

23: 5-24.2

7/30/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 23:5-24.2

(Killfish-- limit licensing requirements)

CHAPTER 68

Laws Of: 1987

Bill No: S1649

Sponsor(s): Pallone

Date Introduced: February 3, 1986

Committee: Assembly: Energy and Natural Resources

Senate: Natural Resources and Agriculture

Amended during passage: No

Date of Passage: Assembly: February 5, 1986

Senate: March 3, 1986

Date of Approval: March 11, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

DO NOT REMOVE FROM FILE

SENATE, No. 1649

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1986

By Senator PALLONE

Referred to Committee on Natural Resources and Agriculture

AN ACT concerning the netting of fish and amending P. L. 1941,
c. 211.

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

1 1. Section 2 of P. L. 1941, c. 211 (C. 23:5-24.2) is amended to
2 read as follows:

3 2. A person intending to take fish with a net in the waters afore-
4 said shall, except as hereinafter provided, apply to the commis-
5 sioner for a license therefor, and the commissioner upon receipt
6 of the application and the fee hereinafter prescribed may in his
7 discretion issue licenses for the taking of fish with nets.

8 a. The commissioner shall establish resident fees within the
9 following ranges:

10 (1) Haul seines, \$25.00 to \$50.00 per net;

11 (2) Fykes, \$12.00 to \$30.00 per net;

12 (3) Miniature fykes or pots, \$100.00 to \$200.00 regardless of the
13 number, provided that not more than two miniature fykes or pots
14 may be used for the taking of [killifish (Cyprinodontidae ssp.) or]
15 eels for bait without a license. [Killifish or eels] *Eels* taken with-
16 out a license may not be sold or used for barter[. *Killifish (Cypri-*
17 *nodontidae ssp.) may be taken by miniature fykes or pots without*
18 *a license and may be sold or used for barter*];

19 (4) Bait [seines greater than 50 feet long but less than 150 feet
20 long, \$3.00 to \$10.00 per net] *nets, \$10.00 to \$50.00 per license;*

21 (5) Drifting gill nets, \$20.00 to \$50.00 per net;

22 (6) Staked or anchored gill nets, \$3.00 to \$10.00 per net;

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

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- 23 (7) Pound net, \$100.00 to \$200.00 per net;
 24 (8) Wire pound net, \$25.00 to \$100.00 per net;
 25 (9) Parallel nets, \$10.00 to \$30.00 per net;
 26 (10) Lobster or fish pots, \$100.00 to \$200.00 regardless of the
 27 number of pots used;
 28 (11) Horseshoe crab dredge, \$15.00 to \$30.00 per vessel;
 29 (12) Shrimp trawl, \$12.00 to \$30.00 per net.
- 30 b. No license shall be required for the following:
- 31 (1) Dip nets 24 inches in diameter or less used for the taking of
 32 herring for live bait;
- 33 (2) Bait seines 50 feet long or less;
- 34 (3) Cast nets 20 feet in diameter or less;
- 35 (4) Lift or umbrella nets four feet square or less[.];
- 35A (5) *Five killi-pots or less measuring not over 10 inches in*
 35B *diameter or 25 inches in length, if cylindrical or 2,000 cubic inches*
 35C *for any other conformation.*
- 36 Fish taken under this subsection may not be sold or used for
 37 barter.
- 38 c. Nonresident license fees shall be the same as resident fees if
 39 a resident of this State may obtain a license to fish for similar
 40 species of fish with similar gear in the nonresident applicant's
 41 state for the same fee as a resident of that state. Otherwise, the
 42 license fee for a nonresident is 10 times the license fee charged to
 43 a resident.
- 44 The commissioner may, pursuant to the "Administrative Pro-
 45 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.), adopt rules and
 46 regulations necessary to carry out the provisions of this section.
- 1 2. This act shall take effect immediately.

STATEMENT

This bill would limit the licensing requirement for the taking of killifish. Since killifish are overabundant and are not the subject of a management plan, a license requirement for the recreational taking of killifish is unwarranted. The bill also requires a license for possession of over five killi-pots in order to retain the licensure requirement for commercial fishermen.

FISH, GAME AND WILDLIFE

Limits licensing requirements for taking a killifish.

ASSEMBLY ENERGY AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

SENATE, No. 1649

STATE OF NEW JERSEY

DATED: DECEMBER 15, 1986

The Assembly Energy and Natural Resources Committee favorably reports Senate Bill No. 1649.

This measure would amend the law concerning the taking of fish by net in certain ways:

First, it would eliminate the license requirement for five or fewer killi-pots of certain prescribed minimal sizes.

Second, it would eliminate the resident net fee for seines greater than 50 feet but less than 150 feet.

Third, it would remove the resident fee for the taking of killifish without a license and authorize them to be sold or used for barter.

Killifish are overabundant and do not require protection from non-commercial fishermen.

SENATE NATURAL RESOURCES AND AGRICULTURE
COMMITTEE

STATEMENT TO

SENATE, No. 1649

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 1986

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