



**S3796**

**SPONSOR'S STATEMENT:** (Begins on page 4 of introduced bill) Yes

**COMMITTEE STATEMENT:**

**ASSEMBLY:** No

**SENATE:** Yes Environ. & Energy  
Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes 12/30/2019

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

Rwh/CL

P.L. 2019, CHAPTER 503, *approved January 21, 2020*  
Assembly, No. 5432 (*Second Reprint*)

1 AN ACT concerning the menhaden purse seine fishery and  
2 amending P.L.2013, c.74.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 13 of P.L.2013, c.74 (C.23:3-51.11) is amended to  
8 read as follows:

9 13. a. (1) The annual State menhaden catch quota shall be  
10 established by the Atlantic States Marine Fisheries Commission.  
11 The commissioner, or the commissioner's designee, may request a  
12 quota transfer from other states or regions, in accordance with the  
13 administrative procedure outlined by the Atlantic States Marine  
14 Fisheries Commission.

15 (2) The commissioner, or the commissioner's designee, shall  
16 divide and allocate the annual State menhaden catch quota as  
17 provided in this paragraph. The annual New Jersey menhaden bait  
18 quota shall be divided among the various gear types, with the purse  
19 seine fishery being allocated 95 percent of the quota, and pound  
20 nets, wire pound nets, gill nets, trawls, bait nets, and other  
21 authorized gear being allocated the remaining five percent,  
22 combined. If the quota for any gear type is exceeded, the  
23 overharvested amount shall be deducted from the following year's  
24 quota.

25 b. The season for fishing and landing menhaden in the State  
26 shall be:

27 (1) January 1 to December 31 for licensees taking menhaden, or  
28 landing menhaden taken, by purse seine;

29 (2) January 1 to December 31 for licensees taking menhaden, or  
30 landing menhaden taken, by gill net;

31 (3) January 1 to December 31 for licensees taking menhaden, or  
32 landing menhaden taken, by pound net or wire pound net;

33 (4) January 1 to December 31 for licensees taking menhaden, or  
34 landing menhaden taken, by trawl;

35 (5) January 1 to December 31 for licensees taking menhaden, or  
36 landing menhaden taken, by bait net; and

37 (6) January 1 to December 31 for licensees taking menhaden, or  
38 landing menhaden taken, by other authorized gear not otherwise  
39 specified in this subsection.

40 c. No person who intends to take menhaden with a purse seine  
41 or shirred net shall fish for menhaden in the State:

42 (1) on a Saturday or Sunday;

**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:

<sup>1</sup>Assembly AAN committee amendments adopted June 13, 2019.

<sup>2</sup>Senate SEN committee amendments adopted November 18, 2019.

1 (2) on the days on which a public holiday is officially observed  
2 by the State, as declared pursuant to R.S.36:1-1; or

3 (3) at any time, except during the hours from sunrise to sunset.

4 d. (1) The commissioner, or the commissioner's designee,  
5 shall close the menhaden season in the State, for each respective  
6 gear type, by giving not less than two days' notice of the projected  
7 date that the year's quota for that gear type will be landed.

8 (2) If the menhaden season is closed prematurely, the  
9 commissioner may reopen the season for a specified period of time,  
10 upon no less than two days' notice.

11 (3) Any notice required pursuant to this subsection shall be  
12 made available for public viewing on the department's Internet  
13 website, and shall be issued electronically, via e-mail, to all the  
14 holders of a Menhaden Purse Seine Fishing Vessel License, a  
15 Menhaden Purse Seine Fishing Vessel Operator's License, a  
16 Menhaden Landing License, a Menhaden Personal Use and Limited  
17 Sale License, and a Menhaden Dealer License. Each such licensee  
18 shall be required, at the time of licensure, to provide the  
19 commissioner with their e-mail address, in order to facilitate the  
20 provision of notice pursuant to this section.

21 e. If the season for a particular gear type is closed because the  
22 quota amount allocated to that gear type has been harvested and  
23 landed: (1) the holder of a Menhaden Landing License for that gear  
24 type or the holder of a Menhaden Personal Use and Limited Sale  
25 License may continue to land an incidental catch as provided by the  
26 Atlantic States Marine Fisheries Commission Fishery Management  
27 Plan for Atlantic Menhaden; and (2) the holder of a Menhaden  
28 Dealer License may continue to accept an incidental catch from the  
29 holder of a Menhaden Landing License or the holder of a Menhaden  
30 Personal Use and Limited Sale License, as provided by the Atlantic  
31 States Marine Fisheries Commission Fishery Management Plan for  
32 Atlantic Menhaden. The incidental catch allowance authorized by  
33 this subsection shall be applied to the annual menhaden catch quota  
34 as provided by the Atlantic States Marine Fisheries Commission  
35 Fishery Management Plan for Atlantic Menhaden.

36 f. (1) Within 60 days after the enactment of  
37 P.L. , c. (pending before the Legislature as this bill), the  
38 commissioner, or the commissioner's designee, shall establish an  
39 individual transferable quota <sup>1</sup>[(ITQ)]<sup>1</sup> system for the menhaden  
40 purse seine fishery. To qualify to receive an allocation under the  
41 ITQ system established pursuant to this subsection, a vessel and its  
42 owner or operator shall hold, prior to the date of enactment of  
43 P.L. , c. (pending before the Legislature as this bill), a valid  
44 Menhaden Landing License for the menhaden purse seine fishery.

45 Each ITQ shall be allocated based upon a qualified vessel's  
46 rounded percentage share of the average of its menhaden landings  
47 in 2014 through 2018, inclusive, except that no qualified vessel  
48 shall be allocated an ITQ in an amount less than 200,000 pounds in

1 the initial allocation. After the initial allocation pursuant to this  
 2 paragraph: (a) the percentage of quota for the menhaden purse  
 3 seine fishery established for each ITQ holder shall remain static;  
 4 and (b) each ITQ holder's individual poundage quota shall increase  
 5 or decrease based on the overall menhaden purse seine fishery quota  
 6 allocated to the State and the ITQ holder's fixed percentage of that  
 7 allocation. The commissioner, or the commissioner's designee,  
 8 shall notify, in writing, each owner or operator of a qualified vessel  
 9 of their ITQ established pursuant to this paragraph.

10 (2) The owner of a qualified vessel may transfer all or part of  
 11 the vessel's ITQ to another qualified vessel, on a temporary or  
 12 permanent basis, upon approval by the commissioner or the  
 13 commissioner's designee.

14 (3) A ITQ holder who does not harvest, or transfer to be  
 15 harvested pursuant to paragraph (2) of this subsection, a minimum  
 16 of 80 percent of the holder's quota for two consecutive years may,  
 17 at the discretion of the commissioner or the commissioner's  
 18 designee, have the quota redistributed to the remainder of the ITQ  
 19 holders using the calculation set forth in paragraph (1) of this  
 20 subsection.

21 (4) If upon the date of enactment of P.L. , c. (pending  
 22 before the Legislature as this bill), the menhaden purse seine fishery  
 23 is open for the 2019 fishing season and all qualified vessels have  
 24 harvested less than their individual allocation for the 2019 fishing  
 25 season as calculated pursuant to paragraph (1) of this subsection,  
 26 each qualified vessel shall be subject to their individual ITQ  
 27 established pursuant to paragraph (1) of this subsection for the  
 28 remainder of the 2019 fishing season.

29 <sup>1</sup>(5) <sup>2</sup>No later than ten years after the date of enactment of  
 30 P.L. , c. (pending before the Legislature as this bill), the  
 31 commissioner, or the commissioner's designee, shall conduct an  
 32 assessment of the ITQ system established pursuant to this  
 33 subsection and send a written report of the assessment, including  
 34 any recommendations for legislative action if deemed appropriate,  
 35 to the Chairperson of the Senate Environment and Energy  
 36 Committee and the Assembly Agriculture and Natural Resources  
 37 Committee, or their successors.

38 (6)<sup>2</sup> As used in this subsection, "ITQ" means an individual  
 39 transferable quota as allocated pursuant to this subsection.<sup>1</sup>

40 (cf: P.L.2014, c.57, s.9)

41

42 2. This act shall take effect immediately.

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47 \_\_\_\_\_  
 48 Requires DEP Commissioner to establish individual transferable  
 quota system for menhaden purse seine fishery.

# ASSEMBLY, No. 5432

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 20, 2019

**Sponsored by:**

**Assemblyman MATTHEW W. MILAM**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**SYNOPSIS**

Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the menhaden purse seine fishery and  
2 amending P.L.2013, c.74.

3

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

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7 1. Section 13 of P.L.2013, c.74 (C.23:3-51.11) is amended to  
8 read as follows:

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10 established by the Atlantic States Marine Fisheries Commission.  
11 The commissioner, or the commissioner's designee, may request a  
12 quota transfer from other states or regions, in accordance with the  
13 administrative procedure outlined by the Atlantic States Marine  
14 Fisheries Commission.

15 (2) The commissioner, or the commissioner's designee, shall  
16 divide and allocate the annual State menhaden catch quota as  
17 provided in this paragraph. The annual New Jersey menhaden bait  
18 quota shall be divided among the various gear types, with the purse  
19 seine fishery being allocated 95 percent of the quota, and pound  
20 nets, wire pound nets, gill nets, trawls, bait nets, and other  
21 authorized gear being allocated the remaining five percent,  
22 combined. If the quota for any gear type is exceeded, the  
23 overharvested amount shall be deducted from the following year's  
24 quota.

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34 landing menhaden taken, by trawl;

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36 landing menhaden taken, by bait net; and

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38 landing menhaden taken, by other authorized gear not otherwise  
39 specified in this subsection.

40 c. No person who intends to take menhaden with a purse seine  
41 or shirred net shall fish for menhaden in the State:

42 (1) on a Saturday or Sunday;

43 (2) on the days on which a public holiday is officially observed  
44 by the State, as declared pursuant to R.S.36:1-1; or

45 (3) at any time, except during the hours from sunrise to sunset.

**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.**

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1 d. (1) The commissioner , or the commissioner's designee,  
2 shall close the menhaden season in the State, for each respective  
3 gear type, by giving not less than two days' notice of the projected  
4 date that the year's quota for that gear type will be landed.

5 (2) If the menhaden season is closed prematurely, the  
6 commissioner may reopen the season for a specified period of time,  
7 upon no less than two days' notice.

8 (3) Any notice required pursuant to this subsection shall be  
9 made available for public viewing on the department's Internet  
10 website, and shall be issued electronically, via e-mail, to all the  
11 holders of a Menhaden Purse Seine Fishing Vessel License, a  
12 Menhaden Purse Seine Fishing Vessel Operator's License, a  
13 Menhaden Landing License, a Menhaden Personal Use and Limited  
14 Sale License, and a Menhaden Dealer License. Each such licensee  
15 shall be required, at the time of licensure, to provide the  
16 commissioner with their e-mail address, in order to facilitate the  
17 provision of notice pursuant to this section.

18 e. If the season for a particular gear type is closed because the  
19 quota amount allocated to that gear type has been harvested and  
20 landed: (1) the holder of a Menhaden Landing License for that gear  
21 type or the holder of a Menhaden Personal Use and Limited Sale  
22 License may continue to land an incidental catch as provided by the  
23 Atlantic States Marine Fisheries Commission Fishery Management  
24 Plan for Atlantic Menhaden; and (2) the holder of a Menhaden  
25 Dealer License may continue to accept an incidental catch from the  
26 holder of a Menhaden Landing License or the holder of a Menhaden  
27 Personal Use and Limited Sale License, as provided by the Atlantic  
28 States Marine Fisheries Commission Fishery Management Plan for  
29 Atlantic Menhaden. The incidental catch allowance authorized by  
30 this subsection shall be applied to the annual menhaden catch quota  
31 as provided by the Atlantic States Marine Fisheries Commission  
32 Fishery Management Plan for Atlantic Menhaden.

33 f. (1) Within 60 days after the enactment of P.L. \_\_\_\_\_,  
34 c. (pending before the Legislature as this bill), the commissioner,  
35 or the commissioner's designee, shall establish an individual  
36 transferable quota (ITQ) system for the menhaden purse seine  
37 fishery. To qualify to receive an allocation under the ITQ system  
38 established pursuant to this subsection, a vessel and its owner or  
39 operator shall hold, prior to the date of enactment of P.L. \_\_\_\_\_,  
40 c. (pending before the Legislature as this bill), a valid Menhaden  
41 Landing License for the menhaden purse seine fishery.

42 Each ITQ shall be allocated based upon a qualified vessel's  
43 rounded percentage share of the average of its menhaden landings  
44 in 2014 through 2018, inclusive, except that no qualified vessel  
45 shall be allocated an ITQ in an amount less than 200,000 pounds in  
46 the initial allocation. After the initial allocation pursuant to this  
47 paragraph: (a) the percentage of quota for the menhaden purse  
48 seine fishery established for each ITQ holder shall remain static;



1 and (b) each ITQ holder's individual poundage quota shall increase  
2 or decrease based on the overall menhaden purse seine fishery quota  
3 allocated to the State and the ITQ holder's fixed percentage of that  
4 allocation. The commissioner, or the commissioner's designee,  
5 shall notify, in writing, each owner or operator of a qualified vessel  
6 of their ITQ established pursuant to this paragraph.

7 (2) The owner of a qualified vessel may transfer all or part of  
8 the vessel's ITQ to another qualified vessel, on a temporary or  
9 permanent basis, upon approval by the commissioner or the  
10 commissioner's designee.

11 (3) A ITQ holder who does not harvest, or transfer to be  
12 harvested pursuant to paragraph (2) of this subsection, a minimum  
13 of 80 percent of the holder's quota for two consecutive years may,  
14 at the discretion of the commissioner or the commissioner's  
15 designee, have the quota redistributed to the remainder of the ITQ  
16 holders using the calculation set forth in paragraph (1) of this  
17 subsection.

18 (4) If upon the date of enactment of P.L. , c. (pending before  
19 the Legislature as this bill), the menhaden purse seine fishery is  
20 open for the 2019 fishing season and all qualified vessels have  
21 harvested less than their individual allocation for the 2019 fishing  
22 season as calculated pursuant to paragraph (1) of this subsection,  
23 each qualified vessel shall be subject to their individual ITQ  
24 established pursuant to paragraph (1) of this subsection for the  
25 remainder of the 2019 fishing season.

26 (cf: P.L.2014, c.57, s.9)

27

28 2. This act shall take effect immediately.

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30

31

#### STATEMENT

32

33 This bill would require the Commissioner of Environmental  
34 Protection, or the commissioner's designee, to establish an  
35 individual transferable quota (ITQ) system for the menhaden purse  
36 seine fishery. The bill would also specify that the commissioner's  
37 designee may take certain actions that are now the commissioner's  
38 responsibility relating to the menhaden fishery.

39 In order to receive an allocation under the ITQ system, a vessel  
40 and its owner or operator must hold, prior to the date of the bill  
41 being enacted into law, a valid Menhaden Landing License for the  
42 purse seine fishery. The bill provides that each ITQ would be  
43 allocated based upon a qualified vessel's rounded percentage share  
44 of the average of its menhaden landings in 2014 through 2018,  
45 inclusive, except that no qualified vessel would be allocated an ITQ  
46 in an amount less than 200,000 pounds. The percentage of the  
47 State's quota established for each ITQ holder would remain static.  
48 Individual poundage quotas would increase or decrease based on

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1 the overall menhaden purse seine fishery quota allocated to the  
2 State and the ITQ holder's fixed percentage of that allocation.

3 The ITQ created by this bill would not be allowed to be held and  
4 not fished. The bill provides that if an ITQ holder does not harvest,  
5 or transfer to be harvested, a minimum of 80 percent of the holder's  
6 quota for two consecutive years, the commissioner, or the  
7 commissioner's designee, may redistribute that holder's quota.

8 Lastly, the bill provides that if it is enacted into law during the  
9 2019 fishing season, and all qualified vessels have caught less than  
10 their individual allocation of ITQ for the 2019 fishing season, then  
11 each qualified vessel would be subject to their individual ITQ  
12 established pursuant to the bill for the remainder of the 2019 fishing  
13 season.

14 It is the intention of this legislation to encourage the continued  
15 sustainable harvest of the menhaden resource allocated to the State,  
16 bringing economic value and jobs to the State.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES  
COMMITTEE

STATEMENT TO  
ASSEMBLY, No. 5432

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 13, 2019

The Assembly Agriculture and Natural Resources Committee favorably reports, and with committee amendments, Assembly Bill No. 5432.

This bill would require the Commissioner of Environmental Protection, or the commissioner's designee, to establish an individual transferable quota (ITQ) system for the menhaden purse seine fishery. The bill would also specify that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of the bill being enacted into law, a valid Menhaden Landing License for the purse seine fishery. The bill provides that each ITQ would be allocated based upon a qualified vessel's rounded percentage share of the average of its menhaden landings in 2014 through 2018, inclusive, except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would remain static. Individual poundage quotas would increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

The ITQ created by this bill would not be allowed to be held and not fished. The bill provides that if an ITQ holder does not harvest, or transfer to be harvested, a minimum of 80 percent of the holder's quota for two consecutive years, the commissioner, or the commissioner's designee, may redistribute that holder's quota.

Finally, the bill provides that if it is enacted into law during the 2019 fishing season, and all qualified vessels have caught less than their individual allocation of ITQ for the 2019 fishing season, then each qualified vessel would be subject to their individual ITQ established pursuant to the bill for the remainder of the 2019 fishing season.

COMMITTEE AMENDMENTS

The committee amendments make technical corrections to the bill.

# SENATE ENVIRONMENT AND ENERGY COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 5432

with committee amendments

# STATE OF NEW JERSEY

DATED: NOVEMBER 18, 2019

The Senate Environment and Energy Committee favorably reports Assembly Bill No. 5432 (1R) with committee amendments.

As amended by the committee, this bill would require the Commissioner of Environmental Protection, or the commissioner's designee, to establish an individual transferable quota (ITQ) system for the menhaden purse seine fishery. The bill would also specify that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of the bill being enacted into law, a valid Menhaden Landing License for the purse seine fishery. The bill provides that each ITQ would be allocated based upon a qualified vessel's rounded percentage share of the average of its menhaden landings in 2014 through 2018, inclusive, except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would remain static. Individual poundage quotas would increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

The ITQ created by this bill would not be allowed to be held and not fished. The bill provides that if an ITQ holder does not harvest, or transfer to be harvested, a minimum of 80 percent of the holder's quota for two consecutive years, the commissioner, or the commissioner's designee, may redistribute that holder's quota.

Finally, the bill provides that if it is enacted into law during the 2019 fishing season, and all qualified vessels have caught less than their individual allocation of ITQ for the 2019 fishing season, then each qualified vessel would be subject to their individual ITQ established pursuant to the bill for the remainder of the 2019 fishing season.

The committee amendments to the bill would require the commissioner, or the commissioner's designee, no later than ten years after the date the bill is enacted into law, to conduct an assessment of

the ITQ system established pursuant to the bill and send a written report of the assessment, including any recommendations for legislative action if deemed appropriate, to the Chairpersons of the Senate Environment and Energy Committee and the Assembly Agriculture and Natural Resources Committee, or their successors.

As amended and reported by the committee, this bill is identical to Senate Bill No. 3796 as also amended and reported by the committee.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[Second Reprint]

**ASSEMBLY, No. 5432**

# **STATE OF NEW JERSEY**

DATED: JANUARY 6, 2020

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 5432 (2R).

This bill requires the Commissioner of Environmental Protection, or the commissioner's designee, to establish an individual transferable quota (ITQ) system for the menhaden purse seine fishery. The bill also specifies that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of the bill being enacted into law, a valid Menhaden Landing License for the purse seine fishery. The bill provides that each ITQ is to be allocated based upon a qualified vessel's rounded percentage share of the average of its menhaden landings in 2014 through 2018, inclusive, except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would remain static. Individual poundage quotas are to increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

The ITQ created by this bill would not be allowed to be held and not fished. The bill provides that if an ITQ holder does not harvest, or transfer to be harvested, a minimum of 80 percent of the holder's quota for two consecutive years, the commissioner, or the commissioner's designee, may redistribute that holder's quota.

Finally, the bill provides that if it is enacted into law during the 2019 fishing season, and all qualified vessels have caught less than their individual allocation of ITQ for the 2019 fishing season, then each qualified vessel would be subject to their individual ITQ established pursuant to the bill for the remainder of the 2019 fishing season.

The bill requires the commissioner, or the commissioner's designee, no later than ten years after the date the bill is enacted into law, to conduct an assessment of the ITQ system established pursuant to the bill and send a written report of the assessment, including any recommendations for legislative action, if deemed appropriate, to the

Chairpersons of the Senate Environment and Energy Committee and the Assembly Agriculture and Natural Resources Committee, or their successors.

As reported by the committee, Assembly Bill No. 5432 (2R) is identical to Senate Bill No. 3796 (1R), which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill may result in indeterminate, likely marginal, annual State expenditure increases as the bill imposes additional administrative responsibilities on the Department of Environmental Protection (DEP) for the oversight of a quota allocation and transfer system of the menhaden seine purse fishery.

The OLS also anticipates a possible one-time marginal cost to the DEP for establishing the ITQ system and for producing a report on the implementation of the quota system no later than ten years after the enactment of the bill.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

**ASSEMBLY, No. 5432**

## **STATE OF NEW JERSEY 218th LEGISLATURE**

DATED: JUNE 21, 2019

### SUMMARY

- Synopsis:** Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery.
- Type of Impact:** Annual State expenditure increase; General Fund.
- Agencies Affected:** Department of Environmental Protection

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Expenditure Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) estimates that the bill may result in indeterminate, likely marginal, annual State expenditure increases as the bill imposes additional administrative responsibilities on the Department of Environmental Protection (DEP) for the oversight of a quota allocation and transfer system of the menhaden seine purse fishery. The OLS also anticipates a possible one-time marginal cost to the DEP for establishing the individual transferrable quota (ITQ) system.

### BILL DESCRIPTION

This bill would require the Commissioner of Environmental Protection, or the commissioner's designee, to establish an ITQ system for the menhaden purse seine fishery. The bill would also specify that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of enactment, a valid Menhaden Landing License for the menhaden purse seine fishery. The bill provides that each ITQ would be allocated based upon a qualified vessel's rounded percentage share of the average of its inclusive menhaden landings in 2014 through 2018, except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would



remain static. Individual poundage quotas would increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

The bill provides that if an ITQ holder does not harvest, or transfer to be harvested, a minimum of 80 percent of the holder's quota for two consecutive years, that holder's quota may be redistributed.

Finally, the bill provides that if it is enacted into law during the 2019 fishing season, and all qualified vessels have caught less than their individual allocation of ITQ for the 2019 fishing season, then each qualified vessel would be subject to their individual ITQ established pursuant to the bill for the remainder of the 2019 fishing season.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS estimates that the bill will result in an indeterminate, likely marginal, annual State expenditure increase since the bill increases the workload of the DEP by requiring it to oversee an ITQ system for the menhaden purse seine fishery. There will be no additional permitting reviews as a result of the bill, as a vessel owner or operator would be required to hold a valid Menhaden Landing License before the effective date of the bill, thereby limiting additional costs. While the DEP will be required to oversee the ITQ system, potentially approve transfers between qualified vessels, and reallocate unused quota amounts, it is likely that these tasks could be subsumed within existing staff duties.

The OLS also anticipates a possible one-time marginal cost to the DEP to establish the ITQ system. Establishing the program and setting the initial allocation of the menhaden quota would add to the DEP's responsibilities to manage the menhaden fishery. However, the DEP would not be required to calculate the individual quotas every year, as the bill provides that the percentage allocated to each vessel would remain fixed, unless it goes unused and is not transferred to another vessel. Therefore, it is likely that these tasks will be accomplished by current DEP staff using existing resources.

*Section:* Environment, Agriculture, Energy and Natural Resources

*Analyst:* Bryan Marco  
Associate Counsel

*Approved:* Frank W. Haines III  
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

**ASSEMBLY, No. 5432**

## **STATE OF NEW JERSEY 218th LEGISLATURE**

DATED: DECEMBER 30, 2019

### **SUMMARY**

- Synopsis:** Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery.
- Type of Impact:** Annual State expenditure increase; General Fund.
- Agencies Affected:** Department of Environmental Protection

#### **Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Expenditure Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) estimates that the bill may result in indeterminate, likely marginal, annual State expenditure increases as the bill imposes additional administrative responsibilities on the Department of Environmental Protection (DEP) for the oversight of a quota allocation and transfer system of the menhaden seine purse fishery.
- The OLS also anticipates a possible one-time marginal cost to the DEP for establishing the individual transferrable quota (ITQ) system and for producing a report on the implementation of the quota system no later than ten years after the enactment of the bill.

### **BILL DESCRIPTION**

This bill would require the Commissioner of Environmental Protection, or the commissioner's designee, to establish an ITQ system for the menhaden purse seine fishery. The bill would also specify that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of enactment, a valid Menhaden Landing License for the menhaden purse seine fishery. The bill provides that each ITQ would be allocated based upon a qualified vessel's rounded percentage share of the average of its inclusive menhaden landings in 2014 through 2018,

except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would remain static. Individual poundage quotas would increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

Finally, the bill would require the commissioner, or the commissioner's designee, no later than ten years after the date the bill is enacted into law, to conduct an assessment of the ITQ system established pursuant to the bill and send a written report of the assessment, including any recommendations for legislative action if deemed appropriate, to the Chairpersons of the Senate Environment and Energy Committee and the Assembly Agriculture and Natural Resources Committee, or their successors.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS estimates that the bill will result in an indeterminate, likely marginal, annual State expenditure increase since the bill increases the workload of the DEP by requiring it to oversee an ITQ system for the menhaden purse seine fishery. There will be no additional permitting reviews as a result of the bill, as a vessel owner or operator would be required to hold a valid Menhaden Landing License before the effective date of the bill, thereby limiting additional costs. While the DEP will be required to oversee the ITQ system, potentially approve transfers between qualified vessels, and reallocate unused quota amounts, it is likely that these tasks could be subsumed within existing staff duties.

The OLS also anticipates a possible one-time marginal cost to the DEP to establish the ITQ system. Establishing the program and setting the initial allocation of the menhaden quota would add to the DEP's responsibilities to manage the menhaden fishery. However, the DEP would not be required to calculate the individual quotas every year, as the bill provides that the percentage allocated to each vessel would remain fixed, unless it goes unused and is not transferred to another vessel. Therefore, it is likely that these tasks will be accomplished by current DEP staff using existing resources.

The OLS anticipates an additional one-time marginal cost to the DEP to produce a report on the implementation of the quota system. However, it is likely that this task could be accomplished by current DEP staff using existing resources.

*Section:*            *Environment, Agriculture, Energy and Natural Resources*

*Analyst:*          *Eric Hansen*  
*Assistant Research Analyst*

*Approved:*        *Frank W. Haines III*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**SENATE, No. 3796**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED MAY 20, 2019

**Sponsored by:**

**Senator BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**SYNOPSIS**

Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the menhaden purse seine fishery and  
2 amending P.L.2013, c.74.

3

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

6

7 1. Section 13 of P.L.2013, c.74 (C.23:3-51.11) is amended to  
8 read as follows:

9 13. a. (1) The annual State menhaden catch quota shall be  
10 established by the Atlantic States Marine Fisheries Commission.  
11 The commissioner, or the commissioner's designee, may request a  
12 quota transfer from other states or regions, in accordance with the  
13 administrative procedure outlined by the Atlantic States Marine  
14 Fisheries Commission.

15 (2) The commissioner, or the commissioner's designee, shall  
16 divide and allocate the annual State menhaden catch quota as  
17 provided in this paragraph. The annual New Jersey menhaden bait  
18 quota shall be divided among the various gear types, with the purse  
19 seine fishery being allocated 95 percent of the quota, and pound  
20 nets, wire pound nets, gill nets, trawls, bait nets, and other  
21 authorized gear being allocated the remaining five percent,  
22 combined. If the quota for any gear type is exceeded, the  
23 overharvested amount shall be deducted from the following year's  
24 quota.

25 b. The season for fishing and landing menhaden in the State  
26 shall be:

27 (1) January 1 to December 31 for licensees taking menhaden, or  
28 landing menhaden taken, by purse seine;

29 (2) January 1 to December 31 for licensees taking menhaden, or  
30 landing menhaden taken, by gill net;

31 (3) January 1 to December 31 for licensees taking menhaden, or  
32 landing menhaden taken, by pound net or wire pound net;

33 (4) January 1 to December 31 for licensees taking menhaden, or  
34 landing menhaden taken, by trawl;

35 (5) January 1 to December 31 for licensees taking menhaden, or  
36 landing menhaden taken, by bait net; and

37 (6) January 1 to December 31 for licensees taking menhaden, or  
38 landing menhaden taken, by other authorized gear not otherwise  
39 specified in this subsection.

40 c. No person who intends to take menhaden with a purse seine  
41 or shirred net shall fish for menhaden in the State:

42 (1) on a Saturday or Sunday;

43 (2) on the days on which a public holiday is officially observed  
44 by the State, as declared pursuant to R.S.36:1-1; or

45 (3) at any time, except during the hours from sunrise to sunset.

**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 d. (1) The commissioner , or the commissioner's designee,  
2 shall close the menhaden season in the State, for each respective  
3 gear type, by giving not less than two days' notice of the projected  
4 date that the year's quota for that gear type will be landed.

5 (2) If the menhaden season is closed prematurely, the  
6 commissioner may reopen the season for a specified period of time,  
7 upon no less than two days' notice.

8 (3) Any notice required pursuant to this subsection shall be  
9 made available for public viewing on the department's Internet  
10 website, and shall be issued electronically, via e-mail, to all the  
11 holders of a Menhaden Purse Seine Fishing Vessel License, a  
12 Menhaden Purse Seine Fishing Vessel Operator's License, a  
13 Menhaden Landing License, a Menhaden Personal Use and Limited  
14 Sale License, and a Menhaden Dealer License. Each such licensee  
15 shall be required, at the time of licensure, to provide the  
16 commissioner with their e-mail address, in order to facilitate the  
17 provision of notice pursuant to this section.

18 e. If the season for a particular gear type is closed because the  
19 quota amount allocated to that gear type has been harvested and  
20 landed: (1) the holder of a Menhaden Landing License for that gear  
21 type or the holder of a Menhaden Personal Use and Limited Sale  
22 License may continue to land an incidental catch as provided by the  
23 Atlantic States Marine Fisheries Commission Fishery Management  
24 Plan for Atlantic Menhaden; and (2) the holder of a Menhaden  
25 Dealer License may continue to accept an incidental catch from the  
26 holder of a Menhaden Landing License or the holder of a Menhaden  
27 Personal Use and Limited Sale License, as provided by the Atlantic  
28 States Marine Fisheries Commission Fishery Management Plan for  
29 Atlantic Menhaden. The incidental catch allowance authorized by  
30 this subsection shall be applied to the annual menhaden catch quota  
31 as provided by the Atlantic States Marine Fisheries Commission  
32 Fishery Management Plan for Atlantic Menhaden.

33 f. (1) Within 60 days after the enactment of P.L. \_\_\_\_\_,  
34 c. (pending before the Legislature as this bill), the commissioner,  
35 or the commissioner's designee, shall establish an individual  
36 transferable quota (ITQ) system for the menhaden purse seine  
37 fishery. To qualify to receive an allocation under the ITQ system  
38 established pursuant to this subsection, a vessel and its owner or  
39 operator shall hold, prior to the date of enactment of P.L. \_\_\_\_\_,  
40 c. (pending before the Legislature as this bill), a valid Menhaden  
41 Landing License for the menhaden purse seine fishery.

42 Each ITQ shall be allocated based upon a qualified vessel's  
43 rounded percentage share of the average of its menhaden landings  
44 in 2014 through 2018, inclusive, except that no qualified vessel  
45 shall be allocated an ITQ in an amount less than 200,000 pounds in  
46 the initial allocation. After the initial allocation pursuant to this  
47 paragraph: (a) the percentage of quota for the menhaden purse  
48 seine fishery established for each ITQ holder shall remain static;

1 and (b) each ITQ holder's individual poundage quota shall increase  
2 or decrease based on the overall menhaden purse seine fishery quota  
3 allocated to the State and the ITQ holder's fixed percentage of that  
4 allocation. The commissioner, or the commissioner's designee,  
5 shall notify, in writing, each owner or operator of a qualified vessel  
6 of their ITQ established pursuant to this paragraph.

7 (2) The owner of a qualified vessel may transfer all or part of  
8 the vessel's ITQ to another qualified vessel, on a temporary or  
9 permanent basis, upon approval by the commissioner or the  
10 commissioner's designee.

11 (3) A ITQ holder who does not harvest, or transfer to be  
12 harvested pursuant to paragraph (2) of this subsection, a minimum  
13 of 80 percent of the holder's quota for two consecutive years may,  
14 at the discretion of the commissioner or the commissioner's  
15 designee, have the quota redistributed to the remainder of the ITQ  
16 holders using the calculation set forth in paragraph (1) of this  
17 subsection.

18 (4) If upon the date of enactment of P.L. , c. (pending before  
19 the Legislature as this bill), the menhaden purse seine fishery is  
20 open for the 2019 fishing season and all qualified vessels have  
21 harvested less than their individual allocation for the 2019 fishing  
22 season as calculated pursuant to paragraph (1) of this subsection,  
23 each qualified vessel shall be subject to their individual ITQ  
24 established pursuant to paragraph (1) of this subsection for the  
25 remainder of the 2019 fishing season.

26 (cf: P.L.2014, c.57, s.9)

27  
28 2. This act shall take effect immediately.  
29  
30

### 31 STATEMENT

32  
33 This bill would require the Commissioner of Environmental  
34 Protection, or the commissioner's designee, to establish an  
35 individual transferable quota (ITQ) system for the menhaden purse  
36 seine fishery. The bill would also specify that the commissioner's  
37 designee may take certain actions that are now the commissioner's  
38 responsibility relating to the menhaden fishery.

39 In order to receive an allocation under the ITQ system, a vessel  
40 and its owner or operator must hold, prior to the date of the bill  
41 being enacted into law, a valid Menhaden Landing License for the  
42 purse seine fishery. The bill provides that each ITQ would be  
43 allocated based upon a qualified vessel's rounded percentage share  
44 of the average of its menhaden landings in 2014 through 2018,  
45 inclusive, except that no qualified vessel would be allocated an ITQ  
46 in an amount less than 200,000 pounds. The percentage of the  
47 State's quota established for each ITQ holder would remain static.  
48 Individual poundage quotas would increase or decrease based on

1 the overall menhaden purse seine fishery quota allocated to the  
2 State and the ITQ holder's fixed percentage of that allocation.

3 The ITQ created by this bill would not be allowed to be held and  
4 not fished. The bill provides that if an ITQ holder does not harvest,  
5 or transfer to be harvested, a minimum of 80 percent of the holder's  
6 quota for two consecutive years, the commissioner, or the  
7 commissioner's designee, may redistribute that holder's quota.

8 Lastly, the bill provides that if it is enacted into law during the  
9 2019 fishing season, and all qualified vessels have caught less than  
10 their individual allocation of ITQ for the 2019 fishing season, then  
11 each qualified vessel would be subject to their individual ITQ  
12 established pursuant to the bill for the remainder of the 2019 fishing  
13 season.

14 It is the intention of this legislation to encourage the continued  
15 sustainable harvest of the menhaden resource allocated to the State,  
16 bringing economic value and jobs to the State.



# SENATE ENVIRONMENT AND ENERGY COMMITTEE

## STATEMENT TO

### **SENATE, No. 3796**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 18, 2019

The Senate Environment and Energy Committee favorably reports Senate Bill No. 3796 with committee amendments.

This bill, as amended, would require the Commissioner of Environmental Protection, or the commissioner's designee, to establish an individual transferable quota (ITQ) system for the menhaden purse seine fishery. The bill would also specify that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of the bill being enacted into law, a valid Menhaden Landing License for the purse seine fishery. The bill, as amended, provides that each ITQ would be allocated based upon a qualified vessel's rounded percentage share of the average of its menhaden landings in 2014 through 2018, inclusive, except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would remain static. Individual poundage quotas would increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

The ITQ created by this bill, as amended, would not be allowed to be held and not fished. The bill, as amended, provides that if an ITQ holder does not harvest, or transfer to be harvested, a minimum of 80 percent of the holder's quota for two consecutive years, the commissioner, or the commissioner's designee, may redistribute that holder's quota.

Lastly, the bill, as amended, provides that if it is enacted into law during the 2019 fishing season, and all qualified vessels have caught less than their individual allocation of ITQ for the 2019 fishing season, then each qualified vessel would be subject to their individual ITQ established pursuant to the bill for the remainder of the 2019 fishing season.

The committee amendments to the bill would: (1) require the commissioner, or the commissioner's designee, no later than ten years after the date the bill is enacted into law, to conduct an assessment of the ITQ system established pursuant to the bill and send a written

report of the assessment, including any recommendations for legislative action if deemed appropriate, to the Chairperson of the Senate Environment and Energy Committee and the Assembly Agriculture and Natural Resources Committee, or their successors; and (2) make a technical amendment to add a definition for “ITQ.”

As amended and reported by the committee, this bill is identical to Assembly Bill No. 5432 (1R), as amended and reported by the committee.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 3796**

# **STATE OF NEW JERSEY**

DATED: JANUARY 6, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3796 (1R).

This bill requires the Commissioner of Environmental Protection, or the commissioner's designee, to establish an individual transferable quota (ITQ) system for the menhaden purse seine fishery. The bill also specifies that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of the bill being enacted into law, a valid Menhaden Landing License for the purse seine fishery. The bill provides that each ITQ is to be allocated based upon a qualified vessel's rounded percentage share of the average of its menhaden landings in 2014 through 2018, inclusive, except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would remain static. Individual poundage quotas are to increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

The ITQ created by this bill would not be allowed to be held and not fished. The bill provides that if an ITQ holder does not harvest, or transfer to be harvested, a minimum of 80 percent of the holder's quota for two consecutive years, the commissioner, or the commissioner's designee, may redistribute that holder's quota.

Finally, the bill provides that if it is enacted into law during the 2019 fishing season, and all qualified vessels have caught less than their individual allocation of ITQ for the 2019 fishing season, then each qualified vessel would be subject to their individual ITQ established pursuant to the bill for the remainder of the 2019 fishing season.

The bill requires the commissioner, or the commissioner's designee, no later than ten years after the date the bill is enacted into law, to conduct an assessment of the ITQ system established pursuant to the bill and send a written report of the assessment, including any recommendations for legislative action, if deemed appropriate, to the

Chairpersons of the Senate Environment and Energy Committee and the Assembly Agriculture and Natural Resources Committee, or their successors.

As reported by the committee, Senate Bill No. 3796 (1R) is identical to Assembly Bill No. 5432 (2R), which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill may result in indeterminate, likely marginal, annual State expenditure increases as the bill imposes additional administrative responsibilities on the Department of Environmental Protection (DEP) for the oversight of a quota allocation and transfer system of the menhaden seine purse fishery.

The OLS also anticipates a possible one-time marginal cost to the DEP for establishing the ITQ system and for producing a report on the implementation of the quota system no later than ten years after the enactment of the bill.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 3796 STATE OF NEW JERSEY 218th LEGISLATURE

DATED: DECEMBER 30, 2019

### SUMMARY

- Synopsis:** Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery.
- Type of Impact:** Annual State expenditure increase; General Fund.
- Agencies Affected:** Department of Environmental Protection

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Expenditure Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) estimates that the bill may result in indeterminate, likely marginal, annual State expenditure increases as the bill imposes additional administrative responsibilities on the Department of Environmental Protection (DEP) for the oversight of a quota allocation and transfer system of the menhaden seine purse fishery.
- The OLS also anticipates a possible one-time marginal cost to the DEP for establishing the individual transferrable quota (ITQ) system and for producing a report on the implementation of the quota system no later than ten years after the enactment of the bill.

### BILL DESCRIPTION

This bill would require the Commissioner of Environmental Protection, or the commissioner's designee, to establish an ITQ system for the menhaden purse seine fishery. The bill would also specify that the commissioner's designee may take certain actions that are now the commissioner's responsibility relating to the menhaden fishery.

In order to receive an allocation under the ITQ system, a vessel and its owner or operator must hold, prior to the date of enactment, a valid Menhaden Landing License for the menhaden purse seine fishery. The bill provides that each ITQ would be allocated based upon a qualified vessel's rounded percentage share of the average of its inclusive menhaden landings in 2014 through 2018,

except that no qualified vessel would be allocated an ITQ in an amount less than 200,000 pounds. The percentage of the State's quota established for each ITQ holder would remain static. Individual poundage quotas would increase or decrease based on the overall menhaden purse seine fishery quota allocated to the State and the ITQ holder's fixed percentage of that allocation.

Finally, the bill would require the commissioner, or the commissioner's designee, no later than ten years after the date the bill is enacted into law, to conduct an assessment of the ITQ system established pursuant to the bill and send a written report of the assessment, including any recommendations for legislative action if deemed appropriate, to the Chairpersons of the Senate Environment and Energy Committee and the Assembly Agriculture and Natural Resources Committee, or their successors.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS estimates that the bill will result in an indeterminate, likely marginal, annual State expenditure increase since the bill increases the workload of the DEP by requiring it to oversee an ITQ system for the menhaden purse seine fishery. There will be no additional permitting reviews as a result of the bill, as a vessel owner or operator would be required to hold a valid Menhaden Landing License before the effective date of the bill, thereby limiting additional costs. While the DEP will be required to oversee the ITQ system, potentially approve transfers between qualified vessels, and reallocate unused quota amounts, it is likely that these tasks could be subsumed within existing staff duties.

The OLS also anticipates a possible one-time marginal cost to the DEP to establish the ITQ system. Establishing the program and setting the initial allocation of the menhaden quota would add to the DEP's responsibilities to manage the menhaden fishery. However, the DEP would not be required to calculate the individual quotas every year, as the bill provides that the percentage allocated to each vessel would remain fixed, unless it goes unused and is not transferred to another vessel. Therefore, it is likely that these tasks will be accomplished by current DEP staff using existing resources.

The OLS anticipates an additional one-time marginal cost to the DEP to produce a report on the implementation of the quota system. However, it is likely that this task could be accomplished by current DEP staff using existing resources.

*Section: Environment, Agriculture, Energy and Natural Resources*

*Analyst: Eric Hansen  
Assistant Research Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# Governor Murphy Takes Action on Legislation

01/21/2020

**TRENTON** – Today, Governor Phil Murphy signed the following bills into law:

**S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space)** – Requires certain contractors to register under "The Public Works Contractor Registration Act"

**S-358/A-4587 (Rice/Sumter, Reynolds-Jackson)** – Establishes database with certain information about individuals elected to public office in this State

**S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy)** – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

**S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttle)** – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

**S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso)** – Makes various changes to "Criminal Injuries Compensation Act of 1971"

**S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttle)** – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

**S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty)** – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

**S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey)** – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

**S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson)** – Authorizes use of certain electric school buses

**S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano)** – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

**S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttle, Sumter, Benson)** – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

**S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer)** – Increases workers' compensation for loss of hand or foot

**S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin)** – Prohibits resale of non-prescription diabetes test devices by pharmacists

**S-939/A-3331 (Pou/Vainieri Huttle, Lopez, McKnight)** – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

**S-974/A-3040 (Singleton, T. Kean/Vainieri Huttle, Timberlake, Mosquera)** – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in



## State correctional facilities

**S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake)** – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

**S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak)** – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

**S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey)** – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

**SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano)** – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

**S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson)** – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

**S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn)** – Designates Seeing Eye® dog as State Dog

**S-3036/A-1697 (Lagana, Scutari/Dancer, Downey)** – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

**S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson)** – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

**S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake)** – Establishes youth apprenticeship pilot program in Department of Education

**S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter)** – Establishes five year Apprentice Assistance and Support Services Pilot Program

**S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker)** – Requires certain medical facilities to undertake end-of-life planning and training

**S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz)** – Requires emergency departments to take certain measures concerning palliative care for patients

**S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti)** – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

**S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land)** – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

**S-3227/A-5261 (Gopal/Tully, Pinkin, Swain)** – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

**S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle)** – Prohibits sale or distribution of flavored vapor products

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**S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy)** – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

**S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle)** – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

**S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttle)** – Establishes Task Force on Maximizing Employment for People with Disabilities

**S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttle, Downey)** – Authorizes certain health care and social service resources to be made available during Code Blue alert

**S-3581/A-5963 (Singleton/Lopez, Quijano)** – Prohibits certain business financing contracts that contain judgment by confession provisions

**S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight)** – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

**S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths)** – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

**S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space)** – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

**S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling)** – Prohibits local governments from imposing fines on alarm companies in certain circumstances

**S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon)** – Adds member from Retired Judges Association of New Jersey to State Investment Council

**SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin)** – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

**S-3920 wGR/A-5552 (Pou/Wimberly, Sumter)** – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

**S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy)** – Concerns labor harmony agreements for hospitality projects

**SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon)** – Establishes Recycling Market Development Council

**S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttle)** – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

**S-4025/A-5695 (Pou/Wimberly, Sumter)** – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

**S-4162/A-6014 (Smith, Greenstein/Vainieri Huttle, Pinkin, Houghtaling)** – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

**S-4165/A-4364 (Rice/Giblin, Caputo, Tucker)** – Expands University Hospital board of directors membership from 11 to 13 members

**S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt)** – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

**S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley)** – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

**S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey)** – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations

**S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese)** – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

**S-4275/A-6088 (Smith, Greenstein/Burzichelli)** – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

**S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land)** – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

**S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey)** – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

**S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy)** – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

**S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin)** – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

**S-4286/A-5890 (Vitale/Swain, Jones)** – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

**S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttie, Zwicker)** – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

**S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez)** – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

**S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli)** – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

**S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land)** – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

**S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain)** – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

**SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker)** – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

**SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter)** – Establishes the "New Jersey State Commission on Urban Violence"

**SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttie, Schepisi)** – Designates March 19th "Women in Public Office Day" in New Jersey

**SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce)** – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

**SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin)** – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE

- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

**A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz)** – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

**A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz)** – Requires DHS to study social isolation occurring in certain population groups

**A-5344/S-3833 (Mukherji, Vainieri Huttie, Milam/Gopal, Corrado)** – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

**A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz)** – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

**A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz)** – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

**A-5432/S-3796 (Milam, Land/Andrzejczak)** – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

**A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado)** – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

**A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez)** – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

**A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo)** – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

**A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman)** – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

**A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado)** – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

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**A-5667/S-3933 (Mukherji, Vainieri Huttie, Armato, DeCroce, Karabinchak/Singer, Scutari)** – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

**A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney)** – Concerns responsibility of contractors for wage claims against subcontractors

**A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown)** – Allows certain persons to qualify for casino key employee license and casino employee registration

**A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg)** – Authorizes DOH to notify elected officials of financial distress of certain hospitals

**A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale)** – Expands hospital reporting requirements

**A-5970/S-4201 (Lopez, Speight, Chaparro/Codey)** – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

**A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado)** – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

**A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton)** – Makes changes to New Jersey Infrastructure Bank's enabling act

**A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton)** – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

**A-6119/S-4336 (Egan, Houghtaling/Madden)** – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

**AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein)** – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

**AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado)** – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

**AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden)** – Designates April of each year as "Financial Literacy Month" in New Jersey

**AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado)** – Designates February in each year as "Career and Technical Education Month" in New Jersey

**Governor Murphy declined to sign the following bills, meaning they expire without becoming law:**

**S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly)** – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

**S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer)** – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

**S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo)** – Concerns installation of electric vehicle charging stations in common interest communities

**S-2425/A-3851 (Singleton, Andrzejczak/Conaway)** – Revises law relating to common interest communities

**S-2429/A-4028 (Scutari, Pou/Bramnick, Downey)** – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

**S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy)** – Requires public schools to administer written screenings for depression for students in certain grades

**S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter)** – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

**S-2957/A-4712 (Stack/Mukherji, Chaparro)** – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

**S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce)** – Establishes the "Energy Infrastructure Public-Private Partnership Act"

**S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy)** – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

**S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo)** – Provides tuition fee waiver apprenticeship courses

**S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land)** – The "Electronic Construction Procurement Act"

**S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano)** – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

**S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttle, Chiaravalloti, McKnight)** – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

**S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce)** – Establishes certain requirements for stop loss insurance offered to small employers

**S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer)** – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

**S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones)** – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

**S-3888/A-5585 (Ruiz/Dancer, Pintor Marin)** – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

**S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter)** – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

**S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin)** – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

**S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones)** – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

**A-491/S-4340 (Jimenez/Sacco, Stack)** – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

**A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden)** – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

**A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho)** – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

**A-1526/S-1048 (Zwicker, Johnson/Vitale)** – Concerns payment of independent contractors

**A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho)** – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

**A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith)** – Requires paint producers to implement or participate in paint stewardship program

**A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak)** – Establishes "Electronic Permit Processing Review System"

**A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan)** – Establishes expedited construction inspection program

**A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan)** – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier



**A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana)** – Requires reporting of opioid deaths

**A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado)** – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

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**ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney)** – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

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