

23:2B-22

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2011 **CHAPTER:** 23

NJSA: 23:2B-22 (Requires DEP to establish free recreational saltwater fishing registry)

BILL NO: A823 (Substituted for S1122)

SPONSOR(S) Albano and others

DATE INTRODUCED: January 12, 2010

COMMITTEE: **ASSEMBLY:** Agriculture and Natural Resources

SENATE: Environment and Energy
 Budget

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 6, 2011

SENATE: December 20, 2010

DATE OF APPROVAL: February 21, 2011

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second reprint enacted)

A823

SPONSOR'S STATEMENT: (Begins on page 2 of original bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: Yes Environment Budget

(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)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: Yes

S1122

SPONSOR'S STATEMENT: (Begins on page 2 of original bill) Yes

COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes Environment Budget

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Decision due today on saltwater registry bill," Asbury Park Press, 2-22-11

"Christie must decide fishing registry today," The Press of Atlantic City, 2-22-11

"Governor approves free fishing registry," The Press of Atlantic City, 2-23-11

"Gov. Christie signs bill preventing \$`15 saltwater," New JerseyNewsroom.com, 2-23-11

"Saltwater anglers save from U.S. fee," The Star-Ledger, 2-23-11

"Christie Oks free fishing registry," The Philadelphia Inquirer, 2-23-11

"Christie signs free fishing registry bill," Asbury Park Press, 2-23-11

"New law keeps saltwater fishing free in state," Courier-Post, 2-23-11

"Anglers exempted from federal fee," The Record, 2-23-11

LAW/KR

P.L.2011, CHAPTER 23, *approved February 21, 2011*
Assembly, No. 823 (*Second Reprint*)

1 AN ACT concerning saltwater fishing ²[.] and² supplementing
2 P.L.1979, c.199 (C.23:2B-1 et seq.) ²[, and repealing section 82
3 of P.L.1979, c.199]².

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

7
8 1. a. The commissioner, in consultation with the Marine
9 Fisheries Council, shall establish and implement a registry program
10 for saltwater recreational anglers, which program shall provide for:

11 (1) the registration, including ¹the name, date of birth, address,
12 telephone number, and other¹ identification and contact information
13 ¹determined to be necessary by the department pursuant to federal
14 requirements¹, of individuals who engage in recreational fishing:

15 (a) in the Exclusive Economic Zone;

16 (b) for anadromous species; ¹[or]¹

17 (c) for Continental Shelf fishery resources beyond the Exclusive
18 Economic Zone; ¹or

19 ¹(d) in the tidal waters of the State;¹ and

20 (2) the registration, including the ownership, operator, and
21 identification of the vessel, of vessels used in such fishing.

22 b. (1) The registry program established pursuant to this section
23 shall comply with the provisions of the registry program to be
24 established pursuant to the “Magnuson-Stevens Fishery
25 Conservation and Management Reauthorization Act of 2006,”
26 Pub.L.109-479 (16 U.S.C. s.1801 et seq.).

27 (2) Upon establishment of the registry program pursuant to this
28 section, the commissioner shall apply to the National Marine
29 Fisheries Service of the National Oceanic and Atmospheric
30 Administration for exempted state designation from the federal
31 registration requirements.

32 c. The department shall not charge a fee for the registration
33 required pursuant to this section.

34 ¹d. A person who is under 16 years of age or a customer fishing
35 from a state-licensed or federally permitted for-hire vessel shall not
36 be required to register pursuant to this section.¹

37
38 ²[2. Section 82 of P.L.1979, c.199 (C.23:2B-18) is repealed.]²

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:

¹Assembly floor amendments adopted March 15, 2010.

²Senate SEN committee amendments adopted December 9, 2010.

1 ²[3.] 2.² This act shall take effect immediately.

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4

5

6 Requires DEP to establish free recreational saltwater fishing
7 registry.

ASSEMBLY, No. 823

STATE OF NEW JERSEY

214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman NELSON T. ALBANO
District 1 (Cape May, Atlantic and Cumberland)
Assemblyman MATTHEW W. MILAM
District 1 (Cape May, Atlantic and Cumberland)
Assemblyman JOHN F. AMODEO
District 2 (Atlantic)
Assemblywoman CELESTE M. RILEY
District 3 (Salem, Cumberland and Gloucester)

Co-Sponsored by:

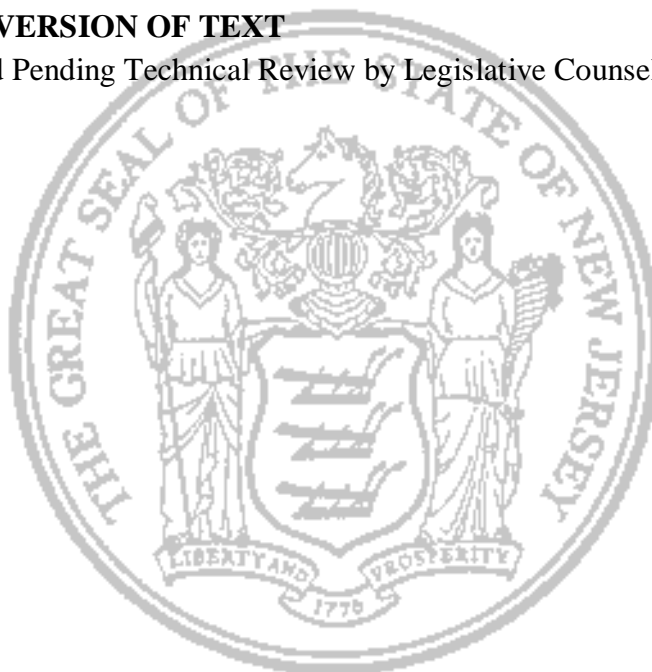
Assemblymen Rumana and Wilson

SYNOPSIS

Requires DEP to establish free recreational saltwater fishing registry.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 3/9/2010)

1 AN ACT concerning saltwater fishing, supplementing P.L.1979,
2 c.199 (C.23:2B-1 et seq.), and repealing section 82 of P.L.1979,
3 c.199.
4

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

8 1. a. The commissioner, in consultation with the Marine
9 Fisheries Council, shall establish and implement a registry program
10 for saltwater recreational anglers, which program shall provide for:

11 (1) the registration, including identification and contact
12 information, of individuals who engage in recreational fishing:

13 (a) in the Exclusive Economic Zone;

14 (b) for anadromous species; or

15 (c) for Continental Shelf fishery resources beyond the Exclusive
16 Economic Zone; and

17 (2) the registration, including the ownership, operator, and
18 identification of the vessel, of vessels used in such fishing.

19 b. (1) The registry program established pursuant to this section
20 shall comply with the provisions of the registry program to be
21 established pursuant to the "Magnuson-Stevens Fishery
22 Conservation and Management Reauthorization Act of 2006,"
23 Pub.L.109-479 (16 U.S.C. s.1801 et seq.).

24 (2) Upon establishment of the registry program pursuant to this
25 section, the commissioner shall apply to the National Marine
26 Fisheries Service of the National Oceanic and Atmospheric
27 Administration for exempted state designation from the federal
28 registration requirements.

29 c. The department shall not charge a fee for the registration
30 required pursuant to this section.
31

32 2. Section 82 of P.L.1979, c.199 (C.23:2B-18) is repealed.
33

34 3. This act shall take effect immediately.
35
36

37 STATEMENT
38

39 This bill directs the Commissioner of Environmental Protection,
40 in consultation with the Marine Fisheries Council, to establish and
41 implement a registry program for saltwater recreational anglers
42 modeled on the registry program to be established by the National
43 Oceanic and Atmospheric Administration (NOAA). This bill
44 specifies that the State cannot charge a fee for registration under
45 this program.

46 In 2007, Congress reauthorized the Magnuson-Stevens Fishery
47 Conservation and Management Act (Public Law 109-479), and

1 included requirements for revising the Marine Recreational
2 Fisheries Statistics Survey (MRFSS) and directing NOAA to
3 establish a National Saltwater Angler Registry Program by January
4 1, 2009. Congress also authorized NOAA to collect a fee,
5 beginning in the year 2011, to cover administrative costs associated
6 with this registry. The purpose of the federal registry is to identify
7 all saltwater anglers that can be contacted to obtain more accurate
8 recreational fishery information to improve fisheries management.

9 The National Saltwater Angler Registry will exempt anglers
10 from the federal registry if their state has its own registration or
11 licensing system. However, since New Jersey does not currently
12 have a saltwater licensing or registration program, the State's
13 anglers will be required to register with the federal government if
14 there is no State program in place by January 1, 2009. This bill also
15 directs the DEP Commissioner to apply to the federal National
16 Marine Fisheries Service for "exempted state designation" so that
17 New Jersey's saltwater anglers do not have to participate in the
18 national registry.

19 This bill would also repeal section 82 of P.L.1979, c.199
20 (C.23:2B-18) that prohibits the imposition of a saltwater
21 recreational anglers license.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 823

STATE OF NEW JERSEY

DATED: MARCH 8, 2010

The Assembly Agriculture and Natural Resources Committee reports favorably Assembly Bill No. 823.

This bill directs the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish and implement a registry program for saltwater recreational anglers modeled on the registry program to be established by the National Oceanic and Atmospheric Administration (NOAA). This bill specifies that the State cannot charge a fee for registration under this program.

In 2007, Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act (Public Law 109-479), and included requirements for revising the Marine Recreational Fisheries Statistics Survey and directing NOAA to establish a National Saltwater Angler Registry Program by January 1, 2009. Congress also authorized NOAA to collect a fee, beginning in the year 2011, to cover administrative costs associated with this registry. The purpose of the federal registry is to identify all saltwater anglers that can be contacted to obtain more accurate recreational fishery information to improve fisheries management.

The National Saltwater Angler Registry will exempt anglers from the federal registry if their state has its own registration or licensing system, and the requirement for anglers in states without programs to register with the federal government was extended to January 1, 2010. New Jersey does not have a saltwater licensing or registration program, but the requirement to pay an annual fee of \$15 to \$25 for the federal registry has been extended by the federal government until January 1, 2011. This fee and deadline are set by federal regulations. This bill also directs the Commissioner of Environmental Protection to apply to the federal National Marine Fisheries Service for “exempted state designation” so that New Jersey’s saltwater anglers do not have to participate in the national registry.

Finally, the bill also would repeal section 82 of P.L.1979, c.199 (C.23:2B-18) that prohibits the imposition of a saltwater recreational anglers license.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO
ASSEMBLY, No. 823

with Assembly Floor Amendments
(Proposed by Assemblyman ALBANO)

ADOPTED: MARCH 15, 2010

This amendment clarifies types of required identification and that all anglers fishing in tidal waters of the State are required to register, except for persons who are under 16 years of age or customers fishing from state-licensed or federally permitted for-hire vessels.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 823

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2010

The Senate Environment and Energy Committee favorably reports Assembly Bill No. 823 (1R) with committee amendments.

This bill, as amended by the committee, would direct the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish and implement a registry program for saltwater recreational anglers modeled on the registry program to be established by the National Oceanic and Atmospheric Administration (NOAA). This bill specifies that the State cannot charge a fee for registration under this program.

In 2007, Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act (Public Law 109-479), and included requirements for revising the Marine Recreational Fisheries Statistics Survey and directing NOAA to establish a National Saltwater Angler Registry Program by January 1, 2009. Congress also authorized NOAA to collect a fee, beginning in the year 2011, to cover administrative costs associated with this registry. The purpose of the federal registry is to identify all saltwater anglers that can be contacted to obtain more accurate recreational fishery information to improve fisheries management.

The National Saltwater Angler Registry will exempt anglers from the federal registry if their state has its own registration or licensing system. The requirement for anglers in states without programs to register with the federal government was extended to January 1, 2010. New Jersey does not have a saltwater licensing or registration program, but the requirement to pay an annual fee of \$15 for the federal registry has been extended by the federal government until January 1, 2011. This fee and deadline are set by federal regulations. This bill also directs the Commissioner of Environmental Protection to apply to the federal National Marine Fisheries Service for “exempted state designation” so that New Jersey’s saltwater anglers do not have to participate in the national registry.

The committee amendments delete section 2 of the bill, which would have repealed section 82 of P.L.1979, c.199 (C.23:2B-18)

prohibiting the imposition of a saltwater recreational anglers license because the registration program to be established by this bill is not a licensing program.

The committee amendments make the bill identical to Senate Bill No. 1122, as also amended and reported by the committee.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]
ASSEMBLY, No. 823

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2010

The Senate Budget and Appropriations committee reports favorably Assembly Bill No. 823 (2R).

The bill directs the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish and implement a registry program for saltwater recreational anglers modeled on the registry program to be established by the National Oceanic and Atmospheric Administration (NOAA). This bill specifies that the State cannot charge a fee for registration under this program.

In 2007, Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act (Public Law 109-479), and included requirements for revising the Marine Recreational Fisheries Statistics Survey and directing NOAA to establish a National Saltwater Angler Registry Program by January 1, 2009. Congress also authorized NOAA to collect a fee, beginning in the year 2011, to cover administrative costs associated with this registry. The purpose of the federal registry is to identify all saltwater anglers that can be contacted to obtain more accurate recreational fishery information to improve fisheries management.

The National Saltwater Angler Registry will exempt anglers from the federal registry if their state has its own registration or licensing system. The requirement for anglers in states without programs to register with the federal government was extended to January 1, 2010. New Jersey does not have a saltwater licensing or registration program, but the requirement to pay an annual fee of \$15 for the federal registry has been extended by the federal government until January 1, 2011. This fee and deadline are set by federal regulations. This bill also directs the Commissioner of Environmental Protection to apply to the federal National Marine Fisheries Service for “exempted state designation” so that New Jersey’s saltwater anglers do not have to participate in the national registry.

This bill identical to Senate Bill No. 1122, as also reported by the committee.

FISCAL IMPACT:

According to the New Jersey Department of Environmental Protection, a fee of \$5 per registrant would be required to cover the costs of the registration program and other related costs. The department has estimated that there are approximately 600,000 saltwater anglers in New Jersey, but an unknown portion of that group would be exempt from registration. The bill prohibits the department from imposing a fee for registration.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 823

STATE OF NEW JERSEY 214th LEGISLATURE

DATED: JANUARY 5, 2011

SUMMARY

Synopsis: Requires DEP to establish free recreational saltwater fishing registry.

Type of Impact: Expenditure increase from the General Fund.

Agencies Affected: Department of Environmental Protection

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate—See comments below		

- The bill directs the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish a no-fee registry program for saltwater recreational anglers modeled on the fee-based registry program established by the National Oceanic and Atmospheric Administration on January 1, 2009.
- The Department of Environmental Protection (DEP) is directed to apply to the federal National Marine Fisheries Service for “exempted state designation” so that newly State-registered saltwater anglers do not have to participate in the national registry.
- The purpose of the federal registry is to identify all saltwater anglers that can be contacted to obtain more accurate recreational fishery information to improve fisheries management.
- The Office of Legislative Services (OLS) is unable, due to time constraints, to provide cost estimates at this time, but contends that the DEP will incur some level of data processing and advertising costs to establish the State registry program.

BILL DESCRIPTION

Assembly Bill No. 823 (2R) of 2010 directs the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish and implement a no-fee registry

program for saltwater recreational anglers modeled on the fee-based registry program recently established by the National Oceanic and Atmospheric Administration. Once the State registry program is established, the bill directs the DEP Commissioner to apply to the federal National Marine Fisheries Service for “exempted state designation” so that New Jersey’s saltwater anglers do not have to participate in the national registry.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS cannot provide a cost estimate of the DEP’s potential expenses under the bill at this time due to the limited time constraints given to obtain pertinent data needed for this purpose. However, the OLS assumes that the DEP could incur some level of data processing and advertising costs in establishing the registry required by the bill. These expenses would likely require an increase in the department’s Natural Resource Management operating budget, provided existing State or non-state appropriations could not be diverted or found for this effort.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Richard M. Handelman
Senior Fiscal Analyst*

*Approved: David J. Rosen
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-1 et seq.).

SENATE, No. 1122

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 4, 2010

Sponsored by:

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Senator JENNIFER BECK

District 12 (Mercer and Monmouth)

Co-Sponsored by:

Senator S.Kean

SYNOPSIS

Requires DEP to establish free recreational saltwater fishing registry.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/10/2010)

1 AN ACT concerning saltwater fishing, supplementing P.L.1979,
2 c.199 (C.23:2B-1 et seq.), and repealing section 82 of P.L.1979,
3 c.199.

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

7
8 1. a. The commissioner, in consultation with the Marine
9 Fisheries Council, shall establish and implement a registry program
10 for saltwater recreational anglers, which program shall provide for:

11 (1) the registration, including identification and contact
12 information, of individuals who engage in recreational fishing:

13 (a) in the Exclusive Economic Zone;

14 (b) for anadromous species; or

15 (c) for Continental Shelf fishery resources beyond the Exclusive
16 Economic Zone; and

17 (2) the registration, including the ownership, operator, and
18 identification of the vessel, of vessels used in such fishing.

19 b. (1) The registry program established pursuant to this section
20 shall comply with the provisions of the registry program to be
21 established pursuant to the "Magnuson-Stevens Fishery
22 Conservation and Management Reauthorization Act of 2006,"
23 Pub.L.109-479 (16 U.S.C. s.1801 et seq.).

24 (2) Upon establishment of the registry program pursuant to this
25 section, the commissioner shall apply to the National Marine
26 Fisheries Service of the National Oceanic and Atmospheric
27 Administration for exempted state designation from the federal
28 registration requirements.

29 c. The department shall not charge a fee for the registration
30 required pursuant to this section.

31

32 2. Section 82 of P.L.1979, c.199 (C.23:2B-18) is repealed.

33

34 3. This act shall take effect immediately.

35

36

37

STATEMENT

38

39 This bill directs the Commissioner of Environmental Protection,
40 in consultation with the Marine Fisheries Council, to establish and
41 implement a registry program for saltwater recreational anglers
42 modeled on the registry program to be established by the National
43 Oceanic and Atmospheric Administration (NOAA). This bill
44 specifies that the State cannot charge a fee for registration under
45 this program.

46 In 2007, Congress reauthorized the Magnuson-Stevens Fishery
47 Conservation and Management Act (Public Law 109-479), and
48 included requirements for revising the Marine Recreational

S1122 VAN DREW, BECK

3

1 Fisheries Statistics Survey (MRFSS) and directing NOAA to
2 establish a National Saltwater Angler Registry Program by January
3 1, 2009. Congress also authorized NOAA to collect a fee,
4 beginning in the year 2011, to cover administrative costs associated
5 with this registry. The purpose of the federal registry is to identify
6 all saltwater anglers that can be contacted to obtain more accurate
7 recreational fishery information to improve fisheries management.

8 The National Saltwater Angler Registry will exempt anglers
9 from the federal registry if their state has its own registration or
10 licensing system. However, since New Jersey does not currently
11 have a saltwater licensing or registration program, the State's
12 anglers will be required to register with the federal government.
13 This bill also directs the DEP Commissioner to apply to the federal
14 National Marine Fisheries Service for "exempted state designation"
15 so that New Jersey's saltwater anglers do not have to participate in
16 the national registry.

17 Lastly, this bill would also repeal section 82 of P.L.1979, c.199
18 (C.23:2B-18) that prohibits the imposition of a saltwater
19 recreational anglers license.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 1122

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2010

The Senate Environment and Energy Committee favorably reports Senate Bill No. 1122 with committee amendments.

This bill, as amended by the committee, would direct the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish and implement a registry program for saltwater recreational anglers modeled on the registry program to be established by the National Oceanic and Atmospheric Administration (NOAA). This bill specifies that the State cannot charge a fee for registration under this program.

In 2007, Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act (Public Law 109-479), and included requirements for revising the Marine Recreational Fisheries Statistics Survey and directing NOAA to establish a National Saltwater Angler Registry Program by January 1, 2009. Congress also authorized NOAA to collect a fee, beginning in the year 2011, to cover administrative costs associated with this registry. The purpose of the federal registry is to identify all saltwater anglers that can be contacted to obtain more accurate recreational fishery information to improve fisheries management.

The National Saltwater Angler Registry will exempt anglers from the federal registry if their state has its own registration or licensing system. The requirement for anglers in states without programs to register with the federal government was extended to January 1, 2010. New Jersey does not have a saltwater licensing or registration program, but the requirement to pay an annual fee of \$15 for the federal registry has been extended by the federal government until January 1, 2011. This fee and deadline are set by federal regulations. This bill also directs the Commissioner of Environmental Protection to apply to the federal National Marine Fisheries Service for “exempted state designation” so that New Jersey’s saltwater anglers do not have to participate in the national registry.

The committee amendments:

1) clarify the types of required identification information necessary to register;

2) provide that all anglers fishing in tidal waters of the State are required to register;

3) exempt from registration persons who are under 16 years of age or customers fishing from state-licensed or federally permitted for-hire vessels; and

4) delete section 2 of the bill, which would have repealed section 82 of P.L.1979, c.199 (C.23:2B-18) prohibiting the imposition of a saltwater recreational anglers license because the registration program to be established by this bill is not a licensing program.

The committee amendments make the bill identical to Assembly Bill No. 823 (1R), as also amended and reported by the committee.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1122

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2010

The Senate Budget and Appropriations committee reports favorably Senate Bill No. 1122 (1R).

The bill directs the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish and implement a registry program for saltwater recreational anglers modeled on the registry program to be established by the National Oceanic and Atmospheric Administration (NOAA). This bill specifies that the State cannot charge a fee for registration under this program.

In 2007, Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act (Public Law 109-479), and included requirements for revising the Marine Recreational Fisheries Statistics Survey and directing NOAA to establish a National Saltwater Angler Registry Program by January 1, 2009. Congress also authorized NOAA to collect a fee, beginning in the year 2011, to cover administrative costs associated with this registry. The purpose of the federal registry is to identify all saltwater anglers that can be contacted to obtain more accurate recreational fishery information to improve fisheries management.

The National Saltwater Angler Registry will exempt anglers from the federal registry if their state has its own registration or licensing system. The requirement for anglers in states without programs to register with the federal government was extended to January 1, 2010. New Jersey does not have a saltwater licensing or registration program, but the requirement to pay an annual fee of \$15 for the federal registry has been extended by the federal government until January 1, 2011. This fee and deadline are set by federal regulations. This bill also directs the Commissioner of Environmental Protection to apply to the federal National Marine Fisheries Service for “exempted state designation” so that New Jersey’s saltwater anglers do not have to participate in the national registry.

This bill is identical to Assembly Bill No. 823 (1R), as also reported by the committee.

FISCAL IMPACT:

According to the New Jersey Department of Environmental Protection, a fee of \$5 per registrant would be required to cover the costs of the registration program and other related costs. The department has estimated that there are approximately 600,000 saltwater anglers in New Jersey, but an unknown portion of that group would be exempt from registration. The bill prohibits the department from imposing a fee for registration.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 1122 STATE OF NEW JERSEY 214th LEGISLATURE

DATED: JANUARY 5, 2011

SUMMARY

Synopsis: Requires DEP to establish free recreational saltwater fishing registry.

Type of Impact: Expenditure increase from the General Fund.

Agencies Affected: Department of Environmental Protection

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate—See comments below		

- The bill directs the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish a no-fee registry program for saltwater recreational anglers modeled on the fee-based registry program established by the National Oceanic and Atmospheric Administration on January 1, 2009.
- The Department of Environmental Protection (DEP) is directed to apply to the federal National Marine Fisheries Service for “exempted state designation” so that newly State-registered saltwater anglers do not have to participate in the national registry.
- The purpose of the federal registry is to identify all saltwater anglers that can be contacted to obtain more accurate recreational fishery information to improve fisheries management.
- The Office of Legislative Services (OLS) is unable, due to time constraints, to provide cost estimates at this time, but contends that the DEP will incur some level of data processing and advertising costs to establish the State registry program.

BILL DESCRIPTION

Senate Bill No. 1122 (1R) of 2010 directs the Commissioner of Environmental Protection, in consultation with the Marine Fisheries Council, to establish and implement a no-fee registry

program for saltwater recreational anglers modeled on the fee-based registry program recently established by the National Oceanic and Atmospheric Administration. Once the State registry program is established, the bill directs the DEP Commissioner to apply to the federal National Marine Fisheries Service for “exempted state designation” so that New Jersey’s saltwater anglers do not have to participate in the national registry.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS cannot provide a cost estimate of the DEP’s potential expenses under the bill at this time due to the limited time constraints given to obtain pertinent data needed for this purpose. However, the OLS assumes that the DEP could incur some level of data processing and advertising costs in establishing the registry required by the bill. These expenses would likely require an increase in the department’s Natural Resource Management operating budget, provided existing State or non-state appropriations could not be diverted or found for this effort.

Section: Environment, Agriculture, Energy and Natural Resources

*Analyst: Richard M. Handelman
Senior Fiscal Analyst*

*Approved: David J. Rosen
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-1 et seq.).