

23: 5-43

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 23:5-43 et seq.

(Striped bass--
prohibit sale)

LAWS OF: 1991

CHAPTER: 43

Bill No: S1442

Sponsor(s): Bassano

Date Introduced: Pre-filed

Committee: Assembly: Conservation

Senate: Natural Resources

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: January 8, 1991

Senate: June 18, 1990

Date of Approval: February 26, 1991

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: Yes

Hearings: No

(over)

974.90
F537
1990c

New Jersey. Division of Fish, Game and Wildlife.
An evaluation of the
Status of the striped bass...1990.

KBG/SLJ

[SECOND REPRINT]

SENATE, No. 1442

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator BASSANO

1 AN ACT concerning the ¹[taking] sale¹ of striped bass, amending
2 P.L.1987, c.83 and supplementing P.L.1983, c.506 (C.23:5-43 et
3 seq.).
4

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

7 1. Section 1 of P.L.1987, c.83 (C.23:5-45.1) is amended to read
8 as follows:

9 1. a. No person shall take from the ²[marine]² waters of the
10 State in any one day, [or sell, barter, offer for sale or barter] or
11 have in his possession at any time, ²[more than five striped bass
12 measuring not less than 31 inches in length, from the effective
13 date of this amendatory and supplementary act through July 31,
14 1987, not less than 33 inches in length from August 1, 1987
15 through December 31, 1988, not less than 34 inches in length
16 from January 1, 1989 through June 30, 1989, and not less than 36
17 inches in length from July 1, 1989 through December 31, 1989]
18 more than one striped bass not less than 28 inches in length on or
19 after January 1, 1990, except not less than 36 inches in length
20 from the waters of the Delaware bay or the Delaware river, or
21 their tributaries. No person shall have in his possession any
22 striped bass not less than 36 inches in length while on or angling
23 in the Delaware bay or the Delaware river, or their tributaries².

24 b. The possession of any striped bass or parts of a striped bass
25 from which the head or tail has been removed other than
26 immediately prior to preparation or being served as food, which is
27 less than ²[31 inches in length from the effective date of this
28 amendatory and supplementary act through July 31, 1987, less
29 than 33 inches in length from August 1, 1987 through
30 December 31, 1988, less than 34 inches in length from January 1,
31 1989 through June 30, 1989, or less than 36 inches in length from
32 July 1, 1989 through December 31, 1989] 28 inches in length on or
33 after January 1, 1990, except not less than 36 inches in length
34 while on or angling in the waters of the Delaware bay or the
35 Delaware river, or their tributaries,² shall be presumed to be
36 possessed in violation of this section.

37 ²c. Notwithstanding the provisions of subsections a. and b. of
38 this section to the contrary, upon approval by the Atlantic States

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SNR committee amendments adopted January 25, 1990.

² Assembly ANR committee amendments adopted December 6, 1990.

1 Marine Fisheries Commission, the Department of Environmental
2 Protection shall, by regulation adopted pursuant to the
3 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
4 et seq.), provide that no person may take from the waters of the
5 State, other than the Delaware bay and the Delaware river, and
6 their tributaries, in any one day, or have in his possession at any
7 time, more than two striped bass, of which one shall be not less
8 than 28 inches in length and the other shall be not less than 38
9 inches in length.

10 The possession of any striped bass or parts of a striped bass
11 from which the head or tail has been removed other than
12 immediately prior to preparation or being served as food, which is
13 less than 28 inches in length, shall be presumed to be possessed in
14 violation of this section, except the minimum limit shall be 38
15 inches in length for a second fish possessed.

16 The department shall monitor the catch provided for in this
17 subsection and provide for its discontinuance as necessary to keep
18 the State in compliance with the allowances of the commission.²

19 (cf: P.L.1990, c.5, s.2)

20 2. (New section) No person shall sell, barter, possess for sale
21 or barter, or offer for sale or barter any striped bass, whether
22 caught within the jurisdictional limits of this State or otherwise,
23 provided that this section shall not prohibit the shipment or
24 transportation of striped bass from another state or country into
25 the State ²[that] which² is destined for shipment or
26 transportation out of the State ¹or prohibit the sale of
27 commercially raised hybrid striped bass¹.

28 ¹[3. (New section) No person shall take from, or have in his
29 possession on, the marine waters of this State any striped bass
30 from January 1 to February 28 of each year.]¹

31 ¹[4.] 3.¹ This act shall take effect immediately.

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34 NATURAL RESOURCES

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36 Prohibits sale of striped bass.

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4. This act shall take effect immediately.

STATEMENT

This bill would impose certain measures to improve the viability of the striped bass resource in the State. Specifically, this bill would prohibit the sale of striped bass in the State. The bill would also impose a closed season for striped bass from January 1 to February 28.

NATURAL RESOURCES

Prohibits sale of striped bass and imposes closed season.

ASSEMBLY CONSERVATION AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 1442

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 1990

The Assembly Conservation and Natural Resources Committee favorably reports Senate Bill No. 1442 (1R) with Assembly committee amendments.

This bill would prohibit the sale of striped bass in the State. Currently, the sale of striped bass is prohibited only by regulation for public health reasons.

The Department of Environmental Protection testified at the committee meeting in support of the bill. Various fishing clubs and organizations also indicated support for the bill.

The committee amended the bill for the purpose of updating it in accordance with current law and to make it identical to Assembly Bill No. 3385, which was also favorably reported by the committee.

SENATE NATURAL RESOURCES AND
AGRICULTURE COMMITTEE

STATEMENT TO

SENATE, No. 1442

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 25, 1990

The Senate Natural Resources and Agriculture Committee favorably reports Senate Bill No. 1442 with Senate committee amendments.

This bill would impose certain measures to improve the viability of the striped bass resource in the State. Specifically, this bill would prohibit the sale of striped bass in the State. The bill would also impose a closed season for striped bass from January 1 to February 28.

The committee amended the bill to allow the sale of commercially raised hybrid striped bass only, and to delete the section imposing a closed season from January 1 to February 28.

This bill was prefiled for introduction in the 1990 session pending technical review. As reported the bill includes the changes required by technical review, which has been performed.