

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 573

STATE OF NEW JERSEY
216th LEGISLATURE

ADOPTED JANUARY 13, 2015

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

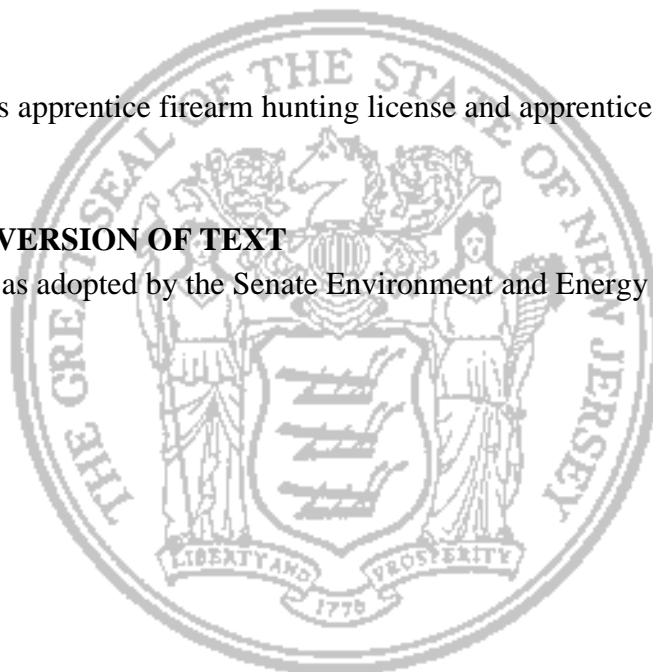
Senators Beck, Oroho and Norcross

SYNOPSIS

Establishes apprentice firearm hunting license and apprentice bow and arrow license.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Environment and Energy Committee.



(Sponsorship Updated As Of: 6/26/2015)

1 AN ACT concerning hunting licenses, supplementing Title 23 of the
2 Revised Statutes, and amending various parts of the statutory
3 law.
4

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

7
8 1. R.S.23:1-1 is amended to read as follows:

9 23:1-1. As used in this title:

10 "Apprentice license" means any resident's apprentice firearm
11 hunting license, resident's apprentice bow and arrow license,
12 nonresident's apprentice firearm hunting license, or nonresident's
13 apprentice bow and arrow license issued pursuant to R.S.23:3-4.

14 "Assistant protector" or "assistant fish and game protector"
15 means the Deputy Chief of the Bureau of Law Enforcement in the
16 division;

17 "Closed season" means the date and time of year when wildlife
18 may not be captured, taken, killed, or had in possession in the field;

19 "Code" means the State Fish and Game Code;

20 "Conservation officer" means any sworn, salaried member of the
21 Bureau of Law Enforcement in the division holding the titles of
22 Conservation Officer I, II, or III, and includes the titles of
23 Supervising Conservation Officer and Chief of the Bureau of Law
24 Enforcement;

25 "Council" means the Fish and Game Council in the Division of
26 Fish and Wildlife in the Department of Environmental Protection;

27 "Delaware river" means the waters of the Delaware river from
28 the Pennsylvania shore to the New Jersey shore, or in the case of
29 any tributaries or inland bays on the New Jersey side, to the mouths
30 of those tributaries or bays;

31 "Deputy warden" or "deputy fish and game warden" means any
32 commissioned deputy conservation officer of the Bureau of Law
33 Enforcement in the division;

34 "Division," "Division of Fish, Game and Wildlife," "board," or
35 "Board of Fish and Game Commissioners" means the Division of
36 Fish and Wildlife in the Department of Environmental Protection;

37 "Fishing" means the possession of an instrument used to take fish
38 in a condition that makes the instrument readily usable, while in a
39 place or in proximity thereto where fish may be found;

40 "Hunting" means the possession of an instrument used to take
41 wildlife in a condition that makes the instrument readily usable,
42 while in a place or in proximity thereto where wildlife may be
43 found;

44 "Open season" means the date and time of year when wildlife
45 may be captured, taken, killed, or had in possession;

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 "Protector" or "fish and game protector" means the Chief of the
2 Bureau of Law Enforcement in the division;

3 "Warden" or "fish and game warden" means a conservation
4 officer;

5 "Wildlife" means any wild mammal, bird, reptile, amphibian,
6 fish, mollusk, crustacean or other wild animal or any part, product,
7 egg or offspring or the dead body or parts thereof.

8 (cf: P.L.1999, c.282, s.1)

9
10 2. (New section) a. The Division of Fish and Wildlife may, in
11 its discretion, issue an apprentice firearm hunting license to a
12 citizen of the United States above 14 years of age. The division
13 shall not require an applicant to complete a course in gun safety as a
14 condition of issuing an apprentice firearm hunting license to an
15 applicant. The license shall authorize a licensee to hunt only with
16 hounds or firearms and only when accompanied by a holder, above
17 21 years of age, of a regular resident's or nonresident's firearm
18 hunting license. A person may not serve as an accompanying
19 firearm hunting license holder to more than one holder of an
20 apprentice firearm hunting license at a time. The apprentice firearm
21 hunting license shall be void after December 31 of the year of its
22 issuance and may be issued to a person only twice during the
23 person's lifetime. The accompanying firearm hunting license holder
24 shall be subject to all penalties for violations committed by the
25 holder of the apprentice firearm hunting license while under their
26 direct supervision.

27 As used in this subsection, "direct supervision" means the holder
28 of the apprentice firearm hunting license and the accompanying
29 firearm hunting license holder are hunting together as a unit at the
30 same location.

31 b. The division may, its discretion, issue an apprentice bow and
32 arrow license to a citizen of the United States above 14 years of
33 age. The division shall not require an applicant to complete a
34 course in bow and arrow safety as a condition of issuing an
35 apprentice firearm hunting license to an applicant. The license shall
36 authorize a licensee to hunt only with bow and arrow and only when
37 accompanied by a holder, above 21 years of age, of a regular
38 resident's or nonresident's bow and arrow license. The apprentice
39 bow and arrow license shall be void after December 31 of the year
40 of its issuance and may be issued to a person only twice during the
41 person's lifetime.

42
43 3. R.S.23:3-4 is amended to read as follows:

44 23:3-4. The licenses issued under this article shall **be as**
45 **follows** include, among others authorized by law, the following:

46 a. A license issued to a person above 16 years of age, or in the
47 case of an apprentice firearm hunting license or an apprentice bow

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

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

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

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

31 (b) The resident's apprentice bow and arrow license shall
32 authorize its holder to hunt only with bow and arrow and only when
33 accompanied by a holder, above 21 years of age, of a regular
34 resident's or nonresident's bow and arrow license. A fee of \$30.50
35 and an issuance fee of \$1.00 shall be charged for a resident's
36 apprentice bow and arrow license, except that a person above the
37 age of 65 years shall be charged a fee of \$15.50 and an issuance fee
38 of \$1.00. The resident's apprentice bow and arrow license may be
39 issued to a person only twice during the lifetime of the person.

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

44 (4) The resident's fishing license shall authorize its holder to
45 fish only, and a fee of \$21.50 and an issuance fee of \$1.00 shall be
46 charged therefor, except that (a) in any case where the applicant is
47 above 70 years of age and is otherwise qualified, no license shall be

1 required, and (b) a person above 65 years and under 70 years of age
2 shall be charged a fee of \$11.50 and an issuance fee of \$1.00.

3 (5) Any resident of this State who is afflicted with total
4 blindness, upon application to the division, shall be entitled to a
5 resident's fishing license without fee or charge.

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

18 A nonresident's apprentice firearm hunting license shall
19 authorize its holder to hunt only with hounds and firearms and only
20 when accompanied by a holder, above 21 years of age, of a regular
21 resident's or nonresident's firearm hunting license. A nonresident's
22 apprentice bow and arrow license shall authorize its holder to hunt
23 with bow and arrow only and only when accompanied by a holder,
24 above 21 years of age, of a regular resident's or nonresident's bow
25 and arrow license. The nonresident's apprentice firearm hunting
26 license and the nonresident's apprentice bow and arrow license may
27 each be issued to a person only twice during the lifetime of the
28 person.

29 (1) The fees for the nonresident's firearm hunting license
30 **[and]**, the nonresident's apprentice firearm hunting license, the
31 nonresident's bow and arrow license, and the nonresident's
32 apprentice bow and arrow license shall each be \$134.50 and an
33 issuance fee of \$1.00.

34 (2) The fee for the nonresident's trapping license shall be
35 \$199.50 and an issuance fee of \$1.00.

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

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

44 (1) The fee for the nonresident's annual fishing license shall be
45 \$33.00 and an issuance fee of \$1.00.

46 (2) The fee for the nonresident's two-day fishing license shall be
47 \$8.00 and an issuance fee of \$1.00.

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

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

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

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

17 (cf: P.L.1999, c.282, s.10)

18

19 4. Section 1 of P.L.1954, c.57 (C.23:3-4.2) is amended to read
20 as follows:

21 1. a. Notwithstanding any provisions contained in sections
22 23:3-1 to 23:3-22 of the Revised Statutes, concerning the issuance
23 of resident or nonresident firearm hunting licenses, at the time an
24 application for a firearm hunting license that is not an apprentice
25 license is made by an applicant above the age of 10, to whom a
26 license other than an apprentice license has not previously been
27 issued, such applicant shall present to the issuing agent a certificate
28 stating that the applicant has satisfactorily completed a course in
29 gun safety, which shall be signed by an agent of the Division of
30 Fish **【, Game and Shell Fisheries】** and Wildlife designated for the
31 purpose whose fitness to give instructions in safe gun handling has
32 been determined by the Division of Fish **【, Game and Shell**
33 **Fisheries】** and Wildlife of the Department of Environmental
34 Protection. A person above the age of 10 who previously has **【had】**
35 held a license to engage in hunting **【issued to him】** , other than an
36 apprentice license, shall not be entitled to purchase another such
37 license in a subsequent year unless at the time of making
38 application he shall submit to the license issuing agent his license of
39 a previous year, or a certification from the Division of Fish **【, Game**
40 **and Shell Fisheries】** and Wildlife stating that he held such a license.

41 b. An applicant for an apprentice firearm hunting license shall
42 be exempt from the requirement to show that the person has
43 completed a course in gun safety as provided in subsection a. of this
44 section.

45 (cf: P.L.1971, c.381, s.2)

1 5. Section 6 of P.L.1954, c.57 (C.23:3-4.7) is amended to read
2 as follows:

3 6. No license issuing agent shall issue a firearm hunting
4 license, other than an apprentice license, to a person above the age
5 of 10, **【who has not】** unless the person has submitted **【his】** a
6 firearm hunting license of a previous year that is not an apprentice
7 license, or a certificate showing that he has successfully completed
8 a course in gun safety given by an individual duly designated by the
9 New Jersey Division of Fish **【, Game and Shell Fisheries and any】**
10 and Wildlife. Any person above the age of 10 who obtains a
11 hunting license under false information within the scope of this act
12 shall be subject to a fine of not less than **【\$20.00】** \$20 nor more
13 than **【\$200.00】** \$200 for each offense.

14 (cf: P.L.1971, c.381, s.4)

15

16 6. Section 1 of P.L.1957, c.195 (C.23:3-7.1) is amended to read
17 as follows:

18 1. a. Notwithstanding any provisions contained in sections
19 23:3-1 to 23:3-22 of the Revised Statutes, concerning the issuance
20 of resident or nonresident bow and arrow licenses, any person
21 applying for a bow and arrow license, other than an apprentice
22 license, must present to the issuing agent either a certificate stating
23 that the applicant has satisfactorily completed a course in bow and
24 arrow safety and proficiency, which shall be signed by an agent of
25 the Division of Fish and **【Game】** Wildlife designated for the
26 purpose whose fitness to give instructions in bow handling has been
27 determined by the Division of Fish and **【Game】** Wildlife of the
28 Department of **【Conservation and Economic Development】**
29 Environmental Protection, or a previously issued bow and arrow
30 license that is not an apprentice license.

31 b. An applicant for an apprentice bow and arrow license shall
32 be exempt from the requirement to show that the person has
33 completed a course in bow and arrow safety and proficiency as
34 provided in subsection a. of this section.

35 (cf: P.L.1957, c.195, s.1)

36

37 7. Section 6 of P.L.1957, c.195 (C.23:3-7.6) is amended to read
38 as follows:

39 6. No license issuing agent shall issue a bow and arrow license,
40 other than an apprentice license, to any person **【who has not been**
41 **issued】** , unless the person has submitted a bow and arrow license
42 **【in】** of a previous year **【unless such person】** that is not an
43 apprentice license, or presents a certificate showing that he has
44 successfully completed a course in bow and arrow safety and
45 proficiency, given by an individual duly designated by the New
46 Jersey Division of Fish and **【Game and any】** Wildlife. Any person

1 who obtains a bow and arrow hunting license under false
2 information within the scope of this act shall be subject to a fine of
3 **[\$20.00]** \$20.
4 (cf: P.L.1957, c.195, s.6)

5
6 8. Section 1 of P.L.1958, c.27 (C.23:3-21.1) is amended to read
7 as follows:

8 1. Any person who directly or indirectly sells, gives or
9 furnishes to a minor under 16 years of age, other than the holder of
10 a valid bow and arrow hunting license or an apprentice bow and
11 arrow license issued pursuant to R.S. 23:3-4, any pointed or metal
12 tipped arrow, except **[1]** one designed solely for target use, **[is a]**
13 shall be guilty of a disorderly **[person]** persons offense.
14 (cf: P.L.1958, c.27, s.1)

15
16 9. Section 2 of P.L.1958, c.27 (C.23:3-21.2) is amended to read
17 as follows:

18 2. Any minor under 16 years of age, other than **[1]** one who is
19 the holder of a valid bow and arrow hunting license, or the holder of
20 an apprentice bow and arrow license under the personal supervision
21 of the holder of a regular resident's or nonresident's bow and arrow
22 license, who shall shoot any pointed or metal tipped arrow,
23 including such as is designed solely for target use, except in the
24 presence, and under the personal supervision, of an instructor or an
25 adult is guilty of juvenile delinquency.
26 (cf: P.L.1958, c.27, s.2)

27
28 10. This act shall take effect immediately.