LEGISLATIVE HISTORY CHECKLIST Compiled by the NJ State Law Library

NJSA: 23:3-1a

(Fish & game licensing fees)

LAWS OF: 1991

CHAPTER: 286

Bill No:

S2227

Sponsor(s):

Dalton

Date Introduced: Pre-filed

Committee: Assembly: Appropriation; Conservation

Senate:

Natural Resources; Revenue, Finance

A mended during passage:

Yes

A mendments during passage

denoted by asterisks.

Date of Passage: Assembly:

August 22, 1991

Senate:

January 14, 1991

Date of Approval: September 20, 1991

Following statements are attached if available:

Sponsor statement:

Committee Statement: Assembly: Yes

3-7-91 & 6-10-91

Senate:

Yes

1-25-90 ε 9-24-90

Fiscal Note:

Νo

Veto Message

Νo

Message on signing:

Νo

Following were printed:

Reports:

Νo

Hearings:

Νo

KBG/SLJ

[THIRD REPRINT] SENATE, No. 2227

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator DALTON

AN ACT concerning fish and game licenses and amending
 P.L.1982, c.180, R.S.23:3-3, R.S.23:3-4, P.L.1951, c.226,
 R.S.23:3-25, P.L.1986, c.198, P.L.1959, c.37, P.L.1952, c.328,
 P.L.1975, c.117, and P.L.1970, c.247.

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

- 1. Section 12 of P.L.1982, c.180 (C.23:3-1a) is amended to read as follows:
- 12. ³[For each calendar year from [1984 to 1986, inclusive] 2 [1991 to 1993] 1992 to 1994 2 , the] The 3 Fish and Game Council may, ³on one occasion only at such time as may be deemed appropriate by the Fish and Game Council, by regulation adopted by [October] August 1 of the preceding year, determine the fees for hunting, fishing and trapping licenses, permits, tags, certificates and stamps under R.S.23:3-3, R.S.23:3-4, section 2 of P.L.1951, c.226 (C.23:3-4.1), section 8 of P.L.1986, c.198 (C.23:3-4.11), R.S.23:3-25, section 7 of P.L.1986, c.198 R.S.23:3-29, section 1 of (C.23:3-27.1), P.L.1959, c.37 section 3 of P.L.1952, (C.23:3-56.1), c.328 [(C.23:3-89)] (C.23:3-59), section 3 of P.L.1975, c.117 (C.23:3-61.3), section 2 of P.L.1970, c.247 (C.23:3-63), section 5 of P.L.1970, c.247 (C.23:3-66) and section 11 of [P.L.[1982], c.[180] (C.[23:3-1.1]) (now pending before the Legislature as Assembly Bill No. 1518 of 1982)] P.L.1982, c.180 (C.23:3-1.1), in the following manner:
- a. The amount of the applicable fee [of September 30, 1983] ³[on July 31 of each year] on the effective date of P.L. , c. (C.) (now before the Legislature as this bill)³ shall be the base fee.
- b. The base fee may be adjusted ³on one occasion only at such time as may be deemed appropriate by the Fish and Game Council³ by adding to that base fee an amount equal to a percentage of the base fee as determined by the Fish and Game Council; provided, however, that the amount added ³[in any 1 year]³ shall not exceed an amount equal to 10% of the base fee.
- c. Any adjustment in fees shall be rounded to the nearest \$0.25. (cf: P.L.1982, c.180, s.12)
 - 2. Section 11 of P.L.1982, c.180 (C.23:3-1.1) is amended to

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:
Senate SNR committee amendments adopted January 25, 1990.
Senate SRF committee amendments adopted September 24, 1990.
Senate floor amendments adopted December 13, 1990.

read as follows:

- 11. a. The Division of Fish, Game and Wildlife 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 of Fish, Game and Wildlife 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. The division shall determine the form of the "All Around Sportsman License." The fee for this license shall be [\$42.75] \$54.50 and an issuance fee of \$0.50, or as adjusted by the Fish and Game Council pursuant to section 12 of [P.L.[1982], c.[180] (C.[23:3-1a])] P.L.1982, c.180 (C.23:3-1a). The amounts remitted to the State Treasury from the collection of this fee shall be deposited to the credit of the "hunters' and anglers' license fund."

(cf: P.L.1982, c.180, s.11)

- 3. R.S.23:3-3 is amended to read as follows:
- 23:3-3. The division may, in its discretion, issue a license to a citizen of the United States above 10 years and below 14 years of age, who has successfully completed a course in gun or bow and arrow safety, as the case may be, as required in accordance with this title, when applied for by his parent or legal guardian, authorizing him to hunt only when accompanied by a holder, above 21 years of age, of a regular resident's or nonresident's firearm or bow and arrow license, as the case may be. This license shall be void after December 31 next succeeding its issuance. The fee for this license shall be [\$2.50] \$2.75, or as adjusted by the Fish and Game Council pursuant to section 12 of [P.L.[1982], c.[180] (C.[23:3-1a])] P.L.1982, c.180 (C.23:3-1a). These fees shall be remitted to the State Treasurer, and placed to the credit of the "hunters' and anglers' license fund," and be disbursed by the State Treasurer on vouchers certified by the division.
- 46 (cf: P.L.1982, c.180, s.1)
- 47 4. R.S.23:3-4 is amended to read as follows:
- 48 23:3-4. The licenses issued under this article shall be as

follows:

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 a. 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 of five kinds and 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 and the resident's family fishing license. The Fish and Game Council in the Division of Fish, Game and Wildlife of the Department of Environmental Protection shall have the authority to adopt and promulgate regulations for family fishing licenses.

The resident's firearm hunting license shall authorize its holder to hunt with hounds and firearms only, and a fee of [\$16.25] \$19.50 and an issuance fee of \$0.50 shall be charged therefor, except that a person 14 or 15 years of age and a person above the age of 65 shall be charged a fee of [\$8.50] \$9.25 and an issuance fee of \$0.50. The resident's bow and arrow license shall authorize its holder to hunt with bow and arrow only, and a fee of [\$18.00] \$23.50 and an issuance fee of \$0.50 shall be charged therefor, except that a person 14 or 15 years of age and a person above the age of 65 shall be charged a fee of [\$9.50] \$10.50 and an issuance fee of \$0.50. The resident's trapping license shall authorize its holder to trap only, and a fee of [\$24.00] \$31.50 and an issuance fee of \$0.50 shall be charged therefor, except that a person 12, 13, 14 or 15 years of age shall be charged a fee of [\$12.00] \$13.25 and an issuance fee of \$0.50. The resident's fishing license shall authorize its holder to fish only, and a fee of [\$10.75] \$14.50 and an issuance fee of \$0.50 shall be charged therefor, except that in any case where the applicant is 70 or more years of age and is otherwise qualified, no fee, except an application fee pursuant to section 9 of P.L.1986, c.198 (C.23:3-1c), shall be charged, and a person 14 or 15 years of age and a person above the age of 65 shall be charged a fee of [\$6.00] \$6.50 and an issuance fee of \$0.50.

The resident's family fishing license shall authorize the parents or guardians and their children, foster children or wards between the ages of 14 and 18, named therein, to fish only. The fee for the parent's license permitting fishing only by the father or mother, or both, or the guardian shall be [\$14.50] \$24.50 and an issuance fee of \$0.50; and each child, foster child or ward named therein shall be required to have and shall be issued an individual supplementary license as a member of such family, at a fee of [\$1.25] \$1.50 and an issuance fee of \$0.50. The license shall be invalid from the date of its issuance when issued to a person not entitled thereto. Any person, a resident of this State, who is

afflicted with total blindness, upon application to the Division of Fish, Game and Wildlife, shall be entitled to a resident's fishing license without fee or charge.

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

The fees for the nonresident's firearm hunting license and the nonresident's bow and arrow license shall each be [\$86.00] \$99.50 and an issuance fee of \$0.50.

The fees for the nonresident's trapping license shall be [\$120.00] \$149.50 and an issuance fee of \$0.50. The fee for a nonresident's two-day small game firearm hunting license shall be [\$18.00] \$24.50 and an issuance fee of \$0.50.

c. A license issued to a person above 14 years of age not entitled to a resident's license, authorizing him to fish only. These licenses shall be designated as the nonresident's fishing license and the nonresident's seven-day vacation fishing license, valid for a period of seven consecutive days. The fees for these licenses shall be [\$16.75] \$22.50 for the annual fishing license, together with an issuance fee of \$0.50, and [\$8.50] \$14.50 and an issuance fee of \$0.50 for the seven-day vacation fishing license.

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 [and] seven-day fishing license, which is valid only for seven consecutive days after 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.

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.1986, c.198, s.1)

- 5. Section 2 of P.L.1951, c.226 (C.23:3-4.1) is amended to read as follows:
- 2. The division may, in its discretion, issue a license to a person above the age of 14 years authorizing him to hunt for 1 day only in areas licensed under [subdivisions B. and D.] subsections b. and d. of R.S.23:3-29, or at a shoot to kill field trial which is being held under a proper permit from the division. The fee for this license shall be [\$4.75] \$6.50, or as adjusted by the Fish and Game Council pursuant to section [[12] of P.L. [1982] c. [180] (C. [23:3-1a]) (now pending before the Legislature as Assembly Bill No. 1518 of 1982)] 12 of P.L.1982, c.180

(C.23:3-1a), and an issuance fee of \$0.50 shall be charged therefor. The fees collected hereunder shall be remitted to the State Treasurer, and placed to the credit of the "hunters' and anglers' license fund," and be disbursed by the State Treasurer on vouchers certified to by the division.

(cf: P.L.1982, c.180, s.3)

- 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 of Fish, Game and Wildlife is authorized to charge a fee of \$11.00 for each permit issued. 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.1986, c.198, s.8)

- 7. R.S.23:3-25 is amended to read as follows:
- 23:3-25. The fee for this stamp shall be [\$2.00] \$2.50, or as adjusted by the Fish and Game Council pursuant to section 12 of [P.L.[1982], c.[180], (C.[23:3-1a]) (now pending before the Legislature as Assembly Bill No. 1518 of 1982)] P.L.1982, c.180 (C.23:3-1a). The amounts remitted to the State Treasury for stamps issued under R.S.23:3-24 shall be placed to the credit of the "hunters' and anglers' license fund," mentioned in R.S.23:3-12.

(cf: P.L.1982, c.180, s.4)

- 33 8. 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 of Fish, Game and Wildlife is authorized to charge a fee of [\$10.00] \$13.00, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), 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."
- 43 License Fund."
- 44 (cf: P.L.1986, c.198, s.7)
- 9. Section 1 of P.L.1959, c.37 (C.23:3-56.1) is amended to read as follows:
- 1. When the Fish and Game Council has established a season for deer of either sex and has fixed a certain number of licenses

to be issued for such harvest, the division is authorized to charge 1 2 a fee of [\$15.00] \$18.00, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), for 3 each license so issued, which fee shall be in addition to any other 4 5 fees authorized by law. No such fee shall be required of the occupant of a farm in this State, who actually resides thereon, or 6 the members of his immediate family who also reside thereon, 7 provided such person or persons are otherwise authorized to 8 participate in such limited harvest. The exemption of this 9 section shall not apply to a person residing on the farm or in a 10 tenant house thereon who is not a member of the occupant's 11 family, nor to a servant of the occupant. 12

(cf: P.L.1986, c.198, s.3) 13

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- 10. Section 3 of P.L.1952, c.328 (C.23:3-59) is amended to read as follows:
- 3. The fee for this stamp shall be [\$6.25] \$7.00 for residents and [\$11.50] \$14.00 for nonresidents, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a). The amounts remitted to the State Treasury for stamps issued under this law shall be placed to the credit of the "Hunters' and Anglers' License Fund" mentioned in R.S.23:3-12. (cf: P.L.1986, c.198, s.4)
- 11. 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 [\$20.00] $^{1}[\$25.00]$ $\$20.00^{1}$, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a) 1[, except that for a person 14 or 15 years of age or above the age of 65, the fee for this stamp shall be \$20.00, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a)]¹. 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.1986, c.198, s.5)

- 12. Section 5 of P.L.1970, c.247 (C.23:3-66) is amended to read as follows:
- 5. (a) All fish stocked in the waters of the fishing preserve in accordance with subsection (b) of section 2 of this act that are taken from the licensed fishing preserve waters shall be immediately tagged as prescribed in the license or by order of the division. Such tags shall be furnished by the division and sold to the licensee at the cost of \$0.15 per tag, or as adjusted by the Fish and Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a).
- (b) The tag so affixed shall not be removed from the fish until the same is finally prepared for consumption.
- (c) No fish, required to be tagged as specified in subsection (a) of this section, taken pursuant to this act, shall be possessed off

the premises of the fishing preserve without such tag, and no person shall sell such fish without such tag attached, except for scientific, exhibition or stocking purposes.

(d) Fish taken from such fishing preserves and tagged as provided in this section may be possessed, bought, sold and offered for sale, and transported without restriction. Fish raised or possessed under licenses issued under this act may be sold at any time for scientific, exhibition, propagation or stocking purposes.

(cf: P.L.1986, c.198, s.6)

³13. (New section) The Department of the Treasury shall, within 180 days of the effective date of this act, conduct or cause to be conducted a financial and performance audit of the Division of Fish, Game and Wildlife in the Department of Environmental Protection, and transmit a copy of that audit to the Governor and to each member of the Legislature.³

³[13.] 14.³ This act shall take effect immediately ¹[and shall be applicable to the sale of licenses, permits, stamps, tags, and certificates that are valid on or after January 1, 1990, except section 9 shall remain inoperative until January 1, 1990]¹ ² and shall apply to the sale of licenses, permits, stamps, tags and certificates that are valid on or after January 1, 1991, except that section 9 shall remain inoperative until January 1, 1991².

NATURAL RESOURCES

Increases certain fish and game license fees.

1	or possessed under licenses issued under this act may be sold at
2	any time for scientific, exhibition, propagation or stocking
3	purposes.
4	(cf: P.L.1986, c.198, s.6)
5	13. This act shall take effect immediately and shall be
6	applicable to the sale of licenses, permits, stamps, tags, and
7	certificates that are valid on or after January 1, 1990, except
8	section 9 shall remain inoperative until January 1, 1990.
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STATEMENT

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This bill increases certain hunting, fishing, and trapping license fees and, permit, stamp, tag, and certificate fees for 1990 and authorizes the State Fish and Game Council to increase these and certain other such fees by an amount up to 10% of the base fee in each of the following years: 1991, 1992 and 1993.

Currently, approximately \$9,400,000 is received from all fees collected by the State Fish and Game Council. The Department of Environmental Protection estimates that from the fees increased in this bill an additional \$1,287,000 will be generated. The fees are dedicated for wildlife management purposes. The department believes the increases will make the wildlife management programs financially self-sufficient.

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NATURAL RESOURCES

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Increases certain fish and game license fees.

ASSEMBLY CONSERVATION AND NATURAL RESOURCES COMMITTEE

STATEMENT TO

[THIRD REPRINT] SENATE, No. 2227

STATE OF NEW JERSEY

DATED: MARCH 7, 1991

The Assembly Conservation and Natural Resources Committee favorably reports Senate Bill No. 2227 (3R).

This bill would statutorily increase certain hunting, fishing, and trapping license, permit, stamp, tag, and certificate fees, and authorize the State Fish and Game Council on one occasion only to increase these and certain other such fees by an amount up to 10% of the statutory base fee.

The bill would also require the Department of the Treasury to, within 180 days of the effective date of the act, conduct or cause to be conducted a financial and performance audit of the Division of Fish, Game and Wildlife in the Department of Environmental Protection, and to transmit a copy of that audit to the Governor and to each member of the Legislature.

The Division of Fish, Game and Wildlife and a representative from the New Jersey State Federation of Sportsmen's Clubs testified at the committee meeting in support of the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[THIRD REPRINT] SENATE, No. 2227

STATE OF NEW JERSEY

DATED: JUNE 10, 1991

The Assembly Appropriations Committee reports favorably Senate Bill No. 2227 [3R].

Senate Bill No. 2227 [3R] statutorily increases certain hunting, fishing, and trapping license, permit, stamp, tag, and certificate fees, and authorizes the State Fish and Game Council on one occasion only to increase these and certain other such fees by an amount up to 10% of the statutory base fee.

The bill also requires the Department of Treasury, within 180 days of the effective date of the act, to conduct or cause to be conducted a financial and performance audit of the Division of Fish, Game and Wildlife in the Department of Environmental Protection. Copies of the audit are to be transmitted to the Governor and each member of the Legislature.

The bill is identical to Assembly Bill No. 1419 [1R] as amended by this committee.

FISCAL IMPACT:

There is no fiscal note prepared on this bill. However, on a similar bill last session, the Department of Environmental Protection estimated the increased revenues from the fee increases to be approximately \$1.3 million.

SENATE NATURAL RESOURCES AND AGRICULTURE COMMITTEE

STATEMENT TO

SENATE, No. 2227

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 25, 1990

The Senate Natural Resources and Agriculture Committee favorably reports Senate Bill No. 2227 with Senate committee amendments.

This bill increases certain hunting, fishing, and trapping license fees and, permit, stamp, tag, and certificate fees for 1990 and authorizes the State Fish and Game Council to increase these and certain other such fees by an amount up to 10% of the base fee in each of the following years: 1991, 1992 and 1993.

The committee amended the bill to return the price of the pheasant and quail stamp to the current statutorily mandated amount of \$20, although the Fish and Game Council would retain the authority to increase the fee as described above. The committee also amended the bill to make it effective upon enactment.

This bill was prefiled for introduction in the 1990 session pending technical review. As reported the bill includes the changes required by technical review, which has been performed.

SENATE REVENUE, FINANCE AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT] SENATE, No. 2227

with Senate committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 24, 1990

The Senate Revenue, Finance and Appropriations Committee favorably reports Senate Bill No. 2227 1R, with committee amendments.

Senate Bill No. 2227 1R, as amended, increases certain hunting, fishing, and trapping license fees and permit, stamp, tag, and certificate fees for calendar year 1991 and authorizes the State Fish and Game Council to increase these and certain other such fees by an amount up to 10% of the base fee in each of the following years: 1992, 1993 and 1994.

COMMITTEE AMENDMENTS

The Committee amendments adjust the year in which increases may take place. The increases shall begin January 1, 1991 and then may be increased again by the council in 1992, 1993 and 1994.

FISCAL IMPACT

This bill contains no appropriation. Currently, approximately \$9,400,000 is received from all fees collected by the State Fish and Game Council. The Department of Environmental Protection estimates that from the fees increased in this bill an additional \$1,245,655 will be generated on a calendar year basis. The fees are dedicated for wildlife management purposes.