# 23:3-76

**LEGISLATIVE HISTORY CHECKLIST** Compiled by the NJ State Law Library

		(New Jersey Waterfowl Stamp amendments)
NJSA:	23:3-76 et al	
LAWS OF:	1992	CHAPTER: 210
BILL NO:	S764	
SPONSOR(S)	Palaia	
DATE INTRODUCE	<b>D:</b> May 7, 1992	
COMMITTEE:	ASSEMBLY:	Environment
	SENATE:	Environment
AMENDED DURING PASSAGE:		No
DATE OF PASSAGE	E: ASSEMBLY:	December 14, 1992 September 14, 1992
	SENATE:	September 14,, 1992
DATE OF APPROVA	AL: January 6,	1992
FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:		
SPONSOR STATEMENT:		Yes
COMMITTEE STATE	EMENT: ASSEME	BLY: Yes
	SENATE	: Yes
FISCAL NOTE:		Yes
VETO MESSAGE:		No
MESSAGE ON SIGNING:		No
FOLLOWING WERE PRINTED:		
REPORTS:		No
HEARINGS:		No

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## SENATE, No. 764

## STATE OF NEW JERSEY

#### INTRODUCED MAY 7, 1992

#### By Senator PALAIA

1 AN ACT concerning the New Jersey Waterfowl Stamp and 2 amending P.L.1983, c.504. 3 BE IT ENACTED by the Senate and General Assembly of the 4 5 State of New Jersey: 1. Section 2 of P.L.1983, c.504 (C.23:3-76) is amended to read 6 7 as follows: 8 2. a. No person over the age of 16 shall at any time hunt, pursue, kill, take, possess, or attempt to take with a firearm, bow **9** ' and arrow, or any other method any ducks, geese, brant, or other 10 waterfowl without procuring a New Jersey Waterfowl Stamp, as 11 12 hereinafter provided, in addition to any other licenses or permits required under Title 23 of the Revised Statutes. 13 b. The stamp issued pursuant to this act shall be designated 14 the New Jersey Waterfowl Stamp, shall be required to be in the 15 16 possession of any person engaged in hunting, pursuing, killing, 17 taking, possessing, or attempting to take with a firearm, bow and 18 arrow, or any other method any ducks, geese, brant, or other 19 waterfowl, and shall be exhibited upon the request of any 20 conservation officer, deputy conservation officer, or other law 21 enforcement official. 22 c. This section shall not apply to any person engaged in hunting, pursuing, killing, taking, possessing, or attempting to 23 24 take captive-reared mallard ducks, properly marked in 25 accordance with federal regulations, on a commercial shooting 26 preserve. 27 (cf: P.L.1983, c.504, s.2) 28 2. Section 3 of P.L.1983, c.504 (C.23:3-77) is amended to read 29 as follows: 30 3. The New Jersey Waterfowl Stamp shall be procured from 31 the Division of Fish, Game and Wildlife, or from other designated 32 agents deemed qualified by the Division of Fish, Game and 33 Wildlife. The annual fee for the New Jersey Waterfowl Stamp 34 shall be \$5.00 for persons without a valid New Jersey resident's 35 firearm hunting or bow and arrow license, and \$2.50 for persons 36 possessing a valid New Jersey resident's firearm hunting or bow 37 and arrow license. A New Jersey Waterfowl Stamp shall not be 38 valid unless it is in the possession of the licensee and contains the 39 signature of the licensee written in ink across the face of the 40 stamp. All New Jersey Waterfowl Stamps shall expire on June 30 41 of each year, unless otherwise prescribed in the State Fish and 42 Game Code. 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 <u>thus</u> is new matter.

Any person may procure the \$2.50 and \$5.00 New Jersey Waterfowl Stamps at their face value for collection purposes only. (cf: P.L.1983, c.504, s.3)

3. Section 5 of P.L.1983, c.504 (C.23:3-79) is amended to read as follows:

There is established within the "hunters' and anglers' 6 5. license fund" referred to in R.S.23:3-11 and R.S.23:3-12, a 7 separate and dedicated account to be known as the New Jersey 8 Waterfowl Stamp Account. The New Jersey Waterfowl Stamp 9 Account shall be credited with all revenues received by the 10 11 Division of Fish, Game and Wildlife from the sale of New Jersey 12 Waterfowl Stamps, [and] all revenues received by the Division of 13 Fish, Game and Wildlife from the sale of any reproduction, replica, or other utilization of the design of the New Jersey 14 Waterfowl Stamp, and all moneys or property received by the 15 Division of Fish, Game and Wildlife for any purpose enumerated 16 in this section. Moneys in the account shall be utilized by the 17 Commissioner of the Department of Environmental Protection, 18 after consultation with the New Jersey Migratory Waterfowl 19 Advisory Committee, only for funding the acquisition, protection, 20 maintenance, improvement, and enhancement of waterfowl 21 habitat and associated wetlands, including but not limited to 2Ż 23 wetlands, tributaries, marsh fringe areas, and access sites for public use of waterfowl habitat areas. The Department of 24 Environmental Protection may, upon the recommendation of the 25 New Jersey Migratory Waterfowl Advisory Committee, allocate a 26 27 percentage of the annual revenue from the New Jersey Waterfowl 28 Stamp Account to qualified nonprofit organizations in North 29 America for utilization in their waterfowl habitat programs, 30 provided that direct benefits to New Jersey waterfowl protection 31 and preservation efforts can be clearly demonstrated. The New Jersey Waterfowl Stamp Account shall be kept separate and apart 32 33 from all other funds and accounts, and shall be disbursed by the State Treasurer to the Department of Environmental Protection 34 35 only for the purposes identified in this section.

(cf: P.L.1983, c.504, s.5)

4. This act shall take effect immediately.

#### STATEMENT

This bill would make several changes to the "New Jersey Waterfowl Stamp Act," P.L.1983, c.504 (C.23:3-75 et seq.).

The bill specifically exempts hunters of properly marked 44 captive-reared mallard ducks from the requirement of obtaining the New Jersey Waterfowl Stamp; permits collectors to obtain the \$2.50 and \$5.00 stamps regardless of their residency status or licenses held; and authorizes the New Jersey Waterfowl Stamp Account to be credited with moneys and property received by the Division of Fish, Game and Wildlife for the purposes of protecting waterfowl habitats.

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SENATE ENVIRONMENT COMMITTEE

#### STATEMENT TO

### SENATE, No. 764

### STATE OF NEW JERSEY

#### DATED: JUNE 1, 1992

The Senate Environment Committee favorably reports Senate Bill No. 764.

This bill would make several changes to the "New Jersey Waterfowl Stamp Act," P.L.1983, c.504 (C.23:3-75 et seq.).

The bill specifically exempts hunters of properly marked captive-reared mallard ducks from the requirement of obtaining the New Jersey Waterfowl Stamp; permits collectors to obtain the \$2.50 and \$5.00 stamps regardless of their residency status or licenses held; and authorizes the New Jersey Waterfowl Stamp Account to be credited with moneys and property received by the Division of Fish, Game and Wildlife for the purposes of protecting waterfowl habitats.

#### ASSEMBLY ENVIRONMENT COMMITTEE

#### STATEMENT TO

## SENATE, No. 764

## STATE OF NEW JERSEY

#### DATED: OCTOBER 1, 1992

The Assembly Environment Committee favorably reports Senate Bill No. 764.

This bill would make several changes to the "New Jersey Waterfowl Stamp Act," P.L.1983, c.504 (C.23:3-75 et seq.).

The bill specifically exempts hunters of properly marked captive-reared mallard ducks from the requirement of obtaining the New Jersey Waterfowl Stamp; permits collectors to obtain the \$2.50 and \$5.00 stamps regardless of their residency status or licenses held; and authorizes the New Jersey Waterfowl Stamp Account to be credited with moneys and property received by the Division of Fish, Game and Wildlife for the purposes of protecting waterfowl habitats.

### LEGISLATIVE FISCAL ESTIMATE TO SENATE, No. 764

### STATE OF NEW JERSEY

#### DATED: August 11, 1992

Senate Bill No. 764 of 1992 exempts hunters of properly marked, captive-reared mallard ducks on a commercial shooting preserve from the requirement of obtaining the New Jersey Waterfowl Stamp. It also permits collectors to obtain the \$2.50 and \$5.00 stamps regardless of their residency status or licenses held, and authorizes the New Jersey Waterfowl Stamp account to be credited with moneys and property received by the Division of Fish, Game and Wildlife for the purposes of protecting waterfowl habitats. Revenues from this source are dedicated to the division for program and wildlife habitat support.

The Office of Legislative Services cannot estimate the amount of revenues that would be lost as a result of the bill's exemption provision because the division has not made this information available. It could be assumed, however, that the loss of revenues would probably not be significant relative to the \$200,000 in total revenues collected annually under the "N.J. Waterfowl Stamp Act" because most stamp buyers are hunters who do not frequent commercial shooting preserves. In addition, any such loss of revenues would probably be partially or totally offset by an increase in revenues from stamps purchased by collectors pursuant to the bill.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

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