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Yes

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No

Title 18A.
Chapter 65.
Article 17. Fisheries
Information &
Development Center
§§1, 2, 4
C.18A:65-86
to 18A:65-88
§3
Approp.

P.L. 1999, CHAPTER 419, *approved January 18, 2000*
Assembly, No. 676 (*Second Reprint*)

1 AN ACT establishing the Fisheries Information and Development
2 Center, ¹**[and]**¹ supplementing Title 18A of the New Jersey
3 Statutes ¹,¹ and making an appropriation.
4

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

8 1. a. There is established the Fisheries Information and
9 Development Center, hereinafter referred to as the center, at the
10 Institute of Marine and Coastal Sciences at Rutgers, The State
11 University. The center shall be administered by ¹**[a director, chosen**
12 **by the members of]** the Director of the Institute of Marine and
13 Coastal Sciences in consultation with¹ the coordinating board of the
14 center established in subsection a. of section 2 of this act ¹**[**, except
15 that the first director shall be appointed by the Director of the Institute
16 of Marine and Coastal Sciences as soon as practicable after enactment
17 of this act. The director of the center shall be a faculty member of the
18 Institute of Marine and Coastal Sciences at Rutgers, The State
19 University, or shall be hired simultaneously with appointment, or as
20 soon thereafter as practicable, as a faculty member of the Institute of
21 Marine and Coastal Sciences at Rutgers, The State University. The
22 Institute of Marine and Coastal Sciences,**]** The director¹ in
23 consultation with the coordinating board ¹**[and through the director**
24 **of the center,]**¹ shall ¹**[provide]** administer¹ funding and ¹**provide**¹
25 scientific support for the center, and shall coordinate the distribution
26 of funds, ¹**[the]**¹ program design ¹**and**¹ research team development,
27 oversight of project accomplishments, and ¹**[activities in]**¹ information
28 transfer ¹activities¹ for the center.

29 b. The purposes and objectives of the center shall be to:

30 (1) Address the most urgent research and development needs of the
31 ¹**[fishing]** commercial and recreational fisheries¹ industries in the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAN committee amendments adopted December 10, 1998.

² Assembly amendments adopted in accordance with Governor's recommendations January 6, 2000.

1 State, including all fisheries species landed in the State throughout
2 the geographic range of those fisheries resources¹ ;

3 (2) Provide critical, unbiased data for the ¹**["New Jersey"]**¹ Marine
4 Fisheries Council established pursuant to section 4 of P.L.1979, c.199
5 (C.23:2B-4)¹, ²the Department of Environmental Protection,² the
6 fishing public, ¹**["and"]**¹ the commercial ¹**["fishery industry, including**
7 **shellfish and finfish fisheries in the State and fisheries in State and**
8 **federal waters, and the**¹ recreational ¹**fishery industry, including the**
9 **hook and line**¹ and party and charter boat ¹**["fishery"] fisheries**¹
10 industries; and

11 (3) Continue the viability of New Jersey fisheries through research
12 and development concerning the enhancement of fish stocks and the
13 improvement of fish stock management.

14 For the purposes of this act, "fisheries" means all ²**["propagation,**
15 **rearing and"]**² harvesting of ²**marine**² fish and aquatic organisms not
16 defined as "aquaculture" pursuant to section 3 of P.L.1997, c.236
17 ¹(C.4:27-3)¹ ²**["**, except that the Office of Aquaculture Coordination,
18 established pursuant to section 4 of P.L.1997, c.236 ¹(C.4:27-4)¹, may
19 participate with, or request research to be conducted by, the center
20 concerning certain propagation, rearing or harvesting of certain
21 species that may ¹**["otherwise"]**¹ be considered aquaculture².

22 c. The center, ¹**["in consultation with"]** at the direction of ²**the**
23 coordinating board² and with the approval of ¹ the ²**["coordinating**
24 **board"]** Commissioner of the Department of Environmental Protection²
25 and in cooperation with any nonprofit groups related to the fisheries
26 industries in the State, shall ¹carry out scientific research programs
27 including, but not limited to, those which¹ :

28 (1) Provide the scientific basis for improvements in stock
29 assessment methodology and the development of improved stock
30 assessment models;

31 (2) Develop ways to utilize the most up-to-date satellite and
32 oceanographic data in stock assessment models to analyze and assess
33 the annual fluctuations in stock size and distribution;

34 (3) Develop new and improved methods of data collection;

35 (4) Reduce the impact of fishing on the mortality of juvenile fish
36 and aquatic life, ¹and reduce¹ the mortality of non-targeted species
37 and threatened and endangered species by the development and
38 implementation of improvements in fishing technology, by-catch
39 reduction devices, and fishing and processing methods;

40 (5) Provide the best scientific data available on species population
41 dynamics and processes controlling age structure, sources and rates of
42 mortality, rates of recruitment, catch and release mortality, the
43 relationship of oceanographic variables to fish stock distribution
44 patterns, the degree of reproductive isolation of species populations
45 and the location of brood stocks, and the relationship of food supply

1 to fish yield;

2 (6) ~~1~~ **1** ~~Endeavor to enhance~~ Enhance¹ understanding of the
3 economic and sociological issues affecting fisheries in the State and
4 evaluate the influence of State and local policies, changes in fishing
5 technology, and variations in demand and supply on jobs, income, and
6 business success or failure; and

7 (7) Address issues including, but not limited to, horseshoe crab
8 ~~1~~ **1** ~~fishings~~ resource questions¹, incidental catches of marine mammals
9 and their resulting injury or death, hook and line mortality in the
10 recreational fluke fishery, menhaden resource questions.¹ and stock
11 assessments of surf clam and ocean quahog populations.

12

13 2. a. The Fisheries Information and Development Center
14 ~~1~~ **1** ~~coordinating board~~ Coordinating Board¹, hereinafter referred to
15 as the board or the coordinating board¹, shall consist of ~~1~~ **1** ~~13~~
16 seven¹ members ¹, as follows¹: ~~1~~ **1** ~~the Director of the Rutgers~~
17 ~~Institute of Marine and Coastal Sciences;~~¹ ~~the Chairman of the~~
18 ~~1~~ **1** ~~New Jersey~~¹ Marine Fisheries Council; ~~1~~ **1** ~~each of the chairs of the~~
19 ~~New Jersey Shell Fisheries Council; the President of the New Jersey~~
20 ~~Marine Sciences Consortium; a representative from the Department of~~
21 ~~Agriculture, who shall be appointed by the Secretary of Agriculture;~~
22 ~~a representative of the Department of Environmental Protection, who~~
23 ~~shall be appointed by the Commissioner of Environmental Protection;~~
24 ~~and~~¹ ~~three representatives of the commercial fishery industry,~~ ~~1~~ **1**
25 ~~representative from~~ representing the range of commercial fisheries in
26 the State, including shellfish and finfish fisheries and fisheries in State
27 and federal waters; and three representatives of¹ the recreational
28 fishery industry, ~~1~~ **1** ~~one representative from~~ representing the range of
29 recreational fisheries in the State, including the hook and line and¹ the
30 party and charter boat fishery industry ¹, and one faculty member
31 from a New Jersey institute of higher education other than Rutgers,
32 The State University, each of whom shall be chosen and appointed by
33 the Director of the Rutgers Institute of Marine and Coastal Sciences,
34 in consultation with the New Jersey Marine Fisheries Council, from
35 written nominations received from the fisheries associations in the
36 State ~~1~~ **1** ~~The Governor, the President of the Senate and the Speaker~~
37 of the General Assembly each shall appoint one representative of the
38 commercial fishery industry and one representative of the recreational
39 fishery industry¹. Other public and private institutions of higher
40 education and their faculties may be considered for participation in the
41 work of the center in the future, as determined by the coordinating¹
42 board ~~1~~ **1** ~~of directors~~¹.

43 b. The coordinating¹ board shall organize as soon as practicable
44 following the enactment of this act ¹, and shall select a director at the
45 conclusion of the term of the initial director appointed pursuant to

1 subsection a. of section 1 of this act. Each director, including the
2 initial appointed director, shall serve a term of five years and may be
3 reappointed¹. The ¹【Director of the Rutgers Institute of Marine and
4 Coastal Sciences, the】¹ Chairman of the ¹【New Jersey】¹ Marine
5 Fisheries Council ¹【, the chairs of the New Jersey Shell Fisheries
6 Council and the President of the New Jersey Marine Sciences
7 Consortium】¹ shall ¹【each】¹ serve ex officio. ¹【The representatives
8 of the Department of Agriculture and the Department of
9 Environmental Protection shall serve four year terms concurrent with
10 the term of the Secretary of Agriculture and the Commissioner of
11 Environmental Protection who appointed them except that the initial
12 representatives appointed may serve a term of less than four years
13 concurrent with the term remaining for the Secretary of Agriculture
14 and the Commissioner of Environmental Protection who appointed
15 them. The other six members of the board shall each serve a term of
16 four years, except that of the initial six appointees, two shall serve a
17 term of one year, two shall serve a term of two years, one shall serve
18 a term of three years, and one】 Each appointed member of the board¹
19 shall serve a term of four years. Board members shall be reappointed
20 or replaced in the same manner as the original appointment or
21 selection of the board member being reappointed or replaced. All
22 policies and procedures concerning the hiring of board employees and
23 reimbursement of board member expenses shall be the same as and
24 consistent with the policies and procedures of Rutgers, The State
25 University.

26 c. ¹The coordinating board shall meet at least quarterly and shall
27 meet as soon as practicable following the appointment of members to
28 choose a chairperson, by a majority vote of the board members. The
29 chairperson shall serve a term of two years and may be re-elected.¹

30 The ¹coordinating¹ board shall coordinate communication and
31 information exchange between the center and the private and public
32 sectors of the State.

33 ¹The coordinating board shall have the authority to approve all
34 expenditures and staffing of the center, except:

35 (1) expenditures and staffing decisions that may be delegated to the
36 director by the board; and

37 (2) any administrative, salary or staffing expenditures that would
38 cause the approved administrative, salary and staffing expenditures for
39 the year to exceed 5% of the initial appropriation to the center for the
40 establishment of the center and organization of the board or, after the
41 first year of the board's operation, 5% of the total funding available to
42 the center annually.

43 The administrative, salary and staffing costs of the center shall not
44 exceed 5% of the total funding available to the center annually.¹ The
45 ¹coordinating¹ board shall review, assess, approve or deny annual
46 statements of work for the research and development program,

1 ¹**[help]**¹ identify key research and development initiatives, and
 2 approve the final design of research programs and the members of
 3 research teams ¹, and shall ensure that 95% of the total funding
 4 available to the center annually and from the initial appropriation to
 5 the center made by this act is used to accomplish the goals of the
 6 scientific research programs conducted pursuant to subsection c. of
 7 section 1 of this act.

8 The coordinating board shall convene a peer review committee
 9 appropriate to each science initiative which shall include
 10 representatives of the management and industry groups expected to be
 11 affected by the initiative.¹ The ¹coordinating¹ board shall
 12 ¹**[periodically]** conduct a yearly assessment of research needs of the
 13 fishery, set priorities of work to be accomplished,¹ review and assess
 14 the progress of the research and development programs and
 15 recommend the continuation or termination of specific projects to the
 16 director of the center.

17
 18 3. There is appropriated from the General Fund to Rutgers, The
 19 State University ¹,¹ ²**[the sum of]** an amount not to exceed²
 20 \$500,000², as determined by the Director of the Office of Management
 21 and Budget,² for the establishment and funding of the research and
 22 development projects of the Fisheries Information and Development
 23 Center ¹**[and]** ¹ the personnel necessary for these projects and the
 24 functioning of the center.

25
 26 ²4. Nothing in this act shall be construed to alter any of the powers
 27 or responsibilities of the Department of Environmental Protection
 28 related to shellfish or finfish fisheries in federal and State waters as
 29 established under federal and State law.²

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 32 ²**[4.]** ²5.² This act shall take effect immediately.

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 36
 37 Establishes Fisheries Information and Development Center at Rutgers
 38 University; appropriates \$500,000 to Rutgers for center.

ASSEMBLY, No. 676

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Establishes the Fisheries Information and Development Center at Rutgers, The State University; appropriates \$500,000 to Rutgers for center.

CURRENT VERSION OF TEXT

As Introduced.



A676 GIBSON, ASSELTA

2

1 AN ACT establishing the Fisheries Information and Development
2 Center, and supplementing Title 18A of the New Jersey Statutes
3 and making an appropriation.
4

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

8 1. a. There is established the Fisheries Information and
9 Development Center, hereinafter referred to as the center, at the
10 Institute of Marine and Coastal Sciences at Rutgers, The State
11 University. The center shall be administered by a director, chosen by
12 the members of the coordinating board of the center established in
13 subsection a. of section 2 of this act, except that the first director shall
14 be appointed by the Director of the Institute of Marine and Coastal
15 Sciences as soon as practicable after enactment of this act. The
16 director of the center shall be a faculty member of the Institute of
17 Marine and Coastal Sciences at Rutgers, The State University, or shall
18 be hired simultaneously with appointment, or as soon thereafter as
19 practicable, as a faculty member of the Institute of Marine and Coastal
20 Sciences at Rutgers, The State University. The Institute of Marine
21 and Coastal Sciences, in consultation with the coordinating board and
22 through the director of the center, shall provide funding and scientific
23 support for the center, and shall coordinate the distribution of funds,
24 the program design research team development, oversight of project
25 accomplishments, and activities in information transfer for the center.

26 b. The purposes and objectives of the center shall be to:

27 (1) Address the most urgent research and development needs of the
28 fishing industries in the State;

29 (2) Provide critical, unbiased data for the New Jersey Marine
30 Fisheries Council, the fishing public, and the commercial, recreational
31 and party and charter boat fishery industries; and

32 (3) Continue the viability of New Jersey fisheries through research
33 and development concerning the enhancement of fish stocks and the
34 improvement of fish stock management.

35 For the purposes of this act, "fisheries" means all propagation,
36 rearing and harvesting of fish and aquatic organisms not defined as
37 "aquaculture" pursuant to section 3 of P.L.1997, c.236, except that the
38 Office of Aquaculture Coordination, established pursuant to section 4
39 of P.L.1997, c.236, may participate with, or request research to be
40 conducted by, the center concerning certain propagation, rearing or
41 harvesting of certain species that may otherwise be considered
42 aquaculture.

43 c. The center, in consultation with the coordinating board and in
44 cooperation with any nonprofit groups related to the fisheries
45 industries in the State, shall:

46 (1) Provide the scientific basis for improvements in stock

1 assessment methodology and the development of improved stock
2 assessment models;

3 (2) Develop ways to utilize the most up-to-date satellite and
4 oceanographic data in stock assessment models to analyze and assess
5 the annual fluctuations in stock size and distribution;

6 (3) Develop new and improved methods of data collection;

7 (4) Reduce the impact of fishing on the mortality of juvenile fish
8 and aquatic life, the mortality of non-targeted species and threatened
9 and endangered species by the development and implementation of
10 improvements in fishing technology, by-catch reduction devices, and
11 fishing and processing methods;

12 (5) Provide the best scientific data available on species population
13 dynamics and processes controlling age structure, sources and rates of
14 mortality, rates of recruitment, catch and release mortality, the
15 relationship of oceanographic variables to fish stock distribution
16 patterns, the degree of reproductive isolation of species populations
17 and the location of brood stocks, and the relationship of food supply
18 to fish yield;

19 (6) Endeavor to enhance understanding of the economic and
20 sociological issues affecting fisheries in the State and evaluate the
21 influence of State and local policies, changes in fishing technology,
22 and variations in demand and supply on jobs, income, and business
23 success or failure; and

24 (7) Address issues including, but not limited to, horseshoe crab
25 fishing, incidental catches of marine mammals and their resulting injury
26 or death, and stock assessments of surf clam and ocean quahog
27 populations.

28

29 2. a. The Fisheries Information and Development Center
30 coordinating board, hereinafter referred to as the board, shall consist
31 of 13 members: the Director of the Rutgers Institute of Marine and
32 Coastal Sciences; the Chairman of the New Jersey Marine Fisheries
33 Council; each of the chairs of the New Jersey Shell Fisheries Council;
34 the President of the New Jersey Marine Sciences Consortium; a
35 representative from the Department of Agriculture, who shall be
36 appointed by the Secretary of Agriculture; a representative of the
37 Department of Environmental Protection, who shall be appointed by
38 the Commissioner of Environmental Protection; and three
39 representatives of the commercial fishery industry, one representative
40 from the recreational fishery industry, one representative from the
41 party and charter boat fishery industry, and one faculty member from
42 a New Jersey institute of higher education other than Rutgers, The
43 State University, each of whom shall be chosen and appointed by the
44 Director of the Rutgers Institute of Marine and Coastal Sciences, in
45 consultation with the New Jersey Marine Fisheries Council, from
46 written nominations received from the fisheries associations in the

1 State. Other public and private institutions of higher education and
2 their faculties may be considered for participation in the work of the
3 center in the future, as determined by the board of directors.

4 b. The board shall organize as soon as practicable following the
5 enactment of this act, and shall select a director at the conclusion of
6 the term of the initial director appointed pursuant to subsection a. of
7 section 1 of this act. Each director, including the initial appointed
8 director, shall serve a term of five years and may be reappointed. The
9 Director of the Rutgers Institute of Marine and Coastal Sciences, the
10 Chairman of the New Jersey Marine Fisheries Council, the chairs of
11 the New Jersey Shell Fisheries Council and the President of the New
12 Jersey Marine Sciences Consortium shall each serve ex officio. The
13 representatives of the Department of Agriculture and the Department
14 of Environmental Protection shall serve four year terms concurrent
15 with the term of the Secretary of Agriculture and the Commissioner of
16 Environmental Protection who appointed them except that the initial
17 representatives appointed may serve a term of less than four years
18 concurrent with the term remaining for the Secretary of Agriculture
19 and the Commissioner of Environmental Protection who appointed
20 them. The other six members of the board shall each serve a term of
21 four years, except that of the initial six appointees, two shall serve a
22 term of one year, two shall serve a term of two years, one shall serve
23 a term of three years, and one shall serve a term of four years. Board
24 members shall be reappointed or replaced in the same manner as the
25 original appointment or selection of the board member being
26 reappointed or replaced. All policies and procedures concerning the
27 hiring of board employees and reimbursement of board member
28 expenses shall be the same as and consistent with the policies and
29 procedures of Rutgers, The State University.

30 c. The board shall coordinate communication and information
31 exchange between the center and the private and public sectors of the
32 State. The board shall review, assess, approve or deny annual
33 statements of work for the research and development program, help
34 identify key research and development initiatives, and approve the final
35 design of research programs and the members of research teams. The
36 board shall periodically review and assess the progress of the research
37 and development programs and recommend the continuation or
38 termination of specific projects to the director of the center.

39
40 3. There is appropriated from the General Fund to Rutgers, The
41 State University the sum of \$500,000 for the establishment and
42 funding of the research and development projects of the Fisheries
43 Information and Development Center and the personnel necessary for
44 these projects and the functioning of the center.

45
46 4. This act shall take effect immediately.

STATEMENT

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This bill establishes the Fisheries Information and Development Center, at the Institute of Marine and Coastal Sciences at Rutgers, The State University. The purposes and objectives of the center are to:

- (1) Address the most urgent research and development needs of the fishing industries in the State;
- (2) Provide critical, unbiased data for the New Jersey Marine Fisheries Council, the fishing public, and the commercial, recreational and party and charter boat fishery industries; and
- (3) Continue the viability of New Jersey fisheries through research and development concerning the enhancement of fish stocks and the improvement of fish stock management.

The center is to be administered by a director, chosen by the members of a coordinating board, and a 13-member coordinating board. The members of the coordinating board shall be: the Director of the Rutgers Institute of Marine and Coastal Sciences; the Chairman of the New Jersey Marine Fisheries Council; each of the chairs of the New Jersey Shell Fisheries Council; the President of the New Jersey Marine Sciences Consortium; a representative from the Department of Agriculture, who shall be appointed by the Secretary of Agriculture; a representative of the Department of Environmental Protection, who shall be appointed by the Commissioner of Environmental Protection; and three representatives of the commercial fishery industry, one representative from the recreational fishery industry, one representative from the party and charter boat fishery industry, and one faculty member from a New Jersey institute of higher education other than Rutgers, The State University, each of whom shall be chosen and appointed by the Director of the Rutgers Institute of Marine and Coastal Sciences, in consultation with the New Jersey Marine Fisheries Council, from written nominations received from the fisheries associations in the State.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 676

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 10, 1998

The Assembly Agriculture and Natural Resources Committee reports favorably and with committee amendments Assembly Bill No. 676.

This bill, as amended by the committee, establishes the Fisheries Information and Development Center, at the Institute of Marine and Coastal Sciences at Rutgers, The State University. The purposes and objectives of the center are to:

(1) Address the most urgent research and development needs of the commercial and recreational fisheries industries in the State, including all fisheries species landed in the State throughout the geographic range of those fisheries resources;

(2) Provide critical, unbiased data for the Marine Fisheries Council, the fishing public, and the commercial fishery industry, including shellfish and finfish fisheries in the State and fisheries in State and federal waters, and the recreational fishery industry, including the hook and line and party and charter boat fisheries industries; and

(3) Continue the viability of New Jersey fisheries through research and development concerning the enhancement of fish stocks and the improvement of fish stock management.

The bill, as amended, further provides that the center is to be administered by the Director of the Institute of Marine and Coastal Sciences, and a seven-member coordinating board. The members of the coordinating board would be the Chairperson of the Marine Fisheries Council, three representatives of the commercial fishery industry, and three representatives of the recreational fishery industry. The three commercial fishery industry representatives are to represent the range of commercial fisheries in the State, including shellfish and finfish fisheries and fisheries in State and federal waters. The three recreational fishery industry representatives are to represent the range of recreational fisheries in the State, including the hook and line and the party and charter boat fishery industry. As amended by the committee, the bill provides for the Governor, the President of the Senate and the Speaker of the General Assembly to each appoint one

representative of the commercial fishery industry and one representative of the recreational fishery industry.

The bill, as amended, appropriates \$500,000 for the establishment of the center, and limits the administrative expenses of the center and the coordinating board to five percent of the annual amount appropriated for the center.

Finally, the bill, as amended, authorizes the coordinating board to:

1) review, assess, approve or deny annual statements of work for the research and development program;

2) identify key research and development initiatives, and approve the final design of research programs and the members of research teams;

3) convene a peer review committee appropriate to each science initiative which shall include representatives of the management and industry groups expected to be affected by the initiative;

4) conduct a yearly assessment of research needs of the fishery;

5) set priorities of work to be accomplished, and review and assess the progress of the research and development programs; and

6) recommend the continuation or termination of specific projects to the director of the center.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 676

STATE OF NEW JERSEY

DATED: MAY 3, 1999

The Assembly Appropriations Committee reports favorably Assembly Bill No. 676 (1R).

Assembly Bill No. 676 (1R), establishes the Fisheries Information and Development Center, at the Institute of Marine and Coastal Sciences at Rutgers, The State University.

The purposes and objectives of the center are to:

- Address the most urgent research and development needs of the commercial and recreational fisheries industries in the State;
- Provide critical data for the Marine Fisheries Council, the fishing public, and the commercial fishery industry, including shellfish and finfish fisheries in the State and fisheries in State and federal waters, and the recreational fishery industry, including the hook and line and party and charter boat fisheries industries; and
- Continue the viability of New Jersey fisheries concerning the enhancement and improvement of fish stock management.

The bill further provides that the center is to be administered by the Director of the Institute of Marine and Coastal Sciences, and a seven-member coordinating board. The members of the board would be the Chairperson of the Marine Fisheries Council, three representatives of the commercial fishery industry, and three representatives of the recreational fishery industry.

FISCAL IMPACT:

This bill makes a General Fund appropriation of \$500,000 to Rutgers for the establishment and funding of the center. The administrative expenses of the center and the board are limited to five percent of the annual appropriation

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 676

STATE OF NEW JERSEY

DATED: JUNE 7, 1999

The Senate Economic Growth, Agriculture and Tourism Committee favorably reports Assembly Bill No. 676 (1R).

This bill establishes the Fisheries Information and Development Center, at the Institute of Marine and Coastal Sciences at Rutgers, The State University.

The purposes and objectives of the center are to:

- Address the most urgent research and development needs of the commercial and recreational fisheries industries in the State;
- Provide critical data for the Marine Fisheries Council, the fishing public, and the commercial fishery industry, including shellfish and finfish fisheries in the State and fisheries in State and federal waters, and the recreational fishery industry, including the hook and line and party and charter boat fisheries industries; and
- Continue the viability of New Jersey fisheries concerning the enhancement and improvement of fish stock management.

The bill further provides that the center is to be administered by the Director of the Institute of Marine and Coastal Sciences, and a seven-member coordinating board. The members of the board would be the Chairperson of the Marine Fisheries Council, three representatives of the commercial fishery industry, and three representatives of the recreational fishery industry.

This bill makes a General Fund appropriation of \$500,000 to Rutgers for the establishment and funding of the center. The administrative expenses of the center and the board are limited to five percent of the annual appropriation.

As reported by the committee, this bill is identical to Senate Bill No. 581 as amended by the committee.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 676

STATE OF NEW JERSEY

DATED: OCTOBER 18, 1999

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 676 (1R).

This bill establishes a Fisheries Information and Development Center at the Institute of Marine and Coastal Sciences at Rutgers University.

Mission of the center. The bill provides that the center's purposes and objectives will be to address the urgent research and development needs of the State's commercial and recreational fisheries industries; to provide critical, unbiased data for the Department of Environmental Protection's Marine Fisheries Council, the fishing public, and the commercial and recreational fishery industries; and to maintain the viability of New Jersey fisheries through research and development with respect to the enhancement of fish stocks and through the improvement of fish stock management. ("Fisheries" is defined under the bill as "all propagation, rearing and harvesting of fish and aquatic organisms not defined as 'aquaculture'" under N.J.S.A.4:27-3. The bill provides, however, that the Office of Aquaculture Coordination in the Department of Agriculture may participate in or request the conduct of research by the center regarding the propagation, rearing or harvesting of aquaculture species.)

Research activities. The center is to undertake scientific research programs, including programs that (1) improve the methodology and models of stock assessment; (2) develop the use of up-to-date satellite and oceanographic data in stock assessment models to analyze and assess fluctuations in stock size and distribution; (3) improve methods of data collection; (4) reduce the impact of fishing on the mortality of juvenile fish and aquatic life; (5) improve scientific data on species population dynamics and the processes that control age structure, mortality, recruitment, stock distribution patterns, the location of brood stocks, and the relationship of food supply to fish yield; (6) enhance our understanding of the economic and sociological issues affecting New Jersey fisheries; and (7) address issues pertaining to specific fish and shellfish populations.

Administration and oversight. The center is to be administered by the Director of Rutgers University's Institute of Marine and Coastal Sciences, in consultation with a seven-member coordinating board

established under the bill. The membership of the coordinating board is to consist of the Chairperson of the Marine Fisheries Council, three representatives of the commercial fishery industry, and three representatives of the recreational fishery industry. The Governor, the President of the Senate and the Speaker of the General Assembly are each to appoint one representative of the commercial fishery industry and one representative of the recreational fishery industry. The six appointed members of the coordinating board are to serve for terms of four years.

The bill provides that the center's research programs are to be conducted "at the direction of and with the approval of" the coordinating board and "in cooperation with" any nonprofit group related to the State's fisheries industries. More particularly, it directs the coordinating board to (a) review, assess, approve or deny annual statements of work for the research and development program; (b) identify key research and development initiatives and approve the final design of research programs and the members of research teams; (c) convene a peer review committee appropriate to each science initiative, which committee would include representatives of the management and industry groups expected to be affected by the initiative; (d) conduct a yearly assessment of research needs of the fishery; (e) set priorities of work to be accomplished and review and assess the progress of the research and development programs; and (f) recommend the continuation or termination of specific projects to the director of the center.

This bill is identical to Senate Bill No. 581 (1R), also reported this day by the committee.

FISCAL IMPACT

The bill appropriates from the General Fund the sum of \$500,000 for the establishment of the center. It provides specifically that the center's administrative and staffing expenses shall not exceed 5% of its total annual funding.

SENATE, No. 581

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED FEBRUARY 23, 1998

Sponsored by:

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

Senator C. LOUIS BASSANO

District 21 (Essex and Union)

Co-Sponsored by:

Senators Ciesla and Cardinale

SYNOPSIS

Establishes the Fisheries Information and Development Center at Rutgers, The State University; appropriates \$500,000 to Rutgers for center.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/24/1998)

1 AN ACT establishing the Fisheries Information and Development
2 Center, and supplementing Title 18A of the New Jersey Statutes
3 and making an appropriation.

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

7
8 1. a. There is established the Fisheries Information and
9 Development Center, hereinafter referred to as the center, at the
10 Institute of Marine and Coastal Sciences at Rutgers, The State
11 University. The center shall be administered by a director, chosen by
12 the members of the coordinating board of the center established in
13 subsection a. of section 2 of this act, except that the first director shall
14 be appointed by the Director of the Institute of Marine and Coastal
15 Sciences as soon as practicable after enactment of this act. The
16 director of the center shall be a faculty member of the Institute of
17 Marine and Coastal Sciences at Rutgers, The State University, or shall
18 be hired simultaneously with appointment, or as soon thereafter as
19 practicable, as a faculty member of the Institute of Marine and Coastal
20 Sciences at Rutgers, The State University. The Institute of Marine
21 and Coastal Sciences, in consultation with the coordinating board and
22 through the director of the center, shall provide funding and scientific
23 support for the center, and shall coordinate the distribution of funds,
24 the program design research team development, oversight of project
25 accomplishments, and activities in information transfer for the center.

26 b. The purposes and objectives of the center shall be to:

27 (1) Address the most urgent research and development needs of the
28 fishing industries in the State;

29 (2) Provide critical, unbiased data for the New Jersey Marine
30 Fisheries Council, the fishing public, and the commercial, recreational
31 and party and charter boat fishery industries; and

32 (3) Continue the viability of New Jersey fisheries through research
33 and development concerning the enhancement of fish stocks and the
34 improvement of fish stock management.

35 For the purposes of this act, "fisheries" means all propagation,
36 rearing and harvesting of fish and aquatic organisms not defined as
37 "aquaculture" pursuant to section 3 of P.L.1997, c.236, except that the
38 Office of Aquaculture Coordination, established pursuant to section 4
39 of P.L.1997, c.236, may participate with, or request research to be
40 conducted by, the center concerning certain propagation, rearing or
41 harvesting of certain species that may otherwise be considered
42 aquaculture.

43 c. The center, in consultation with the coordinating board and in
44 cooperation with any nonprofit groups related to the fisheries
45 industries in the State, shall:

46 (1) Provide the scientific basis for improvements in stock

1 assessment methodology and the development of improved stock
2 assessment models;

3 (2) Develop ways to utilize the most up-to-date satellite and
4 oceanographic data in stock assessment models to analyze and assess
5 the annual fluctuations in stock size and distribution;

6 (3) Develop new and improved methods of data collection;

7 (4) Reduce the impact of fishing on the mortality of juvenile fish
8 and aquatic life, the mortality of non-targeted species and threatened
9 and endangered species by the development and implementation of
10 improvements in fishing technology, by-catch reduction devices, and
11 fishing and processing methods;

12 (5) Provide the best scientific data available on species population
13 dynamics and processes controlling age structure, sources and rates of
14 mortality, rates of recruitment, catch and release mortality, the
15 relationship of oceanographic variables to fish stock distribution
16 patterns, the degree of reproductive isolation of species populations
17 and the location of brood stocks, and the relationship of food supply
18 to fish yield;

19 (6) Endeavor to enhance understanding of the economic and
20 sociological issues affecting fisheries in the State and evaluate the
21 influence of State and local policies, changes in fishing technology,
22 and variations in demand and supply on jobs, income, and business
23 success or failure; and

24 (7) Address issues including, but not limited to, horseshoe crab
25 fishing, incidental catches of marine mammals and their resulting injury
26 or death, and stock assessments of surf clam and ocean quahog
27 populations.

28

29 2. a. The Fisheries Information and Development Center
30 coordinating board, hereinafter referred to as the board, shall consist
31 of 13 members: the Director of the Rutgers Institute of Marine and
32 Coastal Sciences; the Chairman of the New Jersey Marine Fisheries
33 Council; each of the chairs of the New Jersey Shell Fisheries Council;
34 the President of the New Jersey Marine Sciences Consortium; a
35 representative from the Department of Agriculture, who shall be
36 appointed by the Secretary of Agriculture; a representative of the
37 Department of Environmental Protection, who shall be appointed by
38 the Commissioner of Environmental Protection; and three
39 representatives of the commercial fishery industry, one representative
40 from the recreational fishery industry, one representative from the
41 party and charter boat fishery industry, and one faculty member from
42 a New Jersey institute of higher education other than Rutgers, The
43 State University, each of whom shall be chosen and appointed by the
44 Director of the Rutgers Institute of Marine and Coastal Sciences, in
45 consultation with the New Jersey Marine Fisheries Council, from
46 written nominations received from the fisheries associations in the

1 State. Other public and private institutions of higher education and
2 their faculties may be considered for participation in the work of the
3 center in the future, as determined by the board of directors.

4 b. The board shall organize as soon as practicable following the
5 enactment of this act, and shall select a director at the conclusion of
6 the term of the initial director appointed pursuant to subsection a. of
7 section 1 of this act. Each director, including the initial appointed
8 director, shall serve a term of five years and may be reappointed. The
9 Director of the Rutgers Institute of Marine and Coastal Sciences, the
10 Chairman of the New Jersey Marine Fisheries Council, the chairs of
11 the New Jersey Shell Fisheries Council and the President of the New
12 Jersey Marine Sciences Consortium shall each serve ex officio. The
13 representatives of the Department of Agriculture and the Department
14 of Environmental Protection shall serve four year terms concurrent
15 with the term of the Secretary of Agriculture and the Commissioner of
16 Environmental Protection who appointed them except that the initial
17 representatives appointed may serve a term of less than four years
18 concurrent with the term remaining for the Secretary of Agriculture
19 and the Commissioner of Environmental Protection who appointed
20 them. The other six members of the board shall each serve a term of
21 four years, except that of the initial six appointees, two shall serve a
22 term of one year, two shall serve a term of two years, one shall serve
23 a term of three years, and one shall serve a term of four years. Board
24 members shall be reappointed or replaced in the same manner as the
25 original appointment or selection of the board member being
26 reappointed or replaced. All policies and procedures concerning the
27 hiring of board employees and reimbursement of board member
28 expenses shall be the same as and consistent with the policies and
29 procedures of Rutgers, The State University.

30 c. The board shall coordinate communication and information
31 exchange between the center and the private and public sectors of the
32 State. The board shall review, assess, approve or deny annual
33 statements of work for the research and development program, help
34 identify key research and development initiatives, and approve the final
35 design of research programs and the members of research teams. The
36 board shall periodically review and assess the progress of the research
37 and development programs and recommend the continuation or
38 termination of specific projects to the director of the center.

39
40 3. There is appropriated from the General Fund to Rutgers, The
41 State University the sum of \$500,000 for the establishment and
42 funding of the research and development projects of the Fisheries
43 Information and Development Center and the personnel necessary for
44 these projects and the functioning of the center.

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46 4. This act shall take effect immediately.

STATEMENT

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This bill establishes the Fisheries Information and Development Center, at the Institute of Marine and Coastal Sciences at Rutgers, The State University. The purposes and objectives of the center are to:

- (1) Address the most urgent research and development needs of the fishing industries in the State;
- (2) Provide critical, unbiased data for the New Jersey Marine Fisheries Council, the fishing public, and the commercial, recreational and party and charter boat fishery industries; and
- (3) Continue the viability of New Jersey fisheries through research and development concerning the enhancement of fish stocks and the improvement of fish stock management.

The center is to be administered by a director, chosen by the members of a coordinating board, and a 13-member coordinating board. The members of the coordinating board shall be: the Director of the Rutgers Institute of Marine and Coastal Sciences; the Chairman of the New Jersey Marine Fisheries Council; each of the chairs of the New Jersey Shell Fisheries Council; the President of the New Jersey Marine Sciences Consortium; a representative from the Department of Agriculture, who shall be appointed by the Secretary of Agriculture; a representative of the Department of Environmental Protection, who shall be appointed by the Commissioner of Environmental Protection; and three representatives of the commercial fishery industry, one representative from the recreational fishery industry, one representative from the party and charter boat fishery industry, and one faculty member from a New Jersey institute of higher education other than Rutgers, The State University, each of whom shall be chosen and appointed by the Director of the Rutgers Institute of Marine and Coastal Sciences, in consultation with the New Jersey Marine Fisheries Council, from written nominations received from the fisheries associations in the State.

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

SENATE, No. 581

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 7, 1999

The Senate Economic Growth, Agriculture and Tourism Committee favorably reports Senate Bill No. 581 with committee amendments.

This bill, as amended by the committee, establishes the Fisheries Information and Development Center, at the Institute of Marine and Coastal Sciences at Rutgers, The State University. The purposes and objectives of the center are to:

(1) Address the most urgent research and development needs of the commercial and recreational fisheries industries in the State, including all fisheries species landed in the State throughout the geographic range of those fisheries resources;

(2) Provide critical, unbiased data for the Marine Fisheries Council, the fishing public, and the commercial fishery industry, including shellfish and finfish fisheries in the State and fisheries in State and federal waters, and the recreational fishery industry, including the hook and line and party and charter boat fisheries industries; and

(3) Continue the viability of New Jersey fisheries through research and development concerning the enhancement of fish stocks and the improvement of fish stock management.

The bill, as amended, further provides that the center is to be administered by the Director of the Institute of Marine and Coastal Sciences, and a seven-member coordinating board. The members of the coordinating board would be the Chairperson of the Marine Fisheries Council, three representatives of the commercial fishery industry, and three representatives of the recreational fishery industry. The three commercial fishery industry representatives are to represent the range of commercial fisheries in the State, including shellfish and finfish fisheries and fisheries in State and federal waters. The three recreational fishery industry representatives are to represent the range of recreational fisheries in the State, including the hook and line and the party and charter boat fishery industry. As amended by the committee, the bill provides for the Governor, the President of the Senate and the Speaker of the General Assembly to each appoint one

representative of the commercial fishery industry and one representative of the recreational fishery industry.

The bill, as amended, appropriates \$500,000 for the establishment of the center, and limits the administrative expenses of the center and the coordinating board to five percent of the annual amount appropriated for the center.

Finally, the bill, as amended, authorizes the coordinating board to:

1) review, assess, approve or deny annual statements of work for the research and development program;

2) identify key research and development initiatives, and approve the final design of research programs and the members of research teams;

3) convene a peer review committee appropriate to each science initiative which shall include representatives of the management and industry groups expected to be affected by the initiative;

4) conduct a yearly assessment of research needs of the fishery;

5) set priorities of work to be accomplished, and review and assess the progress of the research and development programs; and

6) recommend the continuation or termination of specific projects to the director of the center.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 676 (1R) as also reported by the committee..

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 581

STATE OF NEW JERSEY

DATED: OCTOBER 18, 1999

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 581 (1R).

This bill establishes a Fisheries Information and Development Center at the Institute of Marine and Coastal Sciences at Rutgers University.

Mission of the center. The bill provides that the center's purposes and objectives will be to address the urgent research and development needs of the State's commercial and recreational fisheries industries; to provide critical, unbiased data for the Department of Environmental Protection's Marine Fisheries Council, the fishing public, and the commercial and recreational fishery industries; and to maintain the viability of New Jersey fisheries through research and development with respect to the enhancement of fish stocks and through the improvement of fish stock management. ("Fisheries" is defined under the bill as "all propagation, rearing and harvesting of fish and aquatic organisms not defined as 'aquaculture'" under N.J.S.A.4:27-3. The bill provides, however, that the Office of Aquaculture Coordination in the Department of Agriculture may participate in or request the conduct of research by the center regarding the propagation, rearing or harvesting of aquaculture species.)

Research activities. The center is to undertake scientific research programs, including programs that (1) improve the methodology and models of stock assessment; (2) develop the use of up-to-date satellite and oceanographic data in stock assessment models to analyze and assess fluctuations in stock size and distribution; (3) improve methods of data collection; (4) reduce the impact of fishing on the mortality of juvenile fish and aquatic life; (5) improve scientific data on species population dynamics and the processes that control age structure, mortality, recruitment, stock distribution patterns, the location of brood stocks, and the relationship of food supply to fish yield; (6) enhance our understanding of the economic and sociological issues affecting New Jersey fisheries; and (7) address issues pertaining to specific fish and shellfish populations.

Administration and oversight. The center is to be administered by the Director of Rutgers University's Institute of Marine and Coastal

Sciences, in consultation with a seven-member coordinating board established under the bill. The membership of the coordinating board is to consist of the Chairperson of the Marine Fisheries Council, three representatives of the commercial fishery industry, and three representatives of the recreational fishery industry. The Governor, the President of the Senate and the Speaker of the General Assembly are each to appoint one representative of the commercial fishery industry and one representative of the recreational fishery industry. The six appointed members of the coordinating board are to serve for terms of four years.

The bill provides that the center's research programs are to be conducted "at the direction of and with the approval of" the coordinating board and "in cooperation with" any nonprofit group related to the State's fisheries industries. More particularly, it directs the coordinating board to (a) review, assess, approve or deny annual statements of work for the research and development program; (b) identify key research and development initiatives and approve the final design of research programs and the members of research teams; (c) convene a peer review committee appropriate to each science initiative, which committee would include representatives of the management and industry groups expected to be affected by the initiative; (d) conduct a yearly assessment of research needs of the fishery; (e) set priorities of work to be accomplished and review and assess the progress of the research and development programs; and (f) recommend the continuation or termination of specific projects to the director of the center.

This bill is identical to Assembly Bill No. 676 (1R), also reported this day by the committee.

FISCAL IMPACT

The bill appropriates from the General Fund the sum of \$500,000 for the establishment of the center. It provides specifically that the center's administrative and staffing expenses shall not exceed 5% of its total annual funding.

**ASSEMBLY BILL NO. 676
(First Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 676 (First Reprint) with my recommendations for reconsideration.

SUMMARY OF THE BILL

This bill establishes the Fisheries Information and Development Center at the Institute of Marine and Coastal Sciences at Rutgers, the State University with a \$500,000 appropriation. The Fisheries Information and Development Center is intended to address the most urgent research and development needs of the commercial and recreational fishing industries in the State in an effort to sustain and enhance the economic viability of these important New Jersey industries. The Fisheries Information and Development Center is to be administered by the Director of the Institute of Marine and Coastal Sciences, at the direction of a seven-member coordinating board. Among other things, the coordinating board would be authorized to identify and assess priority research and development initiatives. The coordinating board is comprised of the chairperson of the Marine Fisheries Council, three representatives of the commercial fishery industry and three representatives of the recreational fishery industry. The Governor, Senate President, and Assembly Speaker each appoint one representative of the commercial fishery industry and one representative of the recreational fishery industry to the coordinating board.

B.RECOMMENDED ACTION

I commend the sponsors of this bill for their efforts to expand and improve marine fishery research programs in order to promote and improve the economic viability of the fishing industry in New Jersey. Furthermore, expanded marine fisheries research will help us to better understand and protect New Jersey's marine environment, while ensuring the well-being of our fishing industry.

As the State agency responsible for compliance with New Jersey's federally

mandated fisheries management plan, the Department of Environmental Protection must play a major role in determining which research programs are implemented with State appropriated funds. The Commissioner of the Department of Environmental Protection must ensure that research supporting our fisheries management plans receives top funding priority. Failure to do so would risk a federal moratorium on those fisheries which the State failed to meet its research obligations. Such a moratorium would have a significant adverse, social and economic impact on the State's commercial and recreational fisheries.

Upon careful consideration, I support the need to ensure sufficient funding for appropriate and necessary marine fishery research initiatives. I am concerned, however, that any State-funded research projects receive sufficient oversight by relevant State agencies in order to ensure that funding resources are utilized so as to be consistent with other State programs and to comply with federal mandates. It is for these reasons that I am returning to the Legislature for consideration, my recommendations to amend Assembly Bill No. 676 (First Reprint) to subject any research initiatives identified by the Coordinating Board to the approval of the Commissioner of Environmental Protection.

Therefore, I herewith return Assembly Bill No. 676 (First Reprint) and recommend that it be amended as follows:

Page 2, Line 36: After "(C.23:2B-4)," insert "the Department of Environmental Protection,"

Page 3, Line 3: Delete "propagation,"

Page 3, Line 4: Delete "rearing and"; after "harvesting of" insert "marine"

Page 3, Lines 5-10: Delete ", except that the Office of Aquaculture Coordination, established pursuant to section 4 of P.L.1997, c.236, may participate with, or request research to be conducted by, the center concerning certain propagation, rearing or harvesting of certain species that may be considered aquaculture"

Page 3, Line 11: After "at the direction of" insert "the coordinating board"

Page 3, Line 12: After "the approval of" insert "the Commissioner of the Department of Environmental Protection"; Delete "the

coordinating board”

Page 6, Line 6:

Delete “the sum of” insert “an amount not to exceed”

Page 6, Line 6:

After “\$500,000” insert “, as determined by the Director of the Office of Management and Budget,”

Page 6, Line 10:

Insert “4. Nothing in this act shall be construed to alter any of the powers or responsibilities of the Department of Environmental Protection related to shellfish or finfish fisheries in federal and State waters as established under federal and State law.”

Page 6, Line 11:

Delete “4” Insert “5”.

Respectfully,

/s/ Christine Todd Whitman

Governor

[seal]

Attest:

/s/ Richard S. Mroz

Chief Counsel to the Governor