



Whereas, the General Assembly is committed to the continued viability of both recreational and commercial fishing industries in the State; and

Whereas, the General Assembly intends that the commercial fishing industry be allowed to continue to take fish by means of all methods traditionally employed in commercial fishing operations, including the use of nets and trawls; and

Whereas, the General Assembly finds that in order to protect coastal fishery resources it is essential that the recreational as well as the commercial fishing sector provide data on use of fishery resources for the development of scientifically valid plans to manage fishery resources; and

Whereas, the General Assembly finds that it is essential to the success of efforts to better manage fishery resources that both the recreational and commercial fishing sectors are involved in and support these efforts; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 113 of the General Statutes is amended by adding a new Article to read:

**“ARTICLE 14B.**

**“COASTAL RECREATIONAL FISHING LICENSES.**

**“§ 113-174. Definitions.**

As used in this Article:

(1) ‘Commission’ means the Marine Fisheries Commission.

(2) ‘CRFL’ means Coastal Recreational Fishing License.

(3) ‘Division’ means the Division of Marine Fisheries in the Department of Environment and Natural Resources.

(4) ‘North Carolina resident’ means a person who is a resident within the meaning of G.S. 113-130(4).

(5) ‘RCGL’ means Recreational Commercial Gear License.

(6) ‘Recreational fishing’ means any activity preparatory to, during, or subsequent to the taking of any fish, the taking of which is subject to regulation by the Commission, by any means:

a. That does not constitute a commercial fishing operation as defined in G.S. 113-168.

b. Except as provided in G.S. 113-261.

(7) ‘RSCFL’ means Retired Standard Commercial Fishing License issued pursuant to G.S. 113-168.3.

(8) ‘SCFL’ means Standard Commercial Fishing License issued pursuant to G.S. 113-168.2.

**“§ 113-174.1. General provisions governing licenses.**

(a) License Required to Engage in Recreational Fishing. – It is unlawful for any person to engage in recreational fishing without holding a license required by this Article. It is unlawful for any person to engage in recreational fishing without complying with the provisions of this Article and rules adopted by the Commission under this Article.

(b) Sale of Fish Prohibited. – A license issued under this Article does not authorize a person who takes or lands any species of fish under the authority of the

1 Commission to sell, offer for sale, barter, or exchange the fish for anything of value.  
2 Except as provided in G.S. 113-168.4, it is unlawful for any person who takes or lands  
3 any species of fish under the authority of the Commission by any means to sell, offer for  
4 sale, barter, or exchange these fish for anything of value.

5 (c) Assignment and Transfer Prohibited. – Except as provided in G.S. 113-  
6 174.2(f)(1) and G.S. 113-174.3(e)(1), it is unlawful to buy, sell, lend, borrow, assign, or  
7 otherwise transfer a license issued under this Article or to attempt to buy, sell, lend,  
8 borrow, assign, or otherwise transfer a license issued under this Article.

9 (d) Format. – A license issued under this Article shall be issued in the name of the  
10 applicant. A license shall show the type of license; the name, mailing address, physical  
11 or residence address, and date of birth of the licensee; the date on which the license is  
12 issued; the date on which the license expires; and any other information that the  
13 Commission or the Division determines to be necessary to accomplish the purposes of  
14 this Subchapter.

15 (e) Licenses Available for Inspection. – It is unlawful for any person to engage in  
16 recreational fishing in the State without having ready at hand for inspection all licenses  
17 required under this Article. It is unlawful for a person to refuse to exhibit any license  
18 required by this Article upon the request of an inspector or other law enforcement officer  
19 authorized to enforce federal or State laws, regulations, or rules relating to marine  
20 fisheries.

21 (f) Replacement Licenses. – The Division shall issue a replacement license to a  
22 licensee for a license that has not been suspended or revoked. A licensee may apply for a  
23 replacement license for a license that has been lost, stolen, or destroyed and shall apply  
24 for a replacement license within 30 days of a change in the licensee's name or address. A  
25 licensee may apply for a replacement license in person at any office of the Division or by  
26 mail to the Morehead City office of the Division. A licensee may use a copy of the  
27 application for a replacement license that has been filed with the Division as a temporary  
28 license until the licensee receives the replacement license. The Commission may  
29 establish a fee for each type of replacement license, not to exceed five dollars (\$5.00),  
30 that compensates the Division for the administrative costs associated with issuing the  
31 replacement license.

32 (g) No Dual Residency. – It is unlawful for any person to hold any license issued  
33 under this Article to the person as a North Carolina resident if that person holds any  
34 commercial or recreational fishing license issued by another state to the person as a  
35 resident of that state.

36 (h) Limitations on Eligibility. – A person is not eligible to obtain a license under  
37 G.S. 113-174.3 if, at the time the person applies for the license, any other license or  
38 endorsement issued to the person under G.S. 113-174.3 or Article 14A of Chapter 113 of  
39 the General Statutes is suspended or revoked. A person is not eligible to obtain a license  
40 under G.S. 113-174.3 if, within the three years prior to the date of application, the person  
41 has been determined to be responsible for four or more violations of State laws,  
42 regulations, or rules governing the management of marine and estuarine resources. An  
43 applicant for a license under G.S. 113-174.3 shall certify that the applicant has not been

1 determined to be responsible for four or more violations of State laws, regulations, or  
2 rules governing the management of marine and estuarine resources during the previous  
3 three years. The Division may also consider violations of federal law and regulations  
4 governing the management of marine and estuarine resources in determining whether an  
5 applicant is eligible for a license.

6 (i) Cancellation. – The Division may cancel a license issued on the basis of an  
7 application that contains false information supplied by the applicant. A cancelled license  
8 is void from the date of issuance. A person in possession of a cancelled license shall  
9 surrender the cancelled license to the Division. It is unlawful to refuse to surrender a  
10 cancelled license upon demand of any authorized agent of the Division.

11 (j) Reporting Requirements. – The holder of a license issued under this Article  
12 shall comply with the biological data sampling and survey programs of the Commission  
13 and the Division.

14 **"§ 113-174.2. Coastal Recreational Fishing License.**

15 (a) License Required. – Except as otherwise provided in this Article, it is unlawful  
16 for any person to engage in recreational fishing by means of recreational gear without  
17 holding a CRFL issued under this section. It is unlawful for any person licensed under  
18 this section or fishing under a CRFL to possess fish in excess of recreational possession  
19 limits.

20 (b) Purchase; Renewal. – Any license issued under this section may be purchased  
21 at designated offices of the Division or from the Division by mail. A license issued under  
22 subdivisions (1) through (3) of subsection (c) of this section may also be purchased  
23 through a license agent authorized under G.S. 113-174.5. Any license issued under this  
24 section may be renewed by mail.

25 (c) Types of CRFLs; Fees; Duration. – The Division shall issue the following  
26 CRFLs:

27 (1) Standard CRFL. – \$7.50. This license is valid for a period of one year  
28 from the date of issuance.

29 (2) One Week CRFL. – \$3.50. This license is valid for a period of seven  
30 days.

31 (3) One Day CRFL. – \$1.00. This license is valid for a period of 24 hours.

32 (4) CRFL for SCFL and RSCFL holders. – Any person who holds a SCFL  
33 or a RSCFL may obtain a CRFL to engage in recreational fishing by  
34 means of recreational gear. A license issued under this subdivision shall  
35 be issued without charge and expires on 30 June of each year.

36 (5) Subsistence CRFL. – An applicant for a license under this subdivision  
37 shall provide documentation to the Division to demonstrate that the  
38 applicant takes fish solely for the purpose of direct consumption by the  
39 individual and the members of the individual's household in  
40 circumstances where fish constitutes a substantial portion of the diet of  
41 the individual and the household. A license issued under this  
42 subdivision shall be issued without charge and is valid for one year from  
43 the date of issuance.

- 1           (6)   Lifetime CRFL. – This license is valid for the lifetime of the licensee.  
2           The fee for the Lifetime CRFL, based on the age of the prospective  
3           licensee as of the date on which the application is filed with the  
4           Division, is:  
5           a.     Younger than 6 years of age   \$100.00  
6           b.     Between 6 and 11 years of age \$150.00  
7           c.     Between 11 and 17 years of age       \$200.00  
8           d.     Between 17 and 65 years of age       \$250.00  
9           (7)   Lifetime CRFL for Lifetime Resident Comprehensive Fishing License  
10          and Lifetime Sportsman Combination License holders. – Any person  
11          who holds either a Lifetime Resident Comprehensive Fishing License  
12          under G.S. 113-271(d)(3) or a Lifetime Sportsman Combination License  
13          under G.S. 113-270.1D(b) may receive a Lifetime CRFL at no charge.  
14          This license is valid for the lifetime of the licensee.  
15          (8)   Permanently Handicapped or Disabled Lifetime CRFL. – An applicant  
16          for a license under this subdivision shall provide documentation to the  
17          Division to demonstrate that the applicant is permanently handicapped  
18          or disabled. A license issued under this subdivision shall be issued  
19          without charge and is valid for the lifetime of the licensee.  
20          (9)   Disabled Veteran Lifetime CRFL. – An applicant for a license under  
21          this subdivision shall provide documentation to the Division to  
22          demonstrate that the applicant is a fifty percent (50%) or more disabled  
23          war veteran as determined by the United States Department of Veterans  
24          Affairs. A license issued under this subdivision shall be issued without  
25          charge and is valid for the lifetime of the licensee.  
26          (10) Legally Blind Lifetime CRFL. – An applicant for a license under this  
27          subdivision shall provide documentation to the Division to demonstrate  
28          that the applicant is legally blind. A license issued under this  
29          subdivision shall be issued without charge and is valid for the lifetime  
30          of the licensee.  
31          (d)   Charter/Head/Dive Boat Blanket CRFL. – A person who operates a charter  
32          boat, head boat, or dive boat may purchase a Charter/Head/Dive Boat Blanket CRFL.  
33          The Charter/Head/Dive Boat Blanket CRFL entitles all persons on the boat who do not  
34          hold a CRFL to engage in recreational fishing by means of recreational gear. It shall be  
35          unlawful for the owner of a charter, head, or dive boat who does not hold a  
36          Charter/Head/Dive Boat Blanket CRFL to allow any person on the boat who does not  
37          hold a CRFL to engage in recreational fishing by means of recreational gear. This license  
38          is valid for a period of one year from the date of issuance. The fee for a  
39          Charter/Head/Dive Boat Blanket CRFL is:  
40               (1)   Vessel of 18 feet or less \$1.50 per foot  
41               in length  
42               (2)   Vessel of greater than 18 feet   \$2.25 per foot  
43               in length but less than 38 feet

1                   in length

2           (3)   Vessel of 38 feet or greater    \$4.50 per foot

3                   in length

4       (e)   Ocean Fishing Pier Blanket CRFL. – A person who owns or operates an ocean  
5 fishing pier and who charges a fee to allow a person to engage in recreational fishing by  
6 means of recreational gear from the pier shall purchase an Ocean Fishing Pier Blanket  
7 CRFL. An applicant for an Ocean Fishing Pier Blanket CRFL shall disclose the names of  
8 all parties involved in the pier operation, including the owner of the property, the owner  
9 of the pier if different, and all leasehold or other corporate arrangements, and all persons  
10 with a substantial financial interest in the pier. The Ocean Fishing Pier Blanket CRFL  
11 entitles all persons on the pier who do not hold a CRFL to engage in recreational fishing  
12 by means of recreational gear. This license is valid for a period of one year from the date  
13 of issuance. The fee for an Ocean Fishing Pier Blanket CRFL is five dollars (\$5.00) per  
14 linear foot, to the nearest foot, that the pier extends into coastal fishing waters beyond the  
15 mean high waterline. The length of the pier shall be measured to include all extensions  
16 of the pier. It shall be unlawful for the owner or operator of an ocean fishing pier who  
17 does not hold an Ocean Fishing Pier Blanket CRFL to allow any person on the pier who  
18 does not hold a CRFL to engage in recreational fishing by means of recreational gear.  
19 Within 30 days following a change of ownership of a pier, or a change as to the manager,  
20 the manager or new manager shall secure a replacement pier license as provided in G.S.  
21 113-174.1(f).

22       (f)   Exemptions. –

23           (1)   A person who is under 16 years of age may engage in recreational  
24 fishing by means of recreational gear without holding a CRFL.

25           (2)   A person may engage in recreational fishing by means of recreational  
26 gear from the shore or from a shore-based structure without holding a  
27 CRFL.

28           (3)   A person who is 65 years of age or older may engage in recreational  
29 fishing by means of recreational gear without holding a CRFL.

30 **"§ 113-174.3. Recreational Commercial Gear License.**

31       (a)   License Required. – Except as provided in subsection (e) of this section, it is  
32 unlawful for any person to engage in recreational fishing by means of commercial fishing  
33 equipment or gear in coastal fishing waters without holding a RCGL. The RCGL entitles  
34 the licensee to use authorized commercial gear to take fish for personal use subject to  
35 recreational possession limits. It is unlawful for any person licensed under this section or  
36 fishing under a RCGL to possess fish in excess of recreational possession limits.

37       (b)   Authorized Commercial Gear. – The Commission shall adopt rules authorizing  
38 the use of a limited amount of commercial fishing equipment or gear for recreational  
39 fishing under a RCGL. The Commission may authorize the limited use of commercial  
40 gear on a uniform basis in all coastal fishing waters or may vary the limited use of  
41 commercial gear within specified areas of the coastal fishing waters. The Commission  
42 shall periodically evaluate and revise the authorized use of commercial gear for  
43 recreational fishing. Authorized commercial gear shall be identified by visible colored

1 tags or other means specified by the Commission in order to distinguish between  
2 commercial gear used in a commercial fishing operation as defined in G.S. 113-168 and  
3 commercial gear used for recreational fishing.

4 (c) Purchase; Renewal. – A RCGL may be purchased at designated offices of the  
5 Division and from a license agent authorized under G.S. 113-174.5. A RCGL may be  
6 renewed by mail.

7 (d) Duration; Fees. – The RCGL shall be valid for a one-year period from the date  
8 of purchase. The fee for a RCGL for a North Carolina resident shall be thirty-five dollars  
9 (\$35.00). The fee for a RCGL for an individual who is not a North Carolina resident shall  
10 be two hundred fifty dollars (\$250.00).

11 (e) Exemptions. –

12 (1) A person who is under 16 years of age may engage in recreational  
13 fishing by means of authorized commercial gear without holding a  
14 RCGL if the person is accompanied by a parent, grandparent, or  
15 guardian who holds a valid RCGL or if the person has in the person's  
16 possession a valid RCGL issued to the person's parent, grandparent, or  
17 guardian.

18 (2) A person may engage in recreational fishing for crabs by means of one  
19 or more crab pots attached to the shore along privately owned land or to  
20 a privately owned pier without holding a RCGL provided that the crab  
21 pots are attached with the permission of the owner of the land or pier.

22 (3) A person who is on a vessel may engage in recreational fishing by  
23 means of authorized commercial gear without holding a RCGL if there  
24 is another person on the vessel who holds a valid RCGL. This  
25 exemption does not authorize the use of commercial gear in excess of  
26 that authorized for use by the person who holds the valid RCGL or, if  
27 more than one person on the vessel holds a RCGL, in excess of that  
28 authorized for use by those persons.

29 (4) A person using nonmechanical means may take shellfish for personal  
30 use within the limits specified in G.S. 113-169.2(i) without holding a  
31 RCGL.

32 **"§ 113-174.4. Sealife Enhancement Fund.**

33 (a) Definitions. – As used in this section:

34 (1) 'Fund' means the Sealife Enhancement Fund.

35 (2) 'License revenues' means the proceeds from the sale of licenses issued  
36 under G.S. 113-174.2 and interest earned from the investment of license  
37 proceeds. The term includes funds realized from the sale, lease, rental,  
38 or other grant of rights to real or personal property acquired or produced  
39 with license revenues and federal aid project reimbursements to the  
40 extent that license revenues originally funded the project for which the  
41 reimbursement is made.

42 (b) Sealife Enhancement Fund Established. – The Sealife Enhancement Fund is  
43 established as a special fund within the Department. License revenues shall be deposited

1 in the Fund. The State Treasurer shall invest the assets of the Fund in accordance with  
2 the provisions of G.S. 147-69.2 and G.S. 147-69.3. The Commission shall administer the  
3 Fund with the advice of the Sealife Enhancement Advisory Committee.

4 (c) Allocation of Moneys From the Fund. – The Secretary shall disburse moneys  
5 from the Fund only upon the written direction of the Commission. The Commission shall  
6 use the moneys that accrue to the Fund in each fiscal year for the administration and  
7 enforcement of the provisions of Subchapter IV of Chapter 113 of the General Statutes  
8 related to marine fisheries as follows:

9 (1) Resources and habitat enhancement. – Not less than twenty-five percent  
10 (25%) of the moneys in the Fund shall be used for resource and habitat  
11 enhancement.

12 (2) Law enforcement. – Not more than twenty-five percent (25%) of the  
13 moneys in the Fund shall be used for law enforcement.

14 (3) Marine fisheries research. – Not less than twenty-five percent (25%) of  
15 the moneys in the Fund shall be used for marine fisheries research,  
16 including data collection and the development of Fishery Management  
17 Plans.

18 (4) Grants. – Not more than ten percent (10%) of the moneys in the Fund  
19 shall be distributed to fund coastal fishing programs, projects, and  
20 scholarships.

21 (5) Administration. – Not more than ten percent (10%) of the moneys,  
22 exclusive of the license agent fees, in the Fund shall be used for  
23 administrative costs.

24 (6) Public education and information. – Not less than five percent (5%), but  
25 no more than ten percent (10%) of the moneys in the Fund, shall be used  
26 for public education and information.

27 (d) Sealife Enhancement Advisory Committee. – The Sealife Enhancement  
28 Advisory Committee shall advise the Commission on expenditure of license revenues  
29 from the Fund. The Advisory Committee shall consist of nine members as follows:

30 (1) The Governor shall appoint seven persons each of whom holds a CRFL  
31 at the time of appointment. A person appointed under this subdivision  
32 must continue to hold a CRFL in order to remain eligible to serve on the  
33 Advisory Committee.

34 (2) The Director of the Division of Marine Fisheries or the Director's  
35 designee shall serve as a nonvoting, ex officio member of the Advisory  
36 Committee.

37 (3) The Chair of the Marine Fisheries Commission or the Chair's designee  
38 shall serve as a nonvoting, ex officio member of the Advisory  
39 Committee.

40 (e) Report Required. – The Secretary shall submit to the Joint Legislative  
41 Commission on Seafood and Aquaculture and the Joint Legislative Commission on  
42 Governmental Operations by 30 September of each year a report on the Fund that shall



1 include the source and amounts of all moneys credited to the Fund and the purpose and  
2 amount of all expenditures from the Fund during the prior fiscal year.

3 **"§ 113-174.5. License agents.**

4 (a) The Secretary shall designate license agents for the Department. At least one  
5 license agent shall be designated for each county that contains or borders on coastal  
6 fishing waters. The Secretary may designate additional license agents in any county if the  
7 Secretary determines that additional agents are needed to provide efficient service to the  
8 public. The Division and license agents designated by the Secretary under this section  
9 shall issue licenses authorized under this Article in accordance with this Article and the  
10 rules of the Commission.

11 (b) The Secretary may require license agents to enter into a contract that provides  
12 for their duties and compensation, post a bond, and submit to reasonable inspections and  
13 audits. If a license agent violates any provision of this Article, the rules of the  
14 Commission, or the terms of the contract, the Secretary may initiate proceedings for the  
15 forfeiture of the license agent's bond and may summarily suspend, revoke, or refuse to  
16 renew a designation as a license agent and may impound or require the return of all  
17 licenses, moneys, record books, reports, license forms and other documents, ledgers, and  
18 materials pertinent or apparently pertinent to the license agency. The Secretary shall  
19 report evidence of misuse of State property, including license fees, by a license agent to  
20 the State Bureau of Investigation as provided by G.S. 114-15.1.

21 (c) The Department shall compensate license agents by refunding to each license  
22 agent six percent (6%) of the value of each license sold by that license agent."

23 Section 2. G.S. 113-168(1) reads as rewritten:

24 "(1) 'Commercial fishing operation' means any activity preparatory to,  
25 during, or subsequent to the taking of any fish, the taking of which is  
26 subject to regulation by the Commission, either with the use of  
27 commercial fishing equipment or gear, or by any means if the purpose  
28 of the taking is to obtain fish for sale. Commercial fishing operation  
29 does not include (i) the taking of fish as part of a recreational fishing  
30 tournament, unless commercial fishing equipment or gear is ~~used or~~  
31 used, (ii) the taking of fish under a ~~RCGL~~-RCGL, or (iii) the taking of  
32 fish as provided in G.S. 113-261."

33 Section 3. G.S. 113-168.1(a) reads as rewritten:

34 "(a) Duration, Fees. ~~—Except as provided in G.S. 113-173(f), all~~ All licenses and  
35 endorsements issued under this Article expire on the last day of the license year. An  
36 applicant for any license or endorsement shall pay the full annual fee at the time the  
37 applicant applies for the license or endorsement regardless of when application is made."

38 Section 4. G.S. 113-168.1(f) reads as rewritten:

39 "(f) License Issuance and Renewal. ~~—Except as provided in G.S. 113-173(d), the~~ The  
40 Division shall issue licenses and endorsements under this Article to eligible applicants at  
41 any office of the Division or by mail from the Morehead City office of the Division. A  
42 license or endorsement may be renewed in person at any office of the Division or by mail

1 to the Morehead City office of the Division. Eligibility to renew an expired SCFL shall  
2 end one year after the date of expiration of the SCFL."

3 Section 5. G.S. 113-168.1(g) reads as rewritten:

4 "(g) Limitations on Eligibility. – A person is not eligible to obtain or renew a  
5 license or endorsement under this Article if, at the time the person applies for the license  
6 or endorsement, any other license or endorsement issued to the person under this Article  
7 or G.S. 113-174.3 is suspended or revoked. A person is not eligible to obtain a license or  
8 endorsement under this Article if, within the three years prior to the date of application,  
9 the person has been determined to be responsible for four or more violations of state  
10 laws, regulations, or rules governing the management of marine and estuarine resources.  
11 An applicant for a license under this Article shall certify that the applicant has not been  
12 determined to be responsible for four or more violations of state laws, regulations, or  
13 rules governing the management of marine and estuarine resources during the previous  
14 three years. The Division may also consider violations of federal law and regulations  
15 governing the management of marine and estuarine resources in determining whether an  
16 applicant is eligible for a license."

17 Section 6. G.S. 113-185(a) reads as rewritten:

18 "(a) It is unlawful to fish in the ocean from vessels or with a net within 750 feet of  
19 an ocean pier licensed in accordance with G.S. ~~113-169.4~~ 113-174.2(e). The prohibition  
20 shall be effective when:

21 (1) Buoys or beach markers, placed at the owner's expense in accordance  
22 with the rules adopted by the Marine Fisheries Commission, indicate  
23 clearly to fishermen in vessels and on the beach the requisite distance of  
24 750 feet from the pier, and

25 (2) The public is allowed to fish from the pier for a reasonable fee.

26 The prohibition shall not apply to littoral proprietors whose property is within 750 feet of  
27 a duly licensed ocean pier."

28 Section 7. G.S. 113-169.4 is repealed.

29 Section 8. G.S. 113-172 is repealed.

30 Section 9. G.S. 113-173 is repealed.

31 Section 10. G.S. 143B-289.52(a) is amended by adding a new subdivision to  
32 read:

33 "(13) To adopt rules to define fishing gear as either recreational gear or  
34 commercial gear."

35 Section 11. The Joint Legislative Commission on Seafood and Aquaculture  
36 shall study issues related to the establishment of a unified recreational fishing license for  
37 recreational fishing in both the inland and coastal fishing waters of the State. The  
38 Commission shall make specific findings as to whether a unified licensing system should  
39 be adopted for recreational fishing in the State and, if so, what that system should be and  
40 how it should be implemented. The Commission shall present its findings and  
41 recommendations, if any, to the 2000 Regular Session of the 1999 General Assembly.

42 Section 12. Unless otherwise expressly provided, every agency to which this  
43 act applies shall adopt rules to implement the provisions of this act only in accordance

1 with the provisions of Chapter 150B of the General Statutes. This act constitutes a recent  
2 act of the General Assembly within the meaning of G.S. 150B-21.1. Every agency to  
3 which this act applies that is authorized to adopt rules to implement the provisions of this  
4 act may adopt temporary rules to implement the provisions of this act. This section shall  
5 continue in effect until all rules necessary to implement the provisions of this act have  
6 become effective as either temporary rules or permanent rules.

7           Section 13. If any section or provision of this act is declared unconstitutional  
8 or invalid by the courts, the unconstitutional or invalid section or provision does not  
9 affect the validity of this act as a whole or any part of this act other than the part declared  
10 to be unconstitutional or invalid.

11           Section 14. Sections 10, 11, and 14 of this act are effective when this act  
12 becomes law. All other sections of this act become effective 1 March 2001.