

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1393*

Short Title: Federal Enforcement by Marine Inspectors. (Public)

Sponsors: Representatives Wainwright; Bell, Church, Hill, Jones, Pate, Stiller, Warner, and K. Williams.

Referred to: Rules, Calendar, and Operations of the House.

May 12, 2004

A BILL TO BE ENTITLED

AN ACT TO ALLOW MARINE FISHERIES INSPECTORS TO ACCEPT
DELEGATION OF LAW ENFORCEMENT POWERS FROM THE NATIONAL
MARINE FISHERIES SERVICE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-134.1 reads as rewritten:

**"§ 113-134.1. Jurisdiction over marine fisheries resources in Atlantic
~~Ocean.~~Ocean; delegation of law enforcement powers from the National
Marine Fisheries Service.**

(a) The Marine Fisheries Commission is directed to exercise all regulatory authority over the conservation of marine fisheries resources in the Atlantic Ocean to the seaward extent of the State jurisdiction over the resources as now or hereafter defined. Marine fisheries inspectors may enforce these regulations and all other provisions of law applicable under the authority granted in this section in the same manner and with the same powers elsewhere granted them as enforcement officers.

(b) If authorized by the Fisheries Director or a designee of the Fisheries Director, an inspector may accept delegation of law enforcement powers from the National Marine Fisheries Service over matters within the jurisdiction of the Service. For purposes of this subsection, the office of inspector may be held concurrently with any other elected or appointed office, as authorized by G.S. 128-1.1 and Article VI, Section 9, of the North Carolina Constitution.

SECTION 2. This act is effective when it becomes law.