-1a).
6 (cf: P.L.1999, c.282, s.13)
7

8 7. Section 7 of P.L.1986, c.198 (C.23:3-27.1) is amended to
9 read as follows:

10 7. Whenever an open season is prescribed for wild turkey by
11 the State Fish and Game Code, the division is authorized to charge a
12 fee of \$19.00, or as adjusted by the Fish and Game Council
13 pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), except that
14 (1) a person under 16 years of age shall be charged a fee of \$10.00
15 [,] for each permit issued , and (2) notwithstanding any law, rule,
16 or regulation to the contrary, a State resident 65 years of age or
17 older shall not be charged a fee to obtain a permit pursuant to this
18 section. This permit shall be void at the close of the prescribed
19 open season. The amounts remitted to the State Treasury for wild
20 turkey permits shall be deposited to the credit of the "hunters' and
21 anglers' license fund."
22 (cf: P.L.1999, c.282, s.15)
23

24 8. Section 1 of P.L.1959, c.37 (C.23:3-56.1) is amended to read
25 as follows:

26 1. a. When the Fish and Game Council has established a
27 season for deer of either sex and has fixed a certain number of
28 permits to be issued for that harvest, the division is authorized to
29 charge a fee of \$26.00, or as adjusted by the Fish and Game Council
30 pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), except that
31 (1) a person under 16 years of age shall be charged a fee of \$10.00,
32 for each permit so issued, which fee shall be in addition to any other
33 fees authorized by law , and (2) notwithstanding any law, rule, or
34 regulation to the contrary, a State resident 65 years of age or older
35 shall not be charged a fee to obtain a permit pursuant to this section.

36 b. (1) No such fee charged pursuant to subsection a. of this
37 section shall be required of a qualified farmer or the spouse or
38 children of that farmer who reside in the farmer's household,
39 provided that the person or persons are otherwise authorized to
40 participate in the limited harvest.

41 The exemption provided under this subsection:

42 (a) shall not apply to a person residing on the farm or in a tenant
43 house thereon who is not the spouse or a child of the qualified
44 farmer, nor to an employee of the qualified farmer;

45 (b) shall be limited to one permit each for the qualified farmer
46 who owns or leases a farm on which the farmer resides as described
47 in subparagraph (a) of paragraph (3) of this subsection, and the
48 spouse and children of that farmer; and

1 (c) shall be limited to one permit each for the qualified farmer
2 or farmers who owns or leases a farm or farms on which that farmer
3 or farmers does not reside as described in subparagraph (b) of
4 paragraph (3) of this subsection, and their spouses and children, but
5 in no case shall more than five permits in total be issued for such
6 property pursuant to this subparagraph.

7 (2) An application for a permit issued to a qualified farmer or
8 the spouse or a child of that farmer pursuant to this subsection shall
9 be made on a form supplied by the division and shall include, in the
10 case of leased land, a copy of all leases authorizing the agricultural
11 and hunting uses of the land.

12 (3) For purposes of this subsection, "qualified farmer" means a
13 person who:

14 (a) owns or leases a farm on which that person resides that is
15 valued, assessed and taxed as land actively devoted to agricultural
16 or horticultural use pursuant to the "Farmland Assessment Act of
17 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.); or

18 (b) owns or leases a farm on which that person does not reside,
19 provided that: (i) the person actively farms at least 30 tilled, non-
20 woodland acres, which may be noncontiguous; and (ii) the farm, or
21 each parcel in the case of noncontiguous parcels, is valued, assessed
22 and taxed as land actively devoted to agricultural or horticultural
23 use pursuant to the "Farmland Assessment Act of 1964," P.L.1964,
24 c.48 (C.54:4-23.1 et seq.).

25 c. The division may adopt, pursuant to the "Administrative
26 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), such rules
27 and regulations as may be necessary to implement the provisions of
28 this section.

29 (cf: P.L.1999, c.282, s.17)

30

31 9. Section 3 of P.L.1975, c.117 (C.23:3-61.3) is amended to
32 read as follows:

33 3. The fee for this stamp shall be \$40.00, or as adjusted by the
34 Fish and Game Council pursuant to section 12 of P.L.1982, c.180
35 (C.23:3-1a) , except that, notwithstanding any law, rule, or
36 regulation to the contrary, a State resident 65 years of age or older
37 shall not be charged a fee to obtain a stamp pursuant to this section.
38 The amounts remitted to the State Treasury for special pheasant and
39 quail stamps shall be deposited to the credit of the "hunters' and
40 anglers' license fund."

41 (cf: P.L.1999, c.282, s.21)

42

43 10. Section 2 of P.L.1983, c.504 (C.23:3-76) is amended to read
44 as follows:

45 2. a. No person over the age of 16 shall at any time hunt,
46 pursue, kill, take, possess, or attempt to take with a firearm, bow
47 and arrow, or any other method any ducks, geese, brant, or other
48 waterfowl without procuring a New Jersey Waterfowl Stamp, as

hereinafter provided, in addition to any other licenses or permits required under Title 23 of the Revised Statutes.

b. The stamp issued pursuant to this act shall be designated the New Jersey Waterfowl Stamp, shall be required to be in the possession of any person engaged in hunting, pursuing, killing, taking, possessing, or attempting to take with a firearm, bow and arrow, or any other method any ducks, geese, brant, or other waterfowl, and shall be exhibited upon the request of any conservation officer, deputy conservation officer, or other law enforcement official.

c. This section shall not apply to any person engaged in hunting, pursuing, killing, taking, possessing, or attempting to take captive-reared mallard ducks, properly marked in accordance with federal regulations, on a commercial shooting preserve.

d. Notwithstanding any law, rule, or regulation to the contrary, a State resident 65 years of age or older shall not be charged a fee to obtain a stamp pursuant to this section.

(cf: P.L.1992, c.210, s.1)

11. This act shall take effect on the 30th day next following the date of enactment.

STATEMENT

This bill would exempt New Jersey residents 65 years of age and older from being required to pay any fee to obtain any hunting or trapping license, permit, certificate, or stamp, and to obtain a fishing license.

Current law requires hunters, trappers, and fishermen to pay certain fees in order to obtain various hunting, trapping, or fishing licenses, permits, certificates, or stamps. State residents over the age of 65 who are applying for a firearm hunting license, an apprentice firearm hunting license, a bow and arrow license, an apprentice bow and arrow license, or a trapping license are entitled to a discounted fee. State residents 70 years of age and older are not required to obtain a fishing license under current law.

This bill would allow State residents 65 years of age and older to obtain any hunting or trapping license, permit, certificate, or stamp without being required to pay any fee. The bill would also exempt fishermen 65 years of age and older from being required to obtain a fishing license.