

ASSEMBLY, No. 1270

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen COLLINS and STUHLTRAGER

1 AN ACT concerning farmers and hunting licenses and amending
2 P.L.1959, c.37.

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

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

9 1. When the Fish and Game Council has established a season for
10 deer of either sex and has fixed a certain number of **[licenses]** permits
11 to be issued for such harvest, the division is authorized to charge a fee
12 of \$18.00, or as adjusted by the Fish and Game Council pursuant to
13 section 12 of P.L.1982, c.180 (C.23:3-1a), for each **[license]** permit
14 so issued, which fee shall be in addition to any other fees authorized
15 by law. No such fee shall be required of **[the occupant of a farm in this**
16 **State, who actually resides thereon]**, a qualified farmer or the spouse
17 or children of that farmer who reside in the farmer's household,
18 provided such person or persons are otherwise authorized to
19 participate in such limited harvest. The exemption of this section shall
20 not apply to a person residing on the farm or in a tenant house thereon
21 who is not **[a member of the occupant's family]** the spouse or a child
22 of the qualified farmer, nor to **[a servant]** an employee of the
23 **[occupant]** qualified farmer.

24 For the purposes of this section, a qualified farmer means a person
25 who: (a) owns or leases a farm on which the person resides that: (1)
26 is at least five acres in area; (2) produces a gross annual income of at
27 least \$500.00; and (3) is valued, assessed and taxed as land actively
28 devoted to agricultural or horticultural use pursuant to the "Farmland
29 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.); or

30 (b) owns or leases a farm on which the person does not reside
31 provided that: (1) the person actively farms at least 50 contiguous
32 acres; (2) the person can document that at least 33% of his gross

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 annual income is from the sale of agricultural products; and (3) the
2 farm is valued, assessed and taxed as land actively devoted to
3 agricultural or horticultural use pursuant to the "Farmland Assessment
4 Act of 1964," P.L. 1964, c. 48 (C.54:4-23.1 et seq.). The exemption
5 provided under this section shall be limited to no more than one per
6 person eligible under the criteria of this section.

7 (cf: P.L.1991, c.286, s.9)

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9 2. This act shall take effect immediately.

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STATEMENT

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14 This bill defines and clarifies those who may qualify as a farmer for
15 the purpose of obtaining the fee exemption provided for farmers for
16 permits to hunt during an either sex deer hunting season.

17 The bill would define a qualified farmer as a person who: (a) owns
18 or leases a farm on which the person resides that: (1) is at least five
19 acres in area; (2) produces a gross annual income of at least \$500; and
20 (3) is valued, assessed and taxed as land actively devoted to
21 agricultural or horticultural use pursuant to the "Farmland Assessment
22 Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.); or (b) owns or
23 leases a farm on which the person does not reside provided that: (1)
24 the person actively farms at least 50 contiguous acres; (2) the person
25 can document that at least 33% of the person's gross annual income is
26 from the sale of agricultural products; and (3) the farm is valued,
27 assessed and taxed as land actively devoted to agricultural or
28 horticultural use pursuant to the "Farmland Assessment Act of 1964",
29 P.L.1964, c.48 (C.54:4-23.1 et seq.).

30 The bill provides that the exemption shall be limited to no more
31 than one per person eligible under the criteria set forth in the bill.

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37 Defines who may qualify as farmer for license fee exemption for either
sex deer hunting season.