

CHAPTER 45

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

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

C.23:5-45.1a Rules, regulations for taking, management of striped bass.

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

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

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

C.23:5-45.1 Daily limit for taking striped bass.

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

b. A person shall not fillet, or remove the head or tail, or parts thereof, of any striped bass at sea, except this subsection shall not apply to striped bass that have been filleted under authority of, and in accordance with, a special permit therefor which may be issued by the Commissioner of Environmental Protection to an inspected vessel licensed to accommodate 15 or more passengers.

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

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

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Repealer.

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

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

Approved May 4, 2015.