

23:3-4 et al

4/20/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 23:3-4 et al (Hunting and fishing licenses-- certain -- increase fees)

CHAPTER 198

Laws Of: 1986

Bill No: S2440

Sponsor(s): Foran and Weiss

Date Introduced: July 24, 1986

Committee: Assembly: Appropriations

Senate: Energy and Environment

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: December 15, 1986

Senate: October 9, 1986

Date of Approval: December 30, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: Yes

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

12-30-86

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SENATE, No. 2440

STATE OF NEW JERSEY

INTRODUCED JULY 24, 1986

By Senators FORAN and WEISS

Referred to Committee on Energy and Environment

AN ACT concerning fish and game licenses, amending R. S. 23:3-4, R. S. 23:3-34, section 1 of P. L. 1959, c. 37, section 3 of P. L. 1952, c. 328, section 3 of P. L. 1975, c. 117, and section 5 of P. L. 1970, c. 247, and supplementing Title 23 of the Revised Statutes.

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

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

2 23:3-4. The licenses issued under this article shall be as follows:

3 a. A license issued to a person above 14 years of age, who has
4 an actual and bona fide domicile in this State at the time of the
5 application for the license and who has had an actual and bona fide
6 domicile in this State for at least six months immediately prior
7 thereto, provided that for a resident's trapping license the person
8 shall be above 12 years of age. These licenses shall be of five kinds
9 and designated as the resident's firearm hunting license, the resi-
10 dent's bow and arrow license, the resident's trapping license, the
11 resident's fishing license and the resident's family fishing license.
12 The Fish and Game Council in the Division of Fish, Game and
13 Wildlife of the Department of Environmental Protection shall have
14 the authority to adopt and promulgate regulations for family fishing
15 licenses.

16 The resident's firearm hunting license shall authorize its holder
17 to hunt with hounds and firearms only, and a fee of \$16.25 and an
18 issuance fee of \$0.50 shall be charged thereof, except that a person
19 14 or 15 years of age and a person above the age of 65 shall be
20 charged a fee of \$8.50 and an issuance fee of \$0.50. The resident's

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted September 22, 1986.

21 bow and arrow license shall authorize its holder to hunt with bow
22 and arrow only, and a fee of \$18.00 and an issuance fee of \$0.50
23 shall be charged therefor, except that a person 14 or 15 years of
24 age and a person above the age of 65 shall be charged a fee of \$9.50
25 and an issuance fee of \$0.50. The resident's trapping license shall
26 authorize its holder to trap only, and a fee of \$24.00 and an issuance
27 fee of \$0.50 shall be charged therefor, except that a person 12, 13,
28 14 or 15 years of age shall be charged a fee of \$12.00 and an issu-
29 ance fee of \$0.50. The resident's fishing license shall authorize its
30 holder to fish only, and a fee of \$10.75 and an issuance fee of \$0.50
31 shall be charged therefor except that in any case where the appli-
32 cant is 70 or more years of age and is otherwise qualified no fee
33 shall be charged and a person 14 or 15 years of age and a person
34 above the age of 65 shall be charged a fee of \$6.00 and an issuance
35 fee of \$0.50.

36 The resident's family fishing license shall authorize the parents
37 or guardians and their children, foster children or wards between
38 the ages of 14 and 18, named therein, to fish only. The fee for the
39 parent's license permitting fishing only by the father or mother,
40 or both, or the guardian shall be \$14.50 with an issuance fee of
41 \$0.50; and each child, foster child or ward named therein shall be
42 required to have and shall be issued an individual supplementary
43 license as a member of such family at a fee of \$1.25 and an issu-
44 ance fee of \$0.50. The license shall be invalid from the date of its
45 issuance when issued to a person not entitled thereto. Any person,
46 a resident of this State, who is afflicted with total blindness, upon
47 application to the Division of Fish, Game and Wildlife shall be
48 entitled to a resident's fishing license without fee or charge.

49 b. A license issued to a person above 14 years of age not entitled
50 to a resident's license, authorizing him to trap or to hunt. These
51 licenses shall be designated as the nonresident's firearm hunting
52 license, the nonresident's bow and arrow license, and the nonresi-
53 dent's trapping license, and the nonresident's two-day small game
54 firearm hunting license, except that a nonresident's two-day small
55 game firearm hunting license shall not permit the taking, hunting
56 or killing of deer.

57 The fee for the nonresident's firearm hunting license and the
58 nonresident's bow and arrow license shall each be ~~[\$55.00]~~ \$86.00
59 and an issuance fee of \$0.50.

60 The fee for the nonresident's trapping license shall be \$120.00
61 and an issuance fee of \$0.50. The fee for a nonresident's two-day
62 small game firearm hunting license shall be \$18.00 and an issuance
63 fee of \$0.50.

64 c. A license issued to a person above 14 years of age not entitled
 65 to a resident's license, authorizing him to fish only. These licenses
 66 shall be designated as the nonresident's fishing license and the non-
 67 resident's seven-day vacation fishing license valid for a period of
 68 seven consecutive days. The fee for these licenses shall be \$16.75
 69 for the annual fishing license, together with an issuance fee of \$0.50
 70 and \$8.50 and an issuance fee of \$0.50 for the seven-day vacation
 71 fishing license.

72 Every license issued hereunder shall be void after December 31,
 73 next succeeding its issuance excepting the one-day hunting license
 74 which shall expire on the date of issuance, the nonresident's and
 75 seven-day fishing license which is valid only for seven consecutive
 76 days after date of issuance, and the nonresident's two-day small
 77 game firearm hunting license which shall expire on the day after
 78 the date of issuance.

79 **【The fees for licenses set forth above may be adjusted by the**
 80 **Fish and Game Council as provided in section 12 of P. L. 1982, c. 180**
 81 **(C. 23:3-1a).】**

1 2. R. S. 23:3-34 is amended to read as follows:

2 23:3-34. The division shall receive and collect **【\$0.20】** \$0.25 for
 3 each tag or seal affixed to the carcass of an animal or bird, as pro-
 4 vided in sections 23:3-28 to 23:3-39 of this Title. These tags or
 5 seals shall remain affixed until the carcasses of the birds or animals
 6 are finally prepared for consumption, and the sale of a portion of
 7 a bird or animal which shall not at the time have affixed thereto
 8 the tag or seal shall constitute a violation of said sections 23:3-28
 9 to 23:3-39. The keeper of a hotel, restaurant or boarding house,
 10 a retail dealer in meat or a club may sell a portion of a bird or
 11 animal so tagged to a guest, customer or member for consumption.

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

3 1. When the Fish and Game Council has established a season for
 4 deer of either sex and has fixed a certain number of licenses to be
 5 issued for such harvest, the division is authorized to charge a fee
 6 of **【\$10.00, or as adjusted by the Fish and Game Council pursuant**
 7 **to section 12 of P. L. 1982, c. 180 (C. 23:3-1a),】** \$15.00 for each
 8 license so issued, which fee shall be in addition to any other fees
 9 authorized by law. No such fee shall be required of the occupant
 10 of a farm in this State, who actually resides thereon, or the imme-
 11 diate members of his family who also reside thereon, provided such
 12 person or persons are otherwise authorized to participate in such
 13 limited harvest. The exemption of this paragraph shall not apply

14 to a person residing on the farm or in a tenant house thereon who
 15 is not a member of the occupant's family, nor to a servant of the
 16 occupant.

1 4. Section 3 of P. L. 1952, c. 328 (C. 23:3-59) is amended to read
 2 as follows:

3 3. The fee for this stamp shall be ~~[\$4.75]~~ \$6.25 for residents and
 4 ~~[\$9.50]~~ \$11.50 for nonresidents ~~[or as adjusted by the Fish and~~
 5 Game Council pursuant to section 12 of P. L. 1982, c. 180 (C.
 6 23:3-1a)]. The amounts remitted to the State Treasury for stamps
 7 issued under this law shall be placed to the credit of the "hunters'
 8 and anglers' license fund" mentioned in R. S. 23:3-12.

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

3 3. The fee for this stamp shall be ~~[\$15.00 or as adjusted by the~~
 4 Fish and Game Council pursuant to section 12 of P. L. 1982, c. 180
 5 (C. 23:3-1a)] \$20.00. The amounts remitted to the State Treasury
 6 for special pheasant and quail stamps shall be deposited to the
 7 credit of the "hunters' and anglers' license fund."

1 6. Section 5 of P. L. 1970, c. 247 (C. 23:3-66) is amended to read
 2 as follows:

3 5. (a) All fish stocked in the waters of the fishing preserve in
 4 accordance with paragraph (b) of section 2 of this act that are
 5 taken from the licensed fishing preserve waters, shall be immedi-
 6 ately tagged as prescribed in the license or by order of the division.
 7 Such tags shall be furnished by the division and sold to the licensee
 8 at the cost of ~~[\$0.05]~~ \$0.15 per tag, or as adjusted by the Fish
 9 and Game Council pursuant to section 12 of 1982, c. 180 (C.
 10 23:3-1a)].

11 (b) The tag so affixed shall not be removed from the fish until
 12 the same is finally prepared for consumption.

13 (c) No fish, required to be tagged as specified in paragraph (a)
 14 of this section, taken pursuant to this act, shall be possessed off the
 15 premises of the fishing preserve without such tag, and no person
 16 shall sell such fish without such tag attached, except for scientific,
 17 exhibition or stocking purposes.

18 (d) Fish taken from such fishing preserves and tagged as pro-
 19 vided in this section, may be possessed, bought, sold and offered for
 20 sale, and transported without restriction. Fish raised or possessed
 21 under license issued under this act may be sold at any time for
 22 scientific, exhibition, propagation or stocking purposes.

1 7. (New section) Whenever an open season is prescribed for wild
 2 turkey by the State Fish and Game Code, the ~~*[division]~~* *Divi-*

3 *sion of Fish, Game and Wildlife** is authorized to charge a fee of
 4 \$10.00 for each permit issued. This permit shall be void at the
 5 close of the prescribed open season. The amounts remitted to the
 6 State Treasury for wild turkey permits shall be deposited to the
 7 credit of the "hunters' and anglers' license fund."

1 8. (New section) All persons in possession of a muzzleloader
 2 rifle or other rifle while hunting or trapping shall have in their
 3 possession, in addition to the appropriate and valid firearm hunting
 4 license or trapping license, an appropriate and valid rifle permit.
 5 The ***[division]*** *Division of Fish, Game and Wildlife** is au-
 6 thorized to charge a fee of \$11.00 for each permit issued. A rifle
 7 permit issued hereunder shall be valid for a period not to exceed
 8 two years. ***[In the event that a permit is issued on or before June**
 9 **30 of a given year, it shall expire on July 1 of the calendar year**
 10 **following its issuance; in the event that a permit is issued after**
 11 **June 30 of a given year, it shall expire on July 1 of the second**
 12 **calendar year after issuance.]*** The amount remitted to the State
 13 Treasury for rifle permits shall be deposited to the credit of the
 14 "hunters' and anglers' license fund."

1 9. (New section) The ***[division]*** *Division of Fish, Game and*
 2 *Wildlife** is authorized to charge a nonrefundable application fee,
 3 in addition to any other permit or license fees authorized by law,
 3A for each permit or license, as follows:

4 Duplicate hunting and fishing	\$2.00
5 Falconry	2.00
6 Beaver	2.00
7 Otter	2.00
8 Turkey	2.00
9 Special season deer	2.00
10 Rifle	2.00
11 Semi-wild hunting preserve	2.00
12 Commercial fishing preserve	2.00
13 Commercial shooting preserve	2.00
14 Senior citizen fishing (over 70 years of age)	2.00
15 Senior citizen clamming	2.00
16 Field trial	2.00
17 Horseback riding on wildlife management area	2.00
18 Daily use permit for wildlife management area	2.00
19 Club house rental	2.00
20 Fires on wildlife management areas	2.00
21 Fish stocking by clubs	2.00
22 Lake lowering	2.00
23 Alewife * [(for bait)] *	2.00

24	Carp and suckers (for bait)	2.00
25	Fish basket for eels, catfish, carp, and suckers	2.00
26	Game animals and game birds:	
27	Individual hobby	2.00
28	Scientific holding	2.00
29	Zoological	2.00
30	Propagation and sales	2.00
31	Animal exhibitor	2.00
32	Animal theatrical agency	2.00
33	Fur farming	2.00
34	Salvage—recover carcass	2.00
35	Special purpose	2.00
36	Scientific collecting—fish	2.00
37	Crab pot (Recreational)	2.00
38	Crab pot (Commercial)	2.00
39	Menhaden netting	2.00
40	Food fish netting	2.00
41	Commercial fish netting	2.00
42	The amount remitted to the State Treasury for these application	
43	fees shall be deposited to the credit of the “hunters’ and anglers’	
44	license fund.”	

1 10. This act shall take effect immediately and shall be applicable
2 to the sale of licenses, permits, **stamps** and tags that are valid
3 on or after January 1, 1987, except that the ***[division]*** **Division*
4 *of Fish, Game and Wildlife** is authorized to charge immediately
5 the fees prescribed pursuant to sections 3 and 9 of this amendatory
6 and supplementary act for the special season deer license.

FISH, GAME, WILDLIFE

Increases certain hunting and fishing license fees.

26	Game animals and game birds:	
27	Individual hobby	2.00
28	Scientific holding	2.00
29	Zoological	2.00
30	Propagation and sales	2.00
31	Animal exhibitor	2.00
32	Animal theatrical agency	2.00
33	Fur farming	2.00
34	Salvage—recover carcass	2.00
35	Special purpose	2.00
36	Scientific collecting—fish	2.00
37	Crab pot (Recreational)	2.00
38	Crab pot (Commercial)	2.00
39	Menhaden netting	2.00
40	Food fish netting	2.00
41	Commercial fish netting	2.00
42	The amount remitted to the State Treasury for these application	
43	fees shall be deposited to the credit of the “hunters’ and anglers’	
44	license fund.”	
1	10. This act shall take effect immediately and shall be applicable	
2	to the sale of licenses, permits, and tags that are valid on or after	
3	January 1, 1987, except that the division is authorized to charge	
4	immediately the fees prescribed pursuant to sections 3 and 9 of this	
5	amendatory and supplementary act for the special season deer	
6	license.	

STATEMENT

This bill increases the fees for a variety of special use licenses, permits, tags, and stamps required for hunting and fishing in New Jersey. It also provides for the issuance of an annual wild turkey permit costing \$10.00 and a biennial rifle permit costing \$11.00. In addition, it imposes a nonrefundable application fee for the special season deer license and most other permits issued by the Division of Fish, Game and Wildlife, the purpose of which is to defer the administrative costs of the license and permit application process.

FISH, GAME, WILDLIFE

Increases certain hunting and fishing license fees.

52440(1986)

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2440

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STATE OF NEW JERSEY

DATED: DECEMBER 8, 1986

The Assembly Appropriations Committee favorably reports Senate Bill No. 2440 (OCR).

Senate Bill No. 2440 OCR would increase the fees for a number of special use licenses, permits, tags and stamps required for hunting and fishing in New Jersey. The current fees according to the statute and the increased fees are as follows:

	As in Current Statute	Proposed
Nonresident gun and bow hunting	\$55.00	\$86.00
Tags for animals or birds	\$ 0.20	\$ 0.25
Deer license	\$10.00	\$15.00
Trout Stamp (Residents)	\$ 4.75	\$ 6.25
Trout Stamp (Nonresidents)	\$ 9.50	\$11.50
Pheasant and Quail Stamp	\$15.00	\$20.00
Tags for fish from fishing preserve	\$ 0.05	\$ 0.15

Current statute also has a provision that the rates may be adjusted by the Fish and Game Council, however, that adjustment provision has been deleted in this bill.

This bill also allows the Division of Fish, Game and Wildlife in the Department of Environmental Protection to charge (a) \$10.00 for wild turkey hunting permits, (b) \$11.00 for a two-year rifle permit (c) a \$2.00 application fee for the licenses and permits issued by the division to defray the administrative costs.

FISCAL IMPACT:

The fee increases authorized by this bill would take effect for licenses, permits, tags and stamps valid after January 1, 1987. The increase for deer licenses would, however, take effect immediately. The Division of Fish, Game and Wildlife estimates an increase in revenue of approximately \$700,000.00 to \$800,000.00 annually. For FY 1986-87, this would amount to approximately \$350,000.00 to \$400,000.00 in increased revenue.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 2440

with Senate committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 22, 1986

The Senate Energy and Environment Committee favorably reports Senate Bill No. 2440 with Senate committee amendments.

This bill would increase the fees for a number of licenses, permits, tags, and stamps required for hunting and fishing in New Jersey. These increases are as follows:

	Current	Proposed Increase
Nonresident gun and bow hunting license	\$55.00	\$86.00
Tags for animals or birds	\$ 0.20	\$ 0.25
Deer license	\$10.00	\$15.00
Trout Stamp (Residents)	\$ 4.75	\$ 6.25
Trout Stamp (Nonresidents)	\$ 9.50	\$11.50
Pheasant and Quail Stamp	\$15.00	\$20.00
Tags for fish from fishing preserve	\$ 0.05	\$ 0.15

This bill would also allow the Division of Fish, Game and Wildlife in the Department of Environmental Protection to charge \$10.00 for wild turkey hunting permits, and to charge \$11.00 for a two-year rifle permit. In addition, this bill authorizes the division to charge a \$2.00 application fee for the licenses and permits issued by the division, the purpose of which is to defray the administrative costs of the license and permit application process.

The fee increases authorized by this bill would take effect for licenses, permits, tags and stamps valid after January 1, 1987. The increases for deer licenses would, however, take effect immediately.

The committee made purely technical amendments to the bill.

LEGISLATIVE FISCAL ESTIMATE TO
SENATE, No. 2440

STATE OF NEW JERSEY

DATED: NOVEMBER 18, 1986

Senate Bill No. 2440 of 1986 increases the fees for a number of licenses, permits, tags, and stamps required for hunting and fishing in New Jersey. In addition, this bill authorizes the Department of Environmental Protection to charge a \$2.00 application fee for the licenses and permits issued by the Division of Fish, Game and Wildlife, the purpose of which is to defray the administrative costs of the license and permit application process. The fee increases authorized by this bill would take effect for licenses, permits, tags and stamps valid after January 1, 1987.

The department states that FY 1987 revenues will be lower than those in succeeding years because various permits have already been issued and projections for the remainder are limited to the last half of the year. Moreover, deer permits have already been issued and distributed for Fiscal Year 1987, even though the bill authorizes immediate increases. The increase in revenue is estimated as follows:

	<i>Present Fee</i>	<i>Pro- posed Fee</i>	<i>FY 1987 Income</i>	<i>FY 1988 FY 1989 Income</i>
Licenses, Permits and Stamps:				
Deer Permit				
Firearm and Muzzleloader	\$10.00	\$15.00	**	\$200,000
Extended Bow	10.00	15.00	**	75,000
Turkey Permit	5.00	10.00	\$20,000	20,000
Trout Stamp				
Resident	5.25*	6.25	125,000	125,000
Non-Resident	10.50*	11.50	1,735	5,000
Pheasant & Quail Stamp	16.50*	20.00	70,000	70,000
Non-Resident Hunting License	61.00*	86.00	50,000	50,000
Non-Resident Bow & Arrow				
License	61.00*	86.00	30,000	30,000
Rifle Permit	11.00*	11.00
Sub-Total			\$296,000	\$575,000
Application Fees		2.00	32,450	153,234***
Total			\$328,450	\$728,234

* Fees as established by the Fish and Game Council pursuant to section 12 of P. L. 1982, c. 180.

** Deer permits have been issued and distributed for FY 1987.

*** Includes pheasant tags (increasing 5 cents to 25 cents) and fish tags (increasing 10 cents to 15 cents), adding \$2,000.00 and \$300.00, respectively.

The department anticipates that the number of items sold will remain constant, regardless of the price increases.

This legislative fiscal estimate has been prepared pursuant to P. L. 1980, c. 67.

Item	1986	1987	1988
Deer permits	1000	1000	1000
Pheasant tags	1000	1000	1000
Fish tags	1000	1000	1000
...
Total	3000	3000	3000