

[First Reprint]

SENATE, No. 2323

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED FEBRUARY 10, 2003

Sponsored by:

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District 4 (Camden and Gloucester)

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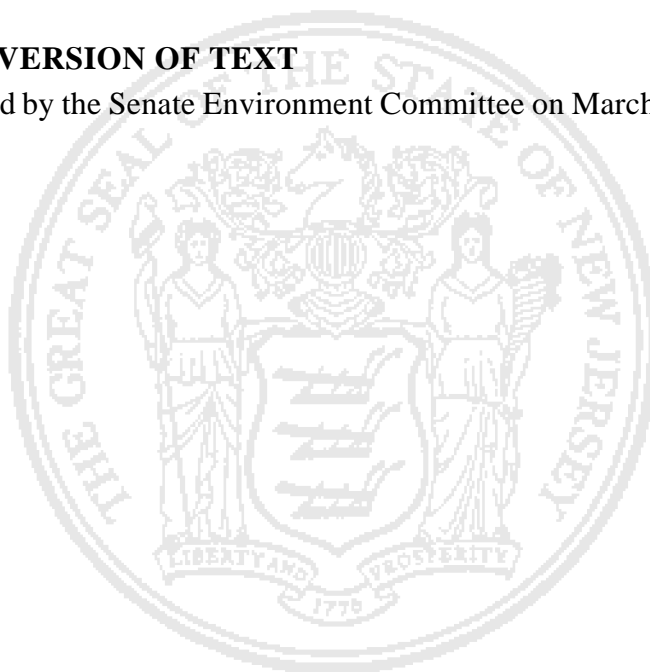
Senators Ciesla, Cafiero and Palaia

SYNOPSIS

The "New Jersey Freedom to Fish Act."

CURRENT VERSION OF TEXT

As reported by the Senate Environment Committee on March 17, 2003, with amendments.



(Sponsorship Updated As Of: 5/20/2003)

1 AN ACT concerning recreational fishing in marine waters and
2 supplementing Title 23 of the Revised Statutes.

3

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

6

7 1. This act shall be known, and may be cited, as the "New Jersey
8 Freedom to Fish Act."

9

10 2. The Legislature hereby finds and declares that recreational
11 fishing is one of the most popular outdoor sporting activities in the
12 State; that the vast number of individuals who take to the waters of
13 New Jersey for the purpose of recreational fishing makes a substantial
14 contribution to the local and State economies; that, in 2001,
15 recreational anglers fished over 10.8 million fishing days in New Jersey
16 for a total economic output of \$1.4 billion; and that recreational
17 fishing also makes a substantial contribution to the quality of life in the
18 State.

19 The Legislature also finds and declares that recreational anglers
20 have long demonstrated a conservation ethic through their abidance
21 with fisheries management laws and regulations including minimum
22 size requirements, possession limits, and seasonal closures, as well as
23 through their use of non-lethal fishing gear.

24 The Legislature further finds and declares that the Atlantic Ocean
25 and its bays and estuaries are some of New Jersey's most important
26 natural resources; that effective planning, assessment, and management
27 in the conservation of the resources of the Atlantic Ocean and its bays
28 and estuaries are important tools that must be utilized effectively to
29 protect the marine environment; and that the marine environment can
30 be adequately protected without unnecessarily closing off areas of the
31 State's ocean waters, bays, and estuaries to recreational rod and reel
32 anglers.

33 The Legislature therefore determines that it is the policy of this
34 State to protect and promote recreational ¹[rod and reel]¹ fishing
35 opportunities and access to the maximum extent possible; and that
36 enactment of this legislation is necessary to ensure that both the
37 interests of the fishing public and the interests of the marine
38 environment are adequately protected.

39

40 3. The marine waters of the State shall not be closed to
41 recreational ¹[rod and reel]¹ fishing unless:

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 Senate SEN committee amendments adopted March 17, 2003.

- 1 a. there is a clear indication that recreational ¹[rod and reel]¹
2 fishing is the cause of a specific conservation problem and that less
3 severe conservation measures, including but not limited to minimum
4 size requirements, possession limits, or seasonal closures, will not
5 adequately provide for conservation of the affected stocks of fish;
6 b. the closed area regulation includes specific measurable criteria
7 to determine the conservation benefit of the closed area on the affected
8 stocks of fish and provides a timetable for periodic review of the
9 continued need for the closed area at least once every three years;
10 c. the closed area is no larger than that which is supported by the
11 best available scientific information as determined by the Division of
12 Fish and Wildlife; and
13 d. provisions are made to reopen the closed area to recreational
14 ¹[rod and reel]¹ fishing whenever the basis for the closure no longer
15 exists.
16
17 4. The Department of Environmental Protection and the Marine
18 Fisheries Council shall incorporate the policies and requirements
19 established by this act when implementing and administering the
20 "Marine Fisheries Management and Commercial Fisheries Act,"
21 P.L.1979, c.199 (C.23:2B-1 et seq.), or any other law, rule, or
22 regulation pertaining to recreational fishing in marine waters.
23
24 5. This act shall take effect immediately ¹and shall expire three
25 years thereafter¹.