

CHAPTER 359

AN ACT concerning the taking of menhaden in State coastal waters and amending R.S.23:3-51.

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

1. R.S.23:3-51 is amended to read as follows:

License to take menhaden, prohibited takings.

23:3-51. a. A person intending to take menhaden with purse or shirred nets in any waters in the jurisdiction of this State, including the waters of the Atlantic ocean, within three nautical miles of the coast line of this State, shall apply to the commissioner for a license therefor. The commissioner, upon receipt of the application and payment of the fee required pursuant to R.S.23:3-52, may, at the commissioner's discretion, issue to the applicant a license to take menhaden, except as prohibited in subsection b. of this section. The license shall be void after December 31 next succeeding its issuance.

b. Notwithstanding the provisions of subsection a. of this section or any other law, or any rule or regulation adopted pursuant thereto, to the contrary, the commissioner shall not issue a license for the taking of menhaden, and no person may take menhaden, in State coastal waters, including Delaware, Great, Raritan, and Sandy Hook bays, for the purpose of reduction, including conversion to fish meal, oil, and other components.

c. This act shall not affect the taking of menhaden in State coastal waters for the use as bait for commercial or recreational purposes.

2. This act shall take effect immediately.

Approved January 6, 2002.