

23:5-24.1

LEGISLATIVE HISTORY CHECKLIST

(Net fishing -- tidal water -- fisherman must be in possession of license)

WUSA 23:5-24.1

LAWS OF 1979

CHAPTER 10

Bill No. A769

Sponsor(s) Hurley and Chinnici

Date Introduced February 16, 1978

Committee: Assembly Agriculture & Environment

Senate Energy & Environment

Amended during passage

~~XXX~~

No

Date of Passage: Assembly June 19, 1978

Senate January 16, 1979

Date of approval February 5, 1979

Following statements are attached if available:

Sponsor statement	Yes	XX (Below)
Committee Statement: Assembly	XXX	No
Senate	XXX	No
Fiscal Note	XXX	No
Veto message	XXX	No
Message on signing	Yes	XX

Following were printed:

Reports	XXX	No
Hearings	XXX	No

Sponsor's statement:

The intent of this measure is to clarify the statute for law enforcement purposes and prohibit net fishing in the tidal waters of this State until such time as the proper license is actually in possession. Evasion of the licensing requirement has been encountered in that application for license is not made unless apprehended. This bill would clearly make it illegal to fish until the license was received.

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2/1/78

ASSEMBLY, No. 769

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 16, 1978

By Assemblymen HURLEY and CHINNICI

Referred to Committee on Agriculture and Environment

AN ACT to amend "An act making uniform regulations on net fishing in certain waters within the jurisdiction of this State, and providing for the licensing of same, and repealing sections 23:9-59 to 23:9-93, inclusive, 23:9-99, 23:9-101 to 23:9-107, inclusive, and 23:9-113 of the Revised Statutes," approved June 14, 1941 (P. L. 1941, c. 211), as said title was amended by P. L. 1942, c. 294.

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

1 1. Section 1 of P. L. 1941, c. 211 (C. 23:5-24.1) is amended to
2 read as follows:

3 1. No person shall fish with, set, fix, fasten, draw, or drift any
4 net of any description whatsoever, from or in the inland tidal
5 waters, bays, coves, rivers, or creeks, or in the Atlantic ocean
6 within 3 nautical miles of the coast line, unless he shall first have
7 procured a license as hereinafter provided **[so to do;]** *or as other-*
8 *wise provided by this Title, and shall have received the required*
9 *license and have it in possession at the time of fishing* **[provided,**
10 *however, that this act shall not apply to persons licensed under*
11 *R. S. 23:3-41, 23:3-47, 23:3-50 and 23:9-115].*

1 2. This act shall take effect immediately.

STATEMENT

The intent of this measure is to clarify the statute for law enforcement purposes and prohibit net fishing in the tidal waters of this State until such time as the proper license is actually in possession. Evasion of the licensing requirement has been encountered in that application for license is not made unless apprehended. This bill would clearly make it illegal to fish until the license was received.

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

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

FEBRUARY 5, 1979

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills into law.

A-673, sponsored by Assemblyman Vincent O. Pellechia (D-Passaic), which permits the governing body of a county, through either resolution or ordinance, to change the name of the county Welfare Board to the County Board of Social Services.

A-769, sponsored by Assemblyman James W. Hurley, (R-Cape May/Cumberland) which requires that no person could engage in net fishing in New Jersey's tidal waters until he had procured a fishing license, had received it and had it in his possession while fishing.

The original statute required only that a person procure a license, which could be interpreted to mean that a person merely have had to apply for a license but that he did not have to receive it or have it in his possession while fishing.

A-1700, sponsored by Assemblyman Daniel Newman (D-Ocean), which changes the reporting date of the Commission to Study Teacher Preparation Programs from January 1, 1979 to September 1, 1979.

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