

SENATE SENIOR CITIZENS, VETERANS' AFFAIRS AND
AGRICULTURE COMMITTEE

STATEMENT TO

SENATE, No. 1159

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 30, 1996

The Senate Senior Citizens, Veterans Affairs and Agriculture Committee favorably reports Senate Bill No. 1159 with committee amendments.

As amended, this bill would make several changes to existing laws that affect the oyster industry in the Delaware bay. The bill would increase the membership of the Shell Fisheries Council from nine to 10 members, and requires that two of the members be residents of Cape May county and that one of each of the Cape May county members shall serve on the Delaware Bay Section and the Atlantic Coast Section of the Shell Fisheries Council. In the event only one member from Cape May county has been appointed and has qualified as a member of the council, the qualified member may elect to serve in both sections of the council and participate in the exercise of the powers and performance of the duties of each of the sections until a second member from Cape May county has been appointed and has qualified as a member of the council. The bill also would require that the Shell Fisheries Council fix license fees at not less than \$10, or not less than \$2 per gross ton of the boat or vessel, whichever is greater, for boats or vessels required to be licensed under R.S.50:3-1. Furthermore, the bill exempts oyster planters from State licensing requirements and licensing fees.

In addition, the bill would establish the "Oyster Resource Development Account" within the hunters' and anglers' license fund established by R.S.23:3-11 and R.S.23:3-12 as a separate and dedicated account for the enhancement and management of the oyster resource in the Delaware bay. The bill would direct the Commissioner of Environmental Protection, in consultation with the Delaware Bay Section of the Shell Fisheries Council, to fix fees for all oysters landed from the Delaware bay, Delaware river, and their tributaries. The bill defines "oysters landed" as oysters taken for any purpose other than replanting. These fees and fees collected for licenses pursuant to R.S.50:3-2 and section 4 of P.L.1945, c.39 (C.50:3-20.13) are to be deposited in the "Oyster Resource Development Account" and

disbursed only for the enhancement and management of the oyster resource in the Delaware bay in the amounts and manner prescribed by the Commissioner of Environmental Protection, after consultation with the Delaware Bay Section of the Shell Fisheries Council.

Finally, the bill would direct the Department of Environmental Protection to adopt rules and regulations necessary to administer the "Oyster Resource Development Account" and repeal existing rules and regulations establishing the "oyster cultch program" and the "Oyster Cultch Fund." The bill would direct that the balance of the moneys remaining in the "Oyster Cultch Fund" upon the date of the repeal of the rules and regulations establishing the fund be deposited in the "Oyster Resource Development Account."

The committee amended the bill to revise the definition of "oysters landed" from oysters harvested for sale, not including oysters taken for any other purpose such as replanting, to oysters taken for any purpose other than replanting. In addition, the amendments state that in the event only one member from Cape May county has been appointed and has qualified as a member of the council, the qualified member may elect to serve in both sections of the council and participate in the exercise of the powers and performance of the duties of each of the sections until a second member from Cape May county has been appointed and has qualified as a member of the council.