

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 512
HOUSE BILL 1006

AN ACT TO REORGANIZE THE MARINE FISHERIES COMMISSION AND THE
COMMERCIAL AND SPORTS FISHERIES COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-287 as the same appears in the 1975 Cumulative Supplement of the 1974 Replacement Volume 3C of the General Statutes is amended as follows:

(1) By deleting the word "seven" in line 2 and inserting in lieu thereof the word "fifteen".

(2) By rewriting subdivision (6) to read as follows:

"(6) Ten at large, at least seven of whom shall at the time of appointment be residents of a legislative district which contains a county which is a part of the coastal area as that term is defined by G.S. 113A-103(2) and (3)."

(3) By inserting the word "current" in line 22 after the word "any" and by adding at the end of line 24 a new sentence to read as follows:

"The Governor shall have the authority to remove any member of the commission appointed after July 1, 1977."

(4) By deleting the second sentence of the second paragraph, which begins with the words "Two of the initial members".

Sec. 2. The seven current members of the Marine Fisheries Commission shall serve the remainder of the terms for which they were appointed. Of the eight new at-large members whose appointments are authorized by Section 1 of this act, four shall be appointed for terms ending July 1, 1979, and four shall be appointed for terms ending July 1, 1981. Thereafter each member shall be appointed for a term of six years.

Sec. 3. G.S. 143B-289 as the same appears in the 1975 Cumulative Supplement to Replacement Volume 3C of the General Statutes is amended by adding at the end thereof a new sentence to read as follows:

"At least three of the four quarterly meetings of the Marine Fisheries Commission shall be held in the coastal area as that area is defined in G.S. 113A-103."

Sec. 4. Part 18 of Article 7 of Chapter 143B of the General Statutes is hereby repealed, and a new Part 18A is hereby inserted in Article 7 to read as follows:

"Part 18A.

"Commercial and Sports Fisheries Advisory Committee.

"§ 143B-325.1. Commercial and Sports Fisheries Advisory Committee - creation, powers and duties. — There is hereby created the Commercial and Sports Fisheries Advisory Committee of the Department of Natural and Economic Resources. The Commercial and Sports Fisheries Advisory Committee shall have the following functions and duties:

- (1) to study all matters and activities in connection with the conservation of marine and estuarine resources and make recommendations to the Secretary of Natural and Economic Resources;
- (2) to act as a liaison group between sports and commercial fishermen, and others interested in the beneficial utilization of the marine and estuarine resources, and the Secretary of Natural and Economic Resources;

- (3) the Advisory Committee shall consider and advise the Secretary of Natural and Economic Resources upon any matter the secretary may refer to it; and
- (4) the Advisory Committee may originate its own studies on various matters within the scope of its interests and report on such matters to the public or to the agency or official appropriately concerned.

"§ 143B-325.2. Commercial and Sports Fisheries Advisory Committee - members; chairman; selection; removal; compensation; quorum; services. — The Commercial and Sports Fisheries Advisory Committee shall consist of nine members appointed by the Governor. The composition of the Advisory Committee shall be as follows: three members who are sports fishermen, three members who are commercial fishermen, and three members who are professional scientists with backgrounds relevant to the conservation of marine and estuarine resources.

The Governor shall designate one member of the Advisory Committee to serve as chairman at his pleasure.

The initial members of the Advisory Committee shall be appointed as follows: four members for two years and five members for four years. At the end of the respective terms of office of the initial members of the advisory committee, appointments shall be made for four years and until their successors are appointed and qualify. Any appointment to fill a vacancy on the Advisory Committee created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

The Governor shall have the power to remove any member of the Advisory Committee from office.

Members of the Advisory Committee shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

A majority of the Advisory Committee shall constitute a quorum for the transaction of business.

All clerical and other services required by the Advisory Committee shall be supplied by the Secretary of Natural and Economic Resources.

"§ 143B-325.3. Commercial and Sports Fisheries Advisory Committee - meetings. — The Commercial and Sports Fisheries Advisory Committee shall meet at least semiannually and may hold special meetings at any time or place within the State at the call of the chairman or upon the written request of at least a majority of the members."

Sec. 5. The words "Commercial and Sports Fisheries Advisory Committee" shall be inserted in the General Statutes wherever the words "Commercial and Sports Fisheries Committee" appear.

Sec. 6. G.S. 143B-277(b) as the same appears in the 1975 Cumulative Supplement to Volume 3C of the General Statutes is hereby amended by deleting subdivision (5).

Sec. 7. Nothing herein contained shall be construed to obligate the General Assembly to make additional appropriations to implement the provisions of this act.

Sec. 8. This act shall become effective July 1, 1977.

In the General Assembly read three times and ratified, this the 9th day of June, 1977.