SENATE, No. 1541

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator MICHAEL J. DOHERTY
District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Provides discounted hunting and trapping license, permit, and stamp fees for senior citizens.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning hunting and trapping license, permit, and stamp fees for senior citizens and amending various parts of the statutory law.

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

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

23:3-4. The licenses issued under this article shall be as follows:

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

(1) (a) The resident's firearm hunting license shall authorize its holder to hunt with hounds and firearms only, and a fee of $26.50 and an issuance fee of $1.00 shall be charged therefor, except that a person above the age of 65 years shall be charged a fee of $14.50 and an issuance fee of $1.00.

(b) The resident's apprentice firearm hunting license shall authorize its holder to hunt only with hounds and firearms and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's firearm hunting license. A fee of $26.50 and an issuance fee of $1.00 shall be charged for a resident's apprentice firearm hunting license, except that a person above the age of 65 years shall be charged a fee of $14.50 and an issuance fee of $1.00. The resident's apprentice firearm hunting license may be issued to a person only twice during the lifetime of the person.

(2) (a) The resident's bow and arrow license shall authorize its holder to hunt with bow and arrow only, and a fee of $30.50 and an issuance fee of $1.00 shall be charged therefor, except that a person above the age of 65 years shall be charged a fee of $15.50 and an issuance fee of $1.00.

(b) The resident's apprentice bow and arrow license shall authorize its holder to hunt only with bow and arrow and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's bow and arrow license. A fee of $30.50 and an issuance fee of $1.00 shall be charged for a resident's apprentice bow and arrow license, except that a person above the age of 65 years shall be charged a fee of $15.50 and an issuance fee

of $1.00. The resident's apprentice bow and arrow license may be issued to a person only twice during the lifetime of the person.

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

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

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

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

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

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

with bow and arrow only and only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's bow and arrow license. The nonresident's apprentice firearm hunting license and the nonresident's apprentice bow and arrow license may each be issued to a person only twice during the lifetime of the person.

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

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

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

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

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

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

(2) The fee for a nonresident's annual fishing buddy license shall be $16.50 and an issuance fee of $1.00. The fee for a resident's fishing license obtained through application at the same time with an application for a nonresident's annual fishing buddy license in accordance with this subsection shall be $10.75 and an issuance fee of $1.00, and the fee for a nonresident's annual fishing license obtained through application at the same time with an application for a nonresident's annual fishing buddy license in accordance with this subsection shall be $16.50 and an issuance fee of $1.00.

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

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

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

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

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

(cf: P.L.2017, c.131, s.63)

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

1. a. When the Fish and Game Council has established a season for deer of either sex and has fixed a certain number of permits to be issued for that harvest, the division is authorized to charge a fee of $26.00, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), except that a person under 16 years of age <u>or above 65 years of age</u> shall be charged a fee of $10.00, for each permit so issued, which fee shall be in addition to any other fees authorized by law.

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

The exemption provided under this subsection:

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

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

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

(2) An application for a permit issued to a qualified farmer or the spouse or a child of that farmer pursuant to this subsection shall be made on a form supplied by the division and shall include, in the

case of leased land, a copy of all leases authorizing the agricultural and hunting uses of the land.

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

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

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

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

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

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

3. The fee for this stamp shall be $40.00, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), <u>except that a person above 65 years of age shall be charged a fee of $20.00</u>. The amounts remitted to the State Treasury for special pheasant and quail stamps shall be deposited to the credit of the "hunters' and anglers' license fund."

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

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

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

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

c. A resident of this State above the age of 16 years may procure the "All Around Sportsman License" from the division at Trenton or from its agents as designated by the division. It shall not be valid unless it contains the signature of the owner written in ink.

Each license issued under this section shall expire on December 31 next following its issuance.

d. (1) The division shall determine the form of the "All Around Sportsman License." The fee for this license shall be $71.25 and an issuance fee of $1.00, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a).

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

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

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

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

7. Whenever an open season is prescribed for wild turkey by the State Fish and Game Code, the division is authorized to charge a fee of $19.00, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), except that a person under 16 years of age <u>or above 65 years of age</u> shall be charged a fee of $10.00, for each permit issued. This permit shall be void at the close of the prescribed open season. The amounts remitted to the State Treasury for wild turkey permits shall be deposited to the credit of the "hunters' and anglers' license fund."

(cf: P.L.1999, c.282, s.15)

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

8. All persons in possession of a muzzleloader rifle or other rifle while hunting or trapping shall have in their possession, in addition to the appropriate and valid firearm hunting license or trapping license, an appropriate and valid rifle permit. The division is authorized to charge a fee of $17.00 for each permit issued, except that a person under 16 years of age <u>or above 65 years of age</u> shall be charged a fee of $8.00. A rifle permit issued hereunder shall be valid for a period not to exceed two years. The amount

remitted to the State Treasury for rifle permits shall be deposited to the credit of the "hunters' and anglers' license fund."

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

(cf: P.L.1999, c.282, s.13)

7. This act shall take effect immediately.

STATEMENT

Under current law, persons age 65 and older receive discounts on firearm licenses and bow and arrow licenses, but not on trapping licenses, the “All-Around Sportsman License,” or individual hunting permits and stamps. This bill would provide discounts to persons 65 years of age and older on trapping licenses, the “All-Around Sportsman License,” the deer, turkey, and rifle permits, and the pheasant and quail stamps, at rates which are consistent with the discounts already authorized for other closely related outdoor activities.