

SENATE, No. 2309

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 17, 1997

By Senators LITTELL, INVERSO, LaRossa, Lipman, Kenny  
and Ewing

1 AN ACT concerning fish and wildlife, amending various sections of  
2 Title 23 of the Revised Statutes, supplementing Title 23 of the  
3 Revised Statutes, and repealing R.S.23:3-23, R.S.23:3-24,  
4 R.S.23:3-25, and R.S.23:3-26.

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

- 8  
9 1. R.S.23:1-1 is amended to read as follows:  
10 23:1-1. As used in this [Title] title :  
11 ["Delaware river" means the waters of the Delaware river from the  
12 Pennsylvania shore to the New Jersey shore, or in the case of any  
13 tributaries or inland bays on the New Jersey side, to the mouths of  
14 those tributaries or bays;  
15 "Division," "board," or "Board of Fish and Game Commissioners"  
16 means the Division of Fish, Game and Wildlife in the Department of  
17 Environmental Protection;  
18 "Council" means the Fish and Game Council in the Division of Fish,  
19 Game and Wildlife in the Department of Environmental Protection;  
20 "Code" means the State Fish and Game Code;  
21 "Protector" or "fish and game protector" means chief conservation  
22 officer;  
23 "Assistant protector" or "assistant fish and game protector" means  
24 district conservation officer;  
25 "Warden" or "fish and game warden" means assistant district  
26 conservation officer or conservation officer;  
27 "Deputy warden" or "deputy fish and game warden" means deputy  
28 conservation officer;  
29 "Open season" means the time during the year when fish, game,  
30 birds or animals, as the case may be, may be captured, taken, killed or  
31 had in possession; and  
32 "Closed season" means the time during the year when fish, game,  
33 birds or animals, as the case may be, may not be captured, taken, killed

**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 or had in possession.]

2 "Assistant protector" or "assistant fish and game protector" means  
3 district conservation officer;

4 "Closed season" means the time during the year when fish, game,  
5 birds or animals, as the case may be, may not be captured, taken, killed  
6 or had in possession;

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

8 "Council" means the Fish and Game Council in the Division of Fish  
9 and Wildlife in the Department of Environmental Protection;

10 "Delaware river" means the waters of the Delaware river from the  
11 Pennsylvania shore to the New Jersey shore, or in the case of any  
12 tributaries or inland bays on the New Jersey side, to the mouths of  
13 those tributaries or bays;

14 "Deputy warden" or "deputy fish and game warden" means deputy  
15 conservation officer;

16 "Division," "board," or "Board of Fish and Game Commissioners"  
17 means the Division of Fish and Wildlife in the Department of  
18 Environmental Protection;

19 "Open season" means the time during the year when fish, game,  
20 birds or animals, as the case may be, may be captured, taken, killed or  
21 had in possession;

22 "Protector" or "fish and game protector" means chief conservation  
23 officer; and

24 "Warden" or "fish and game warden" means assistant district  
25 conservation officer or conservation officer.

26 (cf: P.L.1993, c.20, s.1)

27

28 2. (New section) a. The Division of Fish, Game and Wildlife is  
29 continued and constituted as the Division of Fish and Wildlife in the  
30 Department of Environmental Protection. All the functions, powers,  
31 and duties of the existing Division of Fish, Game and Wildlife and the  
32 director thereof are continued in the Division of Fish and Wildlife and  
33 the director thereof, and whenever the term "Division of Fish, Game  
34 and Wildlife" occurs or any reference is made thereto in any law,  
35 contract, or document, it shall be deemed or mean to refer to the  
36 Division of Fish and Wildlife.

37 b. The Fish and Game Council, together with all its functions,  
38 powers and duties, is continued as the Fish and Game Council in the  
39 Division of Fish and Wildlife in the Department of Environmental  
40 Protection.

41

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

43 23:3-1. a. A person shall not at any time hunt, take or attempt to  
44 take, kill or pursue, with a gun or any firearm of any kind or character,  
45 or with longbow and arrow, a wild bird, animal or fowl, or take or  
46 attempt to take any skunk, mink, muskrat, or other fur-bearing animal

1 by means of a trap, or set a trap for any fur-bearing animal, nor shall  
2 any person above the age of [14] 15 years at any time take or attempt  
3 to take fish in any of the fresh waters of this State by the method  
4 commonly known as angling with a hand line or rod and line, or with  
5 longbow and arrow, unless he has first procured a proper license.

6 b. A person shall not engage in hunting, fishing or trapping unless  
7 the appropriate license or tag as prescribed hereunder is visibly  
8 displayed in a holder in a conspicuous place on the outer clothing at  
9 the time of such hunting, fishing or trapping. A licensee shall exhibit  
10 his license and tag for inspection to any conservation officer, deputy  
11 conservation officer, police officer or other person requesting to see  
12 it.

13 c. A person under 12 years of age shall not be issued a trapping  
14 license.

15 d. A person who is on active duty with any branch or department  
16 of the armed service of the United States shall be entitled to hunt or  
17 fish upon obtaining the proper resident license therefor.

18 e. Nothing in this section shall prevent the occupant of a farm in  
19 this State, who actually resides thereon, or the immediate members of  
20 his family who also reside thereon, from hunting for, taking, killing or  
21 pursuing with a gun or firearm or a longbow and arrow on the farm a  
22 wild bird, animal or fowl, from taking any skunk, mink, muskrat, or  
23 other fur-bearing animal by means of a trap or from setting a trap for  
24 a fur-bearing animal on the farm, or from taking fish on the farm with  
25 hand line, rod and line, or longbow and arrow in the manner provided  
26 by law during the time when it is lawful so to do, without being  
27 licensed hereunder. The exemption provided pursuant to this  
28 subsection shall not apply to a person residing on the farm or in a  
29 tenant house thereon who is not a member of the occupant's family,  
30 nor to a servant of the occupant.

31 f. (1) Any person found hunting, fishing or trapping without the  
32 proper license or tag as may be required conspicuously displayed  
33 pursuant to subsection b. of this section shall be liable to a penalty of  
34 \$10 and costs, to be recovered pursuant to the provisions of Title 23,  
35 chapter 10, of the Revised Statutes.

36 (2) Any person who violates any provision of this section for which  
37 a penalty is not otherwise expressly provided, shall be liable to a  
38 penalty of not less than \$50 nor more than \$200 for each offense.

39 (cf: P.L.1993, c.20, s.2)

40

41 4. Section 9 of P.L.1986, c.198 (C.23:3-1c) is amended to read  
42 as follows:

43 9. The [Division of Fish, Game and Wildlife] division is  
44 authorized to charge a \$2.00 nonrefundable application fee, in addition  
45 to any other permit or license fees authorized by law, for each permit  
46 or license, as follows:

1	[ Duplicate hunting and fishing .....	\$2.00
2	Falconry .....	2.00
3	Beaver .....	2.00
4	Otter .....	2.00
5	Turkey .....	2.00
6	Special season deer .....	2.00
7	Rifle .....	2.00
8	Semi-wild hunting preserve .....	2.00
9	Commercial fishing preserve .....	2.00
10	Commercial shooting preserve .....	2.00
11	Senior citizen fishing (over 70 years of age) .....	2.00
12	Senior citizen clamming .....	2.00
13	Field trial .....	2.00
14	Horseback riding on wildlife management area .....	2.00
15	Daily use permit for wildlife management area .....	2.00
16	Clubhouse rental .....	2.00
17	Fire on wildlife management area .....	2.00
18	Fish stocking by clubs .....	2.00
19	Lake lowering .....	2.00
20	Alewife (for bait) .....	2.00
21	Carp and suckers .....	2.00
22	Fish basket for eels, catfish, carp, and suckers .....	2.00
23	Game animals and game birds:	
24	Individual hobby .....	2.00
25	Scientific holding .....	2.00
26	Zoological .....	2.00
27	Propagation and sale .....	2.00
28	Animal exhibitor .....	2.00
29	Animal theatrical agency .....	2.00
30	Fur farming .....	2.00
31	Salvage--recover carcass .....	2.00
32	Special purpose .....	2.00
33	Scientific collecting--fish .....	2.00
34	Crab pot (recreational) .....	2.00
35	Crab pot (commercial) .....	2.00
36	Menhaden netting .....	2.00
37	Food fish netting .....	2.00
38	Commercial fish netting .....	2.00]

39

40 duplicate hunting and fishing; falconry; beaver; otter; turkey; coyote;  
41 special season Canada goose; special season deer; rifle; semi-wild  
42 hunting preserve; commercial fishing preserve; commercial shooting  
43 preserve; senior citizen fishing; senior citizen clamming; field trial;  
44 horseback riding on wildlife management area; daily use permit for  
45 wildlife management area; clubhouse rental; fire on wildlife  
46 management area; fish stocking by clubs; lake lowering; alewife (for

1 bait); carp and suckers; fish basket for eels, catfish, carp, and suckers;  
2 game animals and game birds - individual hobby, scientific holding,  
3 zoological, propagation and sale, animal exhibitor, animal theatrical  
4 agency, and fur farming; salvage - recover carcass; special purpose;  
5 scientific collecting - fish; crab pot (recreational); crab pot  
6 (commercial); menhaden netting; food fish netting; and commercial  
7 fish netting.

8 The amounts remitted to the State Treasury for these application  
9 fees shall be deposited to the credit of the ["Hunters' and Anglers'  
10 License Fund."] "hunters' and anglers' license fund."  
11 (cf: P.L.1986, c.198, s.9)

12

13 5. (New section) For the purpose of meeting the costs of  
14 complying with information collection activities mandated by the  
15 United States Fish and Wildlife Service Migratory Bird Harvest  
16 Information Program, the division is authorized to charge a fee of  
17 \$2.00 to any person who hunts migratory birds, which fee shall be in  
18 addition to any other fees charged for licenses, permits, or stamps  
19 required by law to hunt migratory birds.

20

21 6. Section 11 of P.L.1982, c.180 (C.23:3-1.1) is amended to read  
22 as follows:

23 11. a. The [Division of Fish, Game and Wildlife] division shall  
24 issue a special license combining the resident's firearm hunting license,  
25 the resident's bow and arrow license and the resident's fishing license  
26 as provided under R.S.23:3-4 into one license to be designated as the  
27 "All Around Sportsman License."

28 b. The "All Around Sportsman License" shall authorize its holder  
29 to hunt with a shotgun or bow and arrow and to angle or attempt to  
30 take fish in the fresh waters of this State at the time, and in the  
31 manner, provided by law and the State Fish and Game Code, except  
32 that this license shall not authorize its holder to take trout from the  
33 fresh waters of the State.

34 c. A resident of this State above the age of 16 years may procure  
35 the "All Around Sportsman License" from the [Division of Fish, Game  
36 and Wildlife] division at Trenton or from its agents as designated by  
37 the division. It shall not be valid unless it contains the signature of the  
38 owner written in ink. Each license issued under this section shall  
39 expire on December 31 next following its issuance.

40 d. The division shall determine the form of the "All Around  
41 Sportsman License." The fee for this license shall be [~~\$54.50~~] \$75.00  
42 and an issuance fee of [~~\$0.50~~] \$0.75, or as adjusted by the Fish and  
43 Game Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a).  
44 The amounts remitted to the State Treasury from the collection of this

1 fee shall be deposited to the credit of the "hunters' and anglers' license  
2 fund."

3 (cf: P.L.1991, c.286, s.2)

4

5 7. R.S.23:3-2 is amended to read as follows:

6 23:3-2. Except as provided in [section 23:3-3 of this title]  
7 R.S.23:3-3 , no license to hunt, pursue or kill with a gun or any  
8 firearm any game bird, wild animal or fowl in this state, shall be issued  
9 to a person under [fourteen] 16 years of age. An applicant for license  
10 who misrepresents his age shall be liable to a penalty of twenty dollars.

11 (cf: R.S.23:3-2)

12

13 8. R.S.23:3-3 is amended to read as follows:

14 23:3-3. The division may, in its discretion, issue a youth hunting  
15 license to a citizen of the United States above 10 years and below [14]  
16 16 years of age, who has successfully completed a course in gun or  
17 bow and arrow safety, as the case may be, as required in accordance  
18 with this title [.] . Persons above 10 years and below 14 years of age  
19 may obtain the license only when applied for by his parent or legal  
20 guardian [, authorizing him] . The license shall authorize a licensee  
21 above 10 years and below 14 years of age to hunt only when  
22 accompanied by a holder, above 21 years of age, of a regular resident's  
23 or nonresident's firearm or bow and arrow license, as the case may be.  
24 This license shall be void after December 31 [next succeeding its  
25 issuance. The fee for this license shall be \$2.75, or as adjusted by the  
26 Fish and Game Council pursuant to section 12 of P.L.1982, c.180  
27 (C.23:3-1a). These fees shall be remitted to the State Treasurer, and  
28 placed to the credit of the "hunters' and anglers' license fund," and be  
29 disbursed by the State Treasurer on vouchers certified by the division]  
30 of the year in which the licensee becomes 16 years of age .

31 (cf: P.L.1991, c.286, s.3)

32

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

34 23:3-4. The licenses issued under this article shall be as follows:

35 a. A license issued to a person above [14] 15 years of age, who  
36 has an actual and bona fide domicile in this State at the time of the  
37 application for the license and who has had an actual and bona fide  
38 domicile in this State for at least six months immediately prior thereto  
39 [, provided that for a resident's trapping license the person shall be  
40 above 12 years of age] . These licenses shall be [of five kinds and]  
41 designated as the resident's firearm hunting license, the resident's bow  
42 and arrow license, the resident's trapping license, and the resident's  
43 fishing license [and the resident's family fishing license. The Fish and  
44 Game Council in the Division of Fish, Game and Wildlife of the  
45 Department of Environmental Protection shall have the authority to  
46 adopt and promulgate regulations for family fishing licenses] .

1       (1) The resident's firearm hunting license shall authorize its holder  
2 to hunt with hounds and firearms only, and a fee of [~~\$19.50~~] \$27.00  
3 and an issuance fee of [~~\$0.50~~] \$0.75 shall be charged therefor, except  
4 that [a person 14 or 15 years of age and] a person above the age of 65  
5 years shall be charged a fee of [~~\$9.25~~] \$14.50 and an issuance fee of  
6 [~~\$0.50~~] \$0.75 .

7       (2) The resident's bow and arrow license shall authorize its holder  
8 to hunt with bow and arrow only, and a fee of [~~\$23.50~~] \$30.50 and an  
9 issuance fee of [~~\$0.50~~] \$0.75 shall be charged therefor, except that [a  
10 person 14 or 15 years of age and] a person above the age of 65 years  
11 shall be charged a fee of [~~\$10.50~~] \$15.50 and an issuance fee of  
12 [~~\$0.50~~] \$0.75 .

13       (3) The resident's trapping license shall authorize its holder to trap  
14 only, and a fee of \$31.50 and an issuance fee of [~~\$0.50~~] \$0.75 shall be  
15 charged therefor [, except that a person 12, 13, 14 or 15 years of age  
16 shall be charged a fee of \$13.25 and an issuance fee of \$0.50] .

17       (4) The resident's fishing license shall authorize its holder to fish  
18 only, and a fee of [~~\$14.50~~] \$21.50 and an issuance fee of [~~\$0.50~~]  
19 \$0.75 shall be charged therefor, except that (a) in any case where the  
20 applicant is 70 or more years of age and is otherwise qualified, no [fee,  
21 except an application fee pursuant to section 9 of P.L.1986, c.198  
22 (C.23:3-1c), shall be charged, and a person 14 or 15 years of age]  
23 license shall be required, and (b) a person above [the age of] 65 years  
24 and below 70 years of age shall be charged a fee of [~~\$6.50~~] \$11.50 and  
25 an issuance fee of [~~\$0.50~~] \$0.75 .

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

36       (5) Any [person, a] resident of this State [,] who is afflicted with  
37 total blindness, upon application to the [Division of Fish, Game and  
38 Wildlife] division , shall be entitled to a resident's fishing license  
39 without fee or charge.

40       b. A license issued to a person above [14] 15 years of age not  
41 entitled to a resident's license, authorizing him to trap or to hunt ,  
42 except that a nonresident's two-day small game firearm hunting license  
43 shall not permit the taking, hunting, or killing of deer or turkey .  
44 These licenses shall be designated as the nonresident's firearm hunting  
45 license, the nonresident's bow and arrow license, the nonresident's  
46 trapping license, and the nonresident's two-day small game firearm

1 hunting license [, except that a nonresident's two-day small game  
2 firearm hunting license shall not permit the taking, hunting or killing  
3 of deer] .

4 (1) The fees for the nonresident's firearm hunting license and the  
5 nonresident's bow and arrow license shall each be [~~\$99.50~~] \$134.50  
6 and an issuance fee of [~~\$0.50~~] \$0.75 .

7 (2) The [~~fees~~] fee for the nonresident's trapping license shall be  
8 [~~\$149.50~~] \$199.50 and an issuance fee of [~~\$0.50~~] \$0.75 .

9 (3) The fee for a nonresident's two-day small game firearm hunting  
10 license shall be [~~\$24.50~~] \$35.50 and an issuance fee of [~~\$0.50~~] \$0.75.

11 c. A license issued to a person above [~~14~~] 15 years of age not  
12 entitled to a resident's license, authorizing him to fish only. These  
13 licenses shall be designated as the nonresident's annual fishing license  
14 , the nonresident's two-day fishing license, valid for a period of two  
15 consecutive days, and the nonresident's seven-day vacation fishing  
16 license, valid for a period of seven consecutive days. [The fees for  
17 these licenses shall be \$22.50 for the annual fishing license, together  
18 with an issuance fee of \$0.50, and \$14.50 and an issuance fee of \$0.50  
19 for the seven-day vacation fishing license.]

20 (1) The fee for the nonresident's annual fishing license shall be  
21 \$30.00 and an issuance fee of \$0.75.

22 (2) The fee for the nonresident's two-day fishing license shall be  
23 \$8.00 and an issuance fee of \$0.75.

24 (3) The fee for the nonresident's seven-day fishing license shall be  
25 \$18.50 and an issuance fee of \$0.75.

26 e. Every license issued hereunder shall be void after December 31  
27 next succeeding its issuance, except the one-day hunting license, which  
28 shall expire on the date of issuance; the nonresident's seven-day fishing  
29 license, which is valid only for seven consecutive days after date of  
30 issuance; the nonresident's two-day fishing license, which shall expire  
31 on the day after the date of issuance; and the nonresident's two-day  
32 small game firearm hunting license, which shall expire on the day after  
33 the date of issuance.

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

37 (cf: P.L.1991, c.286, s.4)

38

39 10. Section 2 of P.L.1951, c.226 (C.23:3-4.1) is amended to read  
40 as follows:

41 2. The division may, in its discretion, issue a license to a person  
42 above the age of [~~14~~] 15 years authorizing him to hunt for one day  
43 only in areas licensed under subsections b. and d. of R.S.23:3-29, or  
44 at a shoot to kill field trial which is being held under a proper permit  
45 from the division. The fee for this license shall be [~~\$6.50~~] \$11.50 , or  
46 as adjusted by the Fish and Game Council pursuant to section 12 of



1 P.L.1982, c.180 (C.23:3-1a), and an issuance fee of [\$0.50 shall be  
2 charged therefor] \$0.75 . The fees collected hereunder shall be  
3 remitted to the State Treasurer, and placed to the credit of the  
4 "hunters' and anglers' license fund," and be disbursed by the State  
5 Treasurer on vouchers certified to by the division.

6 (cf: P.L.1991, c.286, s.5)

7

8 11. Section 5 of P.L.1954, c.57 (C.23:3-4.6) is amended to read as  
9 follows:

10 5. This act shall also apply to the issuance of [juvenile] youth  
11 hunting licenses under [section 23:3-3 of the Revised Statutes]  
12 R.S.23:3-3 , and all applicants for such licenses shall be required to  
13 first complete the gun safety course.

14 (cf: P.L.1971, c.381, s.3)

15

16 12. Section 8 of P.L.1986, c.198 (C.23:3-4.11) is amended to read  
17 as follows:

18 8. All persons in possession of a muzzleloader rifle or other rifle  
19 while hunting or trapping shall have in their possession, in addition to  
20 the appropriate and valid firearm hunting license or trapping license,  
21 an appropriate and valid rifle permit. The [Division of Fish, Game and  
22 Wildlife] division is authorized to charge a fee of [\$11.00] \$17.00 for  
23 each permit issued , except that a person under 16 years of age shall  
24 be charged a fee of \$8.00 . A rifle permit issued hereunder shall be  
25 valid for a period not to exceed two years. The amount remitted to  
26 the State Treasury for rifle permits shall be deposited to the credit of  
27 the "hunters' and anglers' license fund."

28 The fee for a permit issued pursuant to this section may be adjusted  
29 by the Fish and Game Council pursuant to section 12 of P.L.1982,  
30 c.180 (C.23:3-1a).

31 (cf: P.L.1991, c.286, s.6)

32

33 13. Section 5 of P.L.1957, c.195 (C.23:3-7.5) is amended to read  
34 as follows:

35 5. This act shall also apply to the issuance of [juvenile] youth  
36 hunting licenses under [section 23:3-3 of the Revised Statutes]  
37 R.S.23:3-3 , and all applicants for such licenses shall be required to  
38 first complete the bow and arrow safety and proficiency course.

39 (cf: P.L.1971, c.381, s.5)

40

41 14. Section 7 of P.L.1986, c.198 (C.23:3-27.1) is amended to read  
42 as follows:

43 7. Whenever an open season is prescribed for wild turkey by the  
44 State Fish and Game Code, the [Division of Fish, Game and Wildlife]  
45 division is authorized to charge a fee of [\$13.00] \$19.00 , or as  
46 adjusted by the Fish and Game Council pursuant to section 12 of

1 P.L.1982, c.180 (C.23:3-1a), except that a person under 16 years of  
2 age shall be charged a fee of \$10.00, for each permit issued. This  
3 permit shall be void at the close of the prescribed open season. The  
4 amounts remitted to the State Treasury for wild turkey permits shall  
5 be deposited to the credit of the "hunters' and anglers' license fund."  
6 (cf: P.L.1991, c.286, s.8)

7

8 15. R.S.23:3-29 is amended to read as follows:

9 23:3-29. A person desiring to engage in the business of raising and  
10 selling game birds or game animals, or both, in a wholly enclosed area  
11 of which he is the owner or lessee, or to have in captivity game birds  
12 or game animals, shall apply in writing to the division for a license to  
13 do so. The license fee shall be [~~\$5.00 per annum~~] \$10.00 per year for  
14 each of the above purposes.

15 A person desiring to propagate pheasant, partridge, or quail, or any  
16 of them, in a semiwild state on lands of which he is the owner or  
17 lessee, shall apply in writing to the division for a license to do so. The  
18 license fee shall be [~~\$50.00 per annum~~] \$75.00 per year . No two or  
19 more noncontiguous tracts of land shall be covered under the same  
20 license.

21 The division, when it appears that the application is made in good  
22 faith, and is in the public interest, may, upon the payment of the fee for  
23 each license, issue to the applicant such of the following license or  
24 licenses as may be applied for:

25 a. Propagating license permitting the licensee to propagate game  
26 birds or game animals, or both, in the wholly enclosed area, the  
27 location of which is stated in the license and the application therefor,  
28 and to sell such propagated game birds or game animals, or both, and  
29 ship them from the State alive at any time and to kill the same and sell  
30 the carcasses for food subject to the conditions prescribed by  
31 R.S.23:3-28 to 23:3-39, inclusive;

32 b. License to propagate pheasant, partridge, or quail, or any of  
33 them, in a semiwild state on lands of which the applicant is the owner  
34 or lessee, when the applicant shall have produced evidence satisfactory  
35 to the division that he will raise, or purchase for liberation, and liberate  
36 on the semiwild preserve at least one pheasant, quail, partridge or  
37 combination thereof for each acre of land to be licensed or at least 200  
38 pheasant, quail or partridge or combination thereof between November  
39 1 of the year for which the license is issued and the following February  
40 28;

41 c. License to keep game birds and animals in captivity; or

42 d. License to operate a "commercial pheasant, mallard, quail and  
43 partridge-shooting preserve," as defined pursuant to R.S.23:3-28, on  
44 lands owned or leased by the applicant, who shall apply in writing to  
45 the division for a license to do so. The license fee shall be [~~\$200.00~~  
46 ~~per annum~~] \$320.00 per year for the first tract of land and \$165 per

1 [annum] year for each additional tract of land, each of which shall be  
2 at least 50 acres in size, and the form of the application and license  
3 shall be determined by the division. Two or more noncontiguous  
4 tracts of land owned or leased, or operated as a commercial pheasant,  
5 mallard, quail and partridge-shooting preserve by the same person  
6 shall be covered under the same license.

7 The division may, upon payment of the fee, issue to the applicant  
8 such a license when it appears that:

9 (1) The operation of such shooting preserve shall not conflict with  
10 a prior reasonable public interest; and

11 (2) The applicant shall have produced evidence satisfactory to the  
12 division that he will raise or purchase for liberation and liberate on the  
13 shooting preserve a total of at least 500 pheasant, mallard, quail and  
14 partridge or combination thereof between September 1 of the year for  
15 which the license was issued and the following May 1.

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

19 f. The division shall coordinate the dates of issuance and renewal  
20 of the licenses to propagate game birds with the dates of issuance and  
21 renewal of licenses to operate commercial pheasant, mallard, quail and  
22 partridge-shooting preserves, and to the extent practicable, shall issue  
23 and renew these licenses under one license.

24 (cf: P.L.1995, c.370, s.2)

25

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

28 1. When the Fish and Game Council has established a season for  
29 deer of either sex and has fixed a certain number of [~~licenses~~] permits  
30 to be issued for such harvest, the division is authorized to charge a fee  
31 of [~~\$18.00~~] \$26.00 , or as adjusted by the Fish and Game Council  
32 pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a), except that a  
33 person under 16 years of age shall be charged a fee of \$10.00, for each  
34 [~~license~~] permit so issued, which fee shall be in addition to any other  
35 fees authorized by law. No such fee shall be required of the occupant  
36 of a farm in this State, who actually resides thereon, or the members  
37 of his immediate family who also reside thereon, provided such person  
38 or persons are otherwise authorized to participate in such limited  
39 harvest. The exemption of this section shall not apply to a person  
40 residing on the farm or in a tenant house thereon who is not a member

1 of the occupant's family, nor to a servant of the occupant.  
2 (cf: P.L.1991, c.286, s.9)

3  
4 17. Section 1 of P.L.1952, c.328 (C.23:3-57) is amended to read  
5 as follows:

6 1. No person, above the age of [~~14~~] 15 years or under the age of  
7 70 years , shall [,] take or attempt to take trout in any of the fresh  
8 waters of this State, unless he has first procured, as hereinafter  
9 provided, a special trout stamp, in addition to the license required by  
10 article 1 of chapter 3 of Title 23 of the Revised Statutes and unless at  
11 the time of fishing he has the license and stamp affixed to [~~said~~] that  
12 license on his person, and exhibits the same for inspection to any  
13 warden, deputy warden, police officer or other person requesting to  
14 see them.

15 The stamp issued under this act shall be designated as the "special  
16 trout fishing stamp" and shall authorize its holder to take trout at the  
17 time and in the manner provided by law, or by the Fish and Game  
18 Code, and shall be invalid unless it contains the name of the licensee  
19 written in ink.

20 (cf: P.L.1971, c.309, s.1)

21

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

24 3. The fee for this stamp shall be [~~\$7.00~~] \$10.50 for residents and  
25 [~~\$14.00~~] \$20.00 for nonresidents, or as adjusted by the Fish and Game  
26 Council pursuant to section 12 of P.L.1982, c.180 (C.23:3-1a). The  
27 amounts remitted to the State Treasury for stamps issued under this  
28 law shall be placed to the credit of the "hunters' and anglers' license  
29 [~~fund~~" mentioned in R.S.23:3-12.] fund."

30 (cf: P.L.1991, c.286, s.10)

31

32 19. Section 1 of P.L.1975, c.117 (C.23:3-61.1) is amended to read  
33 as follows:

34 1. No person 16 years of age or older shall at any time hunt for,  
35 pursue, kill, take or attempt to take with a firearm or bow and arrow,  
36 or have in possession, any pheasant or quail while present in such  
37 division wildlife management areas as may be designated in the Fish  
38 and Game Code unless such person is the holder of a valid youth  
39 hunting license issued pursuant to R.S.23:3-3 or has first procured in  
40 addition to a hunting license a valid "special pheasant and quail  
41 stamp."

42 This special pheasant and quail "stamp" shall be in the possession  
43 of the hunter at all times while engaged in hunting pheasant or quail in  
44 such division wildlife management areas as may be designated in the  
45 Fish and Game Code and the hunter shall exhibit the special stamp for  
46 inspection to any conservation officer, deputy conservation officer or

1 police officer requesting to see the stamp.

2 (cf: P.L.1975, c.117, s.1)

3

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

6 3. The fee for this stamp shall be [~~\$20.00~~] \$50.00, or as adjusted  
7 by the Fish and Game Council pursuant to section 12 of P.L.1982,  
8 c.180 (C.23:3-1a). The amounts remitted to the State Treasury for  
9 special pheasant and quail stamps shall be deposited to the credit of  
10 the "hunters' and anglers' license fund."

11 (cf: P.L.1991, c.286, s.11)

12

13 21. Section 2 of P.L.1970, c.247 (C.23:3-63) is amended to read  
14 as follows:

15 2. (a) The division may, in its discretion, after application on  
16 forms furnished by it, issue to an owner of such fishing preserve  
17 waters a fishing preserve license permitting the holder thereof to  
18 manage such fishing preserve waters and to possess, propagate and  
19 rear, and to take or permit others to take therefrom, fish therein legally  
20 propagated or acquired. Such license shall expire on December 31 in  
21 the year it was issued unless previously revoked. A separate license  
22 is required for each body of water defined herein as fishing preserve  
23 waters. Two or more ponds under one ownership, supplied by one  
24 common water source and located on one continuous parcel of land,  
25 shall be considered as one body of water requiring one license.

26 (b) The license so issued shall: contain the name of the town and  
27 county in which such fishing preserve waters are located; specify the  
28 species of fish authorized to be stocked therein; authorize the licensee  
29 to stock, propagate, raise and release such fish in such licensed fishing  
30 preserve waters and to buy, sell or otherwise traffic in fish taken  
31 therefrom; specify the manner of tagging fish taken from the licensed  
32 waters; specify the means of acquisition of fish stocked therein.

33 (c) The license may also: authorize the licensee to control  
34 undesirable protected fish, wildlife and insects and specify means of  
35 control of same; specify such other restrictions and controls for the  
36 management of fishing preserve waters as in the judgment of the  
37 division may be deemed advisable for proper fish management.

38 (d) The fee for the license shall be [~~\$150.00~~] \$228.00 per year, or  
39 as adjusted by the Fish and Game Council pursuant to section 12 of  
40 P.L.1982, c.180 (C.23:3-1a), payable at the time application is made.

41 (e) The division may for cause, revoke or suspend the license of  
42 any licensee.

43 (cf: P.L.1982, c.180, s.9)

44

45 22. R.S.23:3-23, R.S.23:3-24, R.S.23:3-25, and R.S.23:3-26 are  
46 repealed.

1       23. This act shall take effect immediately.

2

3

4

STATEMENT

5

6       This bill would revise the fees for various hunting and fishing  
7 licenses, permits, and stamps as well as make various revisions to the  
8 laws establishing those licenses, permits, and stamps. Under the bill,  
9 youths above 10 years and below 16 years of age would be able to  
10 obtain free hunting licenses and youths below 16 years of age would  
11 not need a license to fish. The bill also would repeal certain provisions  
12 of the woodcock stamp law. In addition, it would authorize the  
13 Division of Fish and Wildlife to collect a new \$2.00 fee from migratory  
14 bird hunters for the purpose of meeting the costs of complying with  
15 information collection activities mandated by the United States Fish  
16 and Wildlife Service Migratory Bird Harvest Information Program.  
17 Finally, the bill would change the name of the Division of Fish, Game  
18 and Wildlife to the Division of Fish and Wildlife.

19

20

21

22

23       Revises various hunting and fishing license fees and related provisions,  
24 and changes name of Division of Fish, Game and Wildlife to Division  
25 of Fish and Wildlife.