

23:5-5.7

LEGISLATIVE HISTORY CHECKLIST

NJSA 23:5-5.7 (Sale of striped bass)

Laws of 1976 Chapter 109
(A1560-1974)

Bill No. A843

Sponsor(s) Weidel & 51 others

Date Introduced Pre-filed

Committee: Assembly Agriculture & Environment

Senate Energy, Agriculture & Environment

Amended during passage Yes No Amendments during passage denoted by asterisks.

Date of passage: Assembly May 3, 1976

Senate August 12, 1976

Date of approval October 29, 1976

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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ASSEMBLY, No. 843

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Assemblymen WEIDEL, FORAN, SNEDEKER, SPIZZIRI, EWING, DOYLE, NEWMAN, McMANIMON, OTLOWSKI, FROUDE, BORNHEIMER, GREGORIO, PERSKIE, VISOTCKY, SCHUCK, PERKINS, GALLAGHER, HERMAN, STEWART, GORMAN, OWENS, BAER, ESPOSITO, GEWERTZ, PATERO, T. GALLO, DEVERIN, YATES, CALL, ADUBATO, MARTIN, HAWKINS, JACKMAN, CONTILLO, BARBOUR, BROWN, WOODSON, LITTELL, KARCHER, BURSTEIN, HAMILTON, LeFANTE, HOLLENBECK, ORECHIO, Assemblywoman BURGIO, Assemblymen KEAN, BATE, RYS, Assemblywoman CURRAN, Assemblymen KOZLOSKI, VAN WAGNER and FLYNN

AN ACT concerning striped bass and amending P. L. 1938, c. 318.

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

1 1. Section 7 of P. L. 1938, c. 318 (C. 23:5-5.7) is amended to
2 read as follows:

3 7. ***[No]** *person shall sell, possess for sale, or offer for sale any*
4 *striped bass or parts of any striped bass from which the head or*
5 *tail has been removed and* **[No]** *no* * *No* * *person shall sell,*
6 *possess for sale, or offer for sale, any striped bass measuring less*
7 *than 18 inches in length, whether caught within the jurisdictional*
8 *limits of this State or otherwise, provided, however, that this act*
9 *shall not apply to striped bass, packed and in transportation in*
10 *unbroken packages and coming from any other state or country, but*
11 *such packages shall be clearly marked by stencil, tag or otherwise*
12 *showing the true origin of the shipment and its destination beyond*
13 *the limits of the State of New Jersey. The possession of any striped*
14 *bass or parts of a striped bass from which the head or tail has*
15 *been removed *,* other than while in preparation***[.]*** or being*
16 *served***[.]*** as food*, which are less than 18 inches in length* shall*
17 *be presumed to be possession for sale in violation of this section.*

1 2. This act shall take effect immediately.

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

ASSEMBLY, No. 843

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Assemblymen WEIDEL, FORAN, SNEDEKER, SPIZZIRI, EWING, DOYLE, NEWMAN, McMANIMON, OTLOWSKI, FROUDE, BORNHEIMER, GREGORIO, PERSKIE, VISOTCKY, SCHUCK, PERKINS, GALLAGHER, HERMAN, STEWART, GORMAN, OWENS, BAER, ESPOSITO, GEWERTZ, PATERO, T. GALLO, DEVERIN, YATES, CALI, ADUBATO, MARTIN, HAWKINS, JACKMAN, CONTILLO, BARBOUR, BROWN, WOODSON, LITTELL, KARCHER, BURSTEIN, HAMILTON, LEFANTE, HOLLENBECK, ORECHIO, Assemblywoman BURGIO, Assemblymen KEAN, BATE, RYS, Assemblywoman CURRAN, Assemblymen KOZLOSKI, VAN WAGNER and FLYNN

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7 *inches in length, whether caught within the jurisdictional limits of*
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9 *apply to striped bass, packed and in transportation in unbroken*
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11 *packages shall be clearly marked by stencil, tag or otherwise*
12 *showing the true origin of the shipment and its destination beyond*
13 *the limits of the State of New Jersey. The possession of any striped*
14 *bass or parts of a striped bass from which the head or tail has*
15 *been removed other than while in preparation, or being served,*
16 *as food shall be presumed to be possession for sale in violation of*
17 *this section.*

1 2. This act shall take effect immediately.

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

A843 (1976)

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STATEMENT

The purpose of this bill is to effectively halt the illegal sale of striped bass less than 18 inches long in the State. Although such a law exists, food wholesalers have found a way around it by cutting off the heads and tails before offering them for sale, so that there is no way of measuring the fish. This bill would ban the removal of heads or tails of striped bass before they are offered for sale. The possession of any striped bass or parts thereof from which the head or tail has been removed other than while in preparation, or being served, as food shall be presumed to be possession for sale in violation of this provision. Any person violating the provisions of this act shall be subject to the penalty provisions of P. L. 1938, c. 318, as amended (C. 23:5-5.8) \$20.00 for each fish so unlawfully taken, caught, killed, possessed or sold.