

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie OKs new limits on striped bass," The Press of Atlantic City, 5-5-15

"Legislative Roundup," Herald News, 5-5-15

"Striped bass regulations updated," Burlington County Times, 5-5-15

"Striped bass cuts may have bonus silver lining," The Press of Atlantic City, 5-6-15

LAW/RWH

§1 - C.23:5-45.1a

§3 - Repealer

§4 - Note

P.L.2015, CHAPTER 45, *approved May 4, 2015*
Assembly, No. 4146

1 AN ACT concerning the taking and management of striped bass,
2 supplementing P.L.1983, c.506 (C.23:5-43 et seq.), amending
3 P.L.1987, c.83, and repealing section 1 of P.L.1987, c.83 and
4 section 3 of P.L.1990, c.5.

5

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

8

9 1. (New section) a. The Department of Environmental
10 Protection shall adopt, pursuant to the "Administrative Procedure
11 Act," P.L.1968, c.410 (C.52:14B-1 et seq.) and within one year
12 after the date of enactment of this act, rules and regulations
13 providing for the taking and management of striped bass in and
14 upon the marine waters of the State. These rules and regulations
15 may include, but need not be limited to, possession and bag limits,
16 size limits, seasons, area restrictions, and provisions concerning
17 filleting and the possession of striped bass parts.

18 b. The Commissioner of Environmental Protection shall
19 regulate the striped bass fishery in accordance with State policy as
20 set forth in section 2 of P.L.1979, c.199 (C.23:2B-2). The rules and
21 regulations adopted pursuant to subsection a. of this section shall be
22 consistent with (1) the Interstate Fishery Management Plan for
23 Striped Bass of the Atlantic States Marine Fisheries Commission,
24 and (2) the provisions of section 2 of P.L.1991, c.43 (C.23:5-45.3),
25 section 5 of P.L.1983, c.506 (C.23:5-47), and any other applicable
26 State law concerning striped bass.

27

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

30 1. a. Except as permitted pursuant to subsection c. of this
31 section, a person shall not take from the marine waters or other
32 waters of the State in any one day, or have in the person's
33 possession at any time, more than two striped bass. **Each** One
34 of the striped bass taken in accordance with this subsection shall be at
35 least 28 inches but less than 43 inches in length, and the other shall
36 be at least 43 inches in length.

37 b. A person shall not fillet, or remove the head or tail, or parts
38 thereof, of any striped bass at sea, except this subsection shall not
39 apply to striped bass that have been filleted under authority of, and

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.

1 in accordance with, a special permit therefor which may be issued
2 by the Commissioner of Environmental Protection to an inspected
3 vessel licensed to accommodate 15 or more passengers.

4 c. The Commissioner of Environmental Protection, by public
5 notice placed in the New Jersey Register, shall establish
6 management measures for striped bass in and upon the marine
7 waters and other waters of the State, which management measures
8 shall be consistent with the Interstate Fishery Management Plan for
9 Striped Bass of the Atlantic States Marine Fisheries Commission.
10 Upon the approval of the Atlantic States Marine Fisheries
11 Commission, these management measures shall provide for the
12 taking in one day, or the possession at any time, of striped bass in
13 addition to the two striped bass permitted pursuant to subsection a.
14 of this section and shall include the size and quantity limits and the
15 areas and the seasons for the taking of such additional striped bass.

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 Atlantic States
19 Marine Fisheries Commission.

20 (cf: P.L.2005, c.340, s.1)

21

22 3. Section 1 of P.L.1987, c.83 (C.23:5-45.1) and section 3 of
23 P.L.1990, c.5 (C.23:5-45.2) are repealed.

24

25 4. This act shall take effect immediately, except that section 3
26 thereof shall take effect on the 365th day following the date of
27 enactment of this act or upon the date of adoption of the rules and
28 regulations required pursuant to section 1 of this act, whichever is
29 earlier.

30

31

32

STATEMENT

33

34 This bill would require the Department of Environmental
35 Protection (DEP) to adopt, within one year, regulations providing
36 for the taking and management of striped bass from the State's
37 marine waters. These regulations may include, but need not be
38 limited to, possession and bag limits, size limits, seasons, area
39 restrictions, and provisions concerning filleting and the possession
40 of striped bass parts. In the interim, the bill would enact the 2015
41 recreational striped bass management measures approved by the
42 Technical Committee of the Atlantic States Marine Fisheries
43 Commission (ASMFC) at its January 8, 2015 meeting. The
44 Technical Committee approved limits of one fish at least 28 inches
45 but less than 43 inches in length and one fish at least 43 inches in
46 length. The New Jersey Marine Fisheries Council subsequently
47 approved these limits.

1 The bill would direct the Commissioner of Environmental
2 Protection to regulate the striped bass fishery in accordance with
3 State fisheries policy as set forth in the “Marine Fisheries
4 Management and Commercial Fisheries Act.” Also, the bill would
5 require that the adopted regulations be consistent with (1) the
6 Interstate Fishery Management Plan for Striped Bass of the
7 ASMFC, and (2) other applicable State laws concerning striped
8 bass.

9 Finally, the bill would repeal two State laws directly regulating
10 the taking of striped bass, including the law amended by the bill,
11 but this repeal would not take effect until the 365th day following
12 the date of enactment of the bill into law or upon the date of
13 adoption of the regulations required pursuant to section 1 of the bill,
14 whichever is earlier.

15 With enactment into law of this bill, catch limits, seasons and
16 most other restrictions and conditions on the taking of striped bass
17 would no longer be established specifically by statutory law, but
18 instead would be set by the DEP, subject to the disapproval of the
19 Marine Fisheries Council as provided pursuant to sections 5 and 6
20 of P.L.1979, c.199 (C.23:2B-5 and C.23:2B-6). The bill would not
21 repeal or amend the existing statutory prohibitions against the sale
22 or netting of striped bass.

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27 Authorizes DEP and NJ Marine Fisheries Council to regulate
28 taking and management of striped bass; establishes interim taking
29 restrictions.

ASSEMBLY, No. 4146

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED FEBRUARY 5, 2015

Sponsored by:

Assemblyman BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Authorizes DEP and NJ Marine Fisheries Council to regulate taking and management of striped bass; establishes interim taking restrictions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/17/2015)

A4146 ANDRZEJCZAK

2

1 AN ACT concerning the taking and management of striped bass,
2 supplementing P.L.1983, c.506 (C.23:5-43 et seq.), amending
3 P.L.1987, c.83, and repealing section 1 of P.L.1987, c.83 and
4 section 3 of P.L.1990, c.5.

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

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9 1. (New section) a. The Department of Environmental
10 Protection shall adopt, pursuant to the "Administrative Procedure
11 Act," P.L.1968, c.410 (C.52:14B-1 et seq.) and within one year
12 after the date of enactment of this act, rules and regulations
13 providing for the taking and management of striped bass in and
14 upon the marine waters of the State. These rules and regulations
15 may include, but need not be limited to, possession and bag limits,
16 size limits, seasons, area restrictions, and provisions concerning
17 filleting and the possession of striped bass parts.

18 b. The Commissioner of Environmental Protection shall
19 regulate the striped bass fishery in accordance with State policy as
20 set forth in section 2 of P.L.1979, c.199 (C.23:2B-2). The rules and
21 regulations adopted pursuant to subsection a. of this section shall be
22 consistent with (1) the Interstate Fishery Management Plan for
23 Striped Bass of the Atlantic States Marine Fisheries Commission,
24 and (2) the provisions of section 2 of P.L.1991, c.43 (C.23:5-45.3),
25 section 5 of P.L.1983, c.506 (C.23:5-47), and any other applicable
26 State law concerning striped bass.

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

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32 waters of the State in any one day, or have in the person's
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34 of the striped bass taken in accordance with this subsection shall be at
35 least 28 inches but less than 43 inches in length, and the other shall
36 be at least 43 inches in length.

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38 thereof, of any striped bass at sea, except this subsection shall not
39 apply to striped bass that have been filleted under authority of, and
40 in accordance with, a special permit therefor which may be issued
41 by the Commissioner of Environmental Protection to an inspected
42 vessel licensed to accommodate 15 or more passengers.

43 c. The Commissioner of Environmental Protection, by public
44 notice placed in the New Jersey Register, shall establish
45 management measures for striped bass in and upon the marine

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.

1 waters and other waters of the State, which management measures
2 shall be consistent with the Interstate Fishery Management Plan for
3 Striped Bass of the Atlantic States Marine Fisheries Commission.
4 Upon the approval of the Atlantic States Marine Fisheries
5 Commission, these management measures shall provide for the
6 taking in one day, or the possession at any time, of striped bass in
7 addition to the two striped bass permitted pursuant to subsection a.
8 of this section and shall include the size and quantity limits and the
9 areas and the seasons for the taking of such additional striped bass.

10 The department shall monitor the catch provided for in this
11 subsection and provide for its discontinuance as necessary to keep
12 the State in compliance with the allowances of the Atlantic States
13 Marine Fisheries Commission.

14 (cf: P.L.2005, c.340, s.1)

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16 3. Section 1 of P.L.1987, c.83 (C.23:5-45.1) and section 3 of
17 P.L.1990, c.5 (C.23:5-45.2) are repealed.

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19 4. This act shall take effect immediately, except that section 3
20 thereof shall take effect on the 365th day following the date of
21 enactment of this act or upon the date of adoption of the rules and
22 regulations required pursuant to section 1 of this act, whichever is
23 earlier.

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STATEMENT

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28 This bill would require the Department of Environmental
29 Protection (DEP) to adopt, within one year, regulations providing
30 for the taking and management of striped bass from the State's
31 marine waters. These regulations may include, but need not be
32 limited to, possession and bag limits, size limits, seasons, area
33 restrictions, and provisions concerning filleting and the possession
34 of striped bass parts. In the interim, the bill would enact the 2015
35 recreational striped bass management measures approved by the
36 Technical Committee of the Atlantic States Marine Fisheries
37 Commission (ASMFC) at its January 8, 2015 meeting. The
38 Technical Committee approved limits of one fish at least 28 inches
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40 length. The New Jersey Marine Fisheries Council subsequently
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43 Protection to regulate the striped bass fishery in accordance with
44 State fisheries policy as set forth in the "Marine Fisheries
45 Management and Commercial Fisheries Act." Also, the bill would
46 require that the adopted regulations be consistent with (1) the
47 Interstate Fishery Management Plan for Striped Bass of the

1 ASMFC, and (2) other applicable State laws concerning striped
2 bass.

3 Finally, the bill would repeal two State laws directly regulating
4 the taking of striped bass, including the law amended by the bill,
5 but this repeal would not take effect until the 365th day following
6 the date of enactment of the bill into law or upon the date of
7 adoption of the regulations required pursuant to section 1 of the bill,
8 whichever is earlier.

9 With enactment into law of this bill, catch limits, seasons and
10 most other restrictions and conditions on the taking of striped bass
11 would no longer be established specifically by statutory law, but
12 instead would be set by the DEP, subject to the disapproval of the
13 Marine Fisheries Council as provided pursuant to sections 5 and 6
14 of P.L.1979, c.199 (C.23:2B-5 and C.23:2B-6). The bill would not
15 repeal or amend the existing statutory prohibitions against the sale
16 or netting of striped bass.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4146

STATE OF NEW JERSEY

DATED: FEBRUARY 12, 2015

The Assembly Agriculture and Natural Resources Committee favorably reports Assembly Bill No. 4146.

This bill would require the Department of Environmental Protection (DEP) to adopt, within one year, regulations providing for the taking and management of striped bass from the State's marine waters. These regulations may include, but need not be limited to, possession and bag limits, size limits, seasons, area restrictions, and provisions concerning filleting and the possession of striped bass parts. In the interim, the bill would enact the 2015 recreational striped bass management measures approved by the Technical Committee of the Atlantic States Marine Fisheries Commission (ASMFC) at its January 8, 2015 meeting. The Technical Committee approved limits of one fish at least 28 inches but less than 43 inches in length and one fish at least 43 inches in length. The New Jersey Marine Fisheries Council subsequently approved these limits.

The bill would direct the Commissioner of Environmental Protection to regulate the striped bass fishery in accordance with State fisheries policy as set forth in the "Marine Fisheries Management and Commercial Fisheries Act." Also, the bill would require that the adopted regulations be consistent with the Interstate Fishery Management Plan for Striped Bass of the ASMFC and other applicable State laws concerning striped bass.

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SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4146

STATE OF NEW JERSEY

DATED: MARCH 9, 2015

The Senate Environment and Energy Committee favorably reports Assembly Bill No. 4146.

This bill would require the Department of Environmental Protection (DEP) to adopt, within one year, regulations providing for the taking and management of striped bass from the State's marine waters. These regulations may include, but need not be limited to, possession and bag limits, size limits, seasons, area restrictions, and provisions concerning filleting and the possession of striped bass parts. In the interim, the bill would enact the 2015 recreational striped bass management measures approved by the Technical Committee of the Atlantic States Marine Fisheries Commission (ASMFC) at its January 8, 2015 meeting. The Technical Committee approved limits of one fish at least 28 inches but less than 43 inches in length and one fish at least 43 inches in length. The New Jersey Marine Fisheries Council subsequently approved these limits.

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This bill is identical to Senate Bill No. 2733 which was also reported by the committee.

SENATE, No. 2733

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED FEBRUARY 5, 2015

Sponsored by:

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Authorizes DEP and NJ Marine Fisheries Council to regulate taking and management of striped bass; establishes interim taking restrictions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/10/2015)

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STATEMENT

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16 or netting of striped bass.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 2733

STATE OF NEW JERSEY

DATED: MARCH 9, 2015

The Senate Environment and Energy Committee favorably reports Senate Bill No. 2733.

This bill would require the Department of Environmental Protection (DEP) to adopt, within one year, regulations providing for the taking and management of striped bass from the State's marine waters. These regulations may include, but need not be limited to, possession and bag limits, size limits, seasons, area restrictions, and provisions concerning filleting and the possession of striped bass parts. In the interim, the bill would enact the 2015 recreational striped bass management measures approved by the Technical Committee of the Atlantic States Marine Fisheries Commission (ASMFC) at its January 8, 2015 meeting. The Technical Committee approved limits of one fish at least 28 inches but less than 43 inches in length and one fish at least 43 inches in length. The New Jersey Marine Fisheries Council subsequently approved these limits.

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This bill is identical to Assembly Bill No. 4146 which was also reported by the committee.