

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 930
SENATE BILL 629

AN ACT TO ESTABLISH A STUDY COMMISSION TO STUDY COMMERCIAL
FISHING LICENSES AND SHELLFISH LEASES.

Whereas, the laws concerning licensing of commercial fishing activities have not been materially changed since 1965; and

Whereas, the laws concerning the leasing of State-owned submerged lands for the purpose of shellfish production contain many provisions which have not been changed since 1893; and

Whereas, greater numbers of people are utilizing the marine resources of the State and conflicts are arising more frequently due to incompatible methods of using these resources; and

Whereas, there is a need to study the laws relating to the licensing of commercial fishing activities, the leasing of submerged lands for shellfish production, and the resolution of conflicting uses of marine resources in order to determine if these laws address the changes in society which have occurred since their enactment; and

Whereas, other matters relating to marine fisheries also need to be studied; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Study commission created. The Marine Fisheries Study Commission is hereby created.

Sec. 2. Duties. The Marine Fisheries Study Commission shall study (i) the existing statutes concerning licensing of commercial fishing activities, (ii) the existing statutes concerning the leasing of State-owned submerged lands for the purposes of shellfish production, (iii) the need for additional laws to address problems arising out of conflicting uses of marine resources, and (iv) such other matters relating to marine fisheries as it deems important.

Sec. 3. Organization. (a) The Commission shall consist of 10 members to be appointed as follows:

- (1) Three members of the House of Representatives appointed by the Speaker of the House of Representatives;
- (2) Three members of the Senate appointed by the President Pro Tempore of the Senate;
- (3) Three persons appointed by the Governor who are actively engaged in commercial fishing in North Carolina; all of whom shall reside in the Coastal Plain; and
- (4) The Chairman of the Marine Fisheries Commission, who shall serve ex officio.

(b) All appointments shall be made no later than September 1, 1981.

(c) The Speaker and President Pro Tempore shall each choose a cochairman from the membership of the Commission no later than September 15, 1981.

(d) The cochairmen shall jointly call the first meeting of the Commission.

(e) All vacancies shall be filled by the appointing officer.

Sec. 4. Staff assistance. The Legislative Services Commission shall provide staff assistance to the Commission. The Marine Fisheries Study Commission may call on the Division of Marine Fisheries, Department of Natural Resources and Community Development for additional staff assistance, which shall be provided under the direction of the Marine Fisheries Study Commission.

Sec. 5. Compensation. State employees serving as staff to the Commission shall be entitled to allowances from the Department by which they are employed in accordance with G.S. 138-6. Members of the General Assembly serving on the Commission shall be entitled to allowances in accordance with G.S. 120-3.1. The Chairman of the Marine Fisheries Commission and members appointed by the Governor and serving on the Commission shall be entitled to per diem and allowances from the budget of the Department of Natural Resources and Community Development in accordance with G.S. 138-5.

Sec. 6. Report. The Commission shall make a report to the General Assembly no later than April 1, 1982, containing the recommendations of the Commission as to the need for changes in existing statutes or administrative regulations or the need for new statutes or regulations. The Commission shall terminate upon submission of its report.

Sec. 7. There is appropriated from the General Fund to the Marine Fisheries Study Commission for fiscal year 1981-82 the sum of eight thousand dollars (\$8,000) to cover all expenses of the Commission other than those paid by the Department of Natural Resources and Community Development under Section 5 of this act.

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of July, 1981.