

ASSEMBLY, No. 4603

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

Sponsored by:

Assemblyman KEVIN J. ROONEY

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Authorizes free hunting, fishing, and trapping licenses and free admission to State parks and forests for disabled veterans and individuals with certain types of military service.

CURRENT VERSION OF TEXT

As introduced.



A4603 ROONEY

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1 AN ACT concerning fees for fishing, hunting, and trapping licenses
2 and admission to State parks and forests and amending R.S.23:3-
3 1, P.L.1983, c.324, and P.L.1993, c.303.

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

7
8 1. Section 12 of P.L.1983, c.324 (C.13:1L-12) is amended to
9 read as follows:

10 12. a. The department shall not charge an admission fee for
11 entrance into a State park or forest by any person who is:

12 (1) a resident of the State of 62 or more years of age or who is
13 totally disabled [or who is];

14 (2) an active member of the New Jersey National Guard who has
15 completed Initial Active Duty Training;

16 (3) a member of a unit of the organized reserve of the Armed
17 Forces of the United States which is located in New Jersey;

18 (4) an active duty member of any branch or department of the
19 Armed Forces of the United States who is a resident of the State or
20 who is based or stationed in the State regardless of residency;

21 (5) a disabled veteran; or

22 (6) a retired member of the New Jersey National Guard.

23 The department shall prescribe by regulation the types of
24 evidence that may be used to qualify persons for the benefits of this
25 **[subsection]** section .

26 b. The department shall not charge a disabled veteran a fee to
27 obtain, replace, or renew a permit to operate a motorized vehicle on
28 a State park beach.

29 c. As used in this section:

30 "Disabled veteran" means any **[resident of the State]** person
31 who has been honorably discharged or released under honorable
32 circumstances from active service in any branch or department
33 of the Armed Forces of the United States and who has been declared
34 by the United States Department of Veterans Affairs, or its
35 successor, to have a service-connected disability of any degree.

36 "Initial Active Duty Training" means Basic Military Training,
37 for members of the New Jersey Air National Guard, and Basic
38 Combat Training and Advanced Individual Training, for members
39 of the New Jersey Army National Guard.

40 (cf: P.L.2019, c.398, s.2).

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42 2. 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
45 character, or with longbow and arrow, a wild bird, animal or fowl,

**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.

A4603 ROONEY

3

1 or take or attempt to take any skunk, mink, muskrat, or other fur-
2 bearing animal by means of a trap, or set a trap for any fur-bearing
3 animal, nor shall any person above the age of 16 years at any time
4 take or attempt to take fish in any of the fresh waters of this State
5 by the method commonly known as angling with a hand line or rod
6 and line, or with longbow and arrow, unless **[he]** the person has
7 first procured a proper license.

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

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

17 d. A person who is on active duty with any branch or
18 department of the **[armed service]** Armed Forces of the United
19 States shall be entitled to hunt **[or]** , fish , or trap upon obtaining
20 the proper resident license therefor and paying the corresponding
21 fee charged of residents except as provided otherwise pursuant to
22 section 1 of P.L.1993, c.303 (C.23:3-1e) .

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

37 f. (1) Any person found hunting, fishing, or trapping without
38 the proper license or tag as may be required conspicuously
39 displayed pursuant to subsection b. of this section shall be liable to
40 a penalty of \$10 and costs, to be recovered pursuant to the
41 provisions of chapter 10 of Title 23 **[, chapter 10,]** of the Revised
42 Statutes.

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

47 (cf: P.L.2019, c.407, s.9)

A4603 ROONEY

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1 3. Section 1 of P.L.1993, c.303 (C.23:3-1e) is amended to read
2 as follows:

3 1. a. Notwithstanding any law, rule, or regulation to the
4 contrary, no fee, including application fees and issuance fees, may
5 be charged of an applicant for a license, permit, stamp, tag, or
6 certificate to hunt, fish, trap, or otherwise lawfully take fish, game,
7 or any other wildlife in the State, who is:

8 (1) an active member of the New Jersey National Guard who has
9 completed Initial Active Duty Training **or who is**;

10 (2) a member of a unit of the organized reserve of the Armed
11 Forces of the United States which is located in New Jersey;

12 (3) an active duty member of any branch or department of the
13 Armed Forces of the United States who is a resident of the State or
14 who is based or stationed in the State regardless of residency;

15 (4) a disabled veteran; or

16 (5) a retired member of the New Jersey National Guard.

17 The Division of Fish and Wildlife shall prescribe by regulation
18 the types of evidence that may be used to qualify persons for the
19 benefits of this section.

20 b. As used in this **act** section:

21 "Disabled veteran" means any **resident of the State** person
22 who has been honorably discharged or released under honorable
23 circumstances from active service in any branch or department
24 of the Armed Forces of the United States and who has been declared
25 by the United States Department of Veterans Affairs, or its
26 successor, to have a service-connected disability of any degree; and

27 "Initial Active Duty Training" means Basic Military Training,
28 for members of the New Jersey Air National Guard, and Basic
29 Combat Training and Advanced Individual Training, for members
30 of the New Jersey Army National Guard.

31 (cf: P.L.1999, c.282, s.5)

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33 4. Section 2 of P.L.1993, c.303 (C.23:3-1f) is amended to read
34 as follows:

35 2. At the end of each fiscal year, the Director of the Division of
36 Fish **, Game** and Wildlife shall certify to the Director of the
37 Division of Budget and Accounting in the Department of the
38 Treasury the amount that the "hunters' and anglers' license fund"
39 has been reduced as a result of any license issued without charge
40 pursuant to section 1 of **this act** P.L.1993, c.303 (C.23:3-1e). An
41 amount equal to the amount certified shall be appropriated each
42 year from the General Fund to the "hunters' and anglers' license
43 fund" for additional operating costs.

44 (cf: P.L.1993, c.303, s.2)

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46 5. This act shall take effect on January 1 next following the
47 date of enactment.

STATEMENT

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This bill would expand upon current law to provide that all disabled veterans would be entitled to free admission to State parks and forests. In addition, this bill provides that persons with any of the following types of military service would also be entitled to free admission to State parks and forests and to free hunting, fishing, and trapping licenses, permits, stamps, tags, and certificates: (1) a member of a unit of the organized reserve of the Armed Forces of the United States which is located in New Jersey; (2) an active duty member of any branch or department of the Armed Forces of the United States who is a resident of the State or who is based or stationed in the State regardless of residency; and (3) a retired member of the New Jersey National Guard. Finally, this bill provides that the benefits authorized in the bill and in current law would apply to both residents and nonresidents of the State who are disabled or meet the established criteria for active or former military status.

Current law provides that active members of the New Jersey National Guard who have completed Initial Active Duty Training may obtain free admission to State parks and forests as well as free hunting, fishing, and trapping licenses, permits, stamps, tags, and certificates. Current law also provides that disabled veterans who are State residents qualify for free hunting, fishing, and trapping licenses, permits, stamps, tags, and certificates but not free admission to State parks and forests.