

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 1389

Short Title: Add Marine Fisheries Commission Members.

(Public)

Sponsors: Senator Brown.

Referred to: Agriculture/Environment/Natural Resources.

March 26, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE THE MARINE FISHERIES COMMISSION MEMBERSHIP  
3 TO INCLUDE REPRESENTATIVES OF THE INDUSTRY THAT PROVIDES  
4 CHARTER BOATS OR HEAD BOATS AS FOR HIRE BOATS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 143B-289.54(a) reads as rewritten:

7 "(a) Members, Selection. – The Marine Fisheries Commission shall consist of  
8 nine members appointed by the Governor as follows:

- 9 (1) One person actively engaged in, or recently retired from, commercial  
10 fishing as demonstrated by currently or recently deriving at least fifty  
11 percent (50%) of annual earned income from taking and selling fishery  
12 resources in coastal fishing waters of the State. The spouse of a  
13 commercial fisherman who meets the criteria of this subdivision may  
14 be appointed under this subdivision.
- 15 (2) One person actively engaged in, or recently retired from, commercial  
16 fishing as demonstrated by currently or recently deriving at least fifty  
17 percent (50%) of annual earned income from taking and selling fishery  
18 resources in coastal fishing waters of the State. The spouse of a  
19 commercial fisherman who meets the criteria of this subdivision may  
20 be appointed under this subdivision.
- 21 (3) One person actively connected with, and experienced as, a licensed  
22 fish dealer or in seafood processing or distribution as demonstrated by  
23 deriving at least fifty percent (50%) of annual earned income from  
24 activities involving the buying, selling, processing, or distribution of  
25 seafood landed in this State. The spouse of a person qualified under  
26 this subdivision may be appointed provided that the spouse is actively  
27 involved in the qualifying business.
- 28 (4) One person actively engaged in recreational sports fishing in coastal  
29 waters in this State. An appointee under this subdivision may not

- 1 derive more than ten percent (10%) of annual earned income from  
2 sports fishing activities.
- 3 (5) One person actively engaged in recreational sports fishing in coastal  
4 waters in this State. An appointee under this subdivision may not  
5 derive more than ten percent (10%) of annual earned income from  
6 sports fishing activities.
- 7 (6) One person actively engaged in the sports fishing industry as  
8 demonstrated by deriving at least fifty percent (50%) of annual earned  
9 income from selling goods or services in this State. The spouse of a  
10 person qualified under this subdivision may be appointed provided that  
11 the spouse is actively involved in the qualifying business.
- 12 (7) One person having general knowledge of and experience related to  
13 subjects and persons regulated by the Commission.
- 14 (8) One person having general knowledge of and experience related to  
15 subjects and persons regulated by the Commission.
- 16 (9) One person who is a fisheries scientist having special training and  
17 expertise in marine and estuarine fisheries biology, ecology,  
18 population dynamics, water quality, habitat protection, or similar  
19 knowledge. A person appointed under this subdivision may not receive  
20 more than ten percent (10%) of annual earned income from either the  
21 commercial or sports fishing industries, including the processing and  
22 distribution of seafood.
- 23 (10) One person actively engaged in providing a charter boat or head boat  
24 as a for hire boat as demonstrated by currently or recently deriving at  
25 least fifty percent (50%) of the person's annual earned income from  
26 providing a charter boat or head boat as a for hire boat in this State.  
27 The spouse of a charter boat or head boat captain who also meets the  
28 criteria of this subdivision may be appointed under this subdivision.
- 29 (11) One person actively engaged in, or recently retired from, providing a  
30 charter boat or head boat as a for hire boat as demonstrated by  
31 currently or recently deriving at least fifty percent (50%) of the  
32 person's annual earned income from providing a charter boat or head  
33 boat as a for hire boat in this State. The spouse of a charter boat or  
34 head boat captain who also meets the criteria of this subdivision may  
35 be appointed under this subdivision.
- 36 (12) One person actively engaged both in (i) providing a charter boat or  
37 head boat as a for hire boat and (ii) commercial fishing; as  
38 demonstrated by currently deriving at least twenty-five percent (25%)  
39 of annual earned income from providing a charter boat or head boat as  
40 a for hire boat and at least twenty-five percent (25%) of annual earned  
41 income from commercial fishing in this State."

42 **SECTION 2.** G.S. 143B-289.54(b) reads as rewritten:

43 "(b) Residential Qualifications. – For purposes of providing regional  
44 representation on the Commission, the following three coastal regions of the State are

1 designated: (i) Northeast Coastal Region comprised of Bertie, Camden, Chowan,  
2 Currituck, Dare, Gates, Halifax, Hertford, Martin, Northampton, Pasquotank,  
3 Perquimans, Tyrrell, and Washington Counties, (ii) Central Coastal Region comprised  
4 of Beaufort, Carteret, Craven, Hyde, Jones, and Pamlico Counties; and (iii) Southeast  
5 Coastal Region comprised of Bladen, Brunswick, Columbus, New Hanover, Onslow,  
6 and Pender Counties. Persons appointed under subdivisions (1), (2), (3), (4), and (8) of  
7 subsection (a) of this section shall be residents of one of the coastal regions of the State.  
8 The membership of the Commission shall include at least one person who is a resident  
9 of each of the three coastal regions of the State. Persons appointed under subdivisions  
10 (10), (11), and (12) of subsection (a) of this section shall be residents of one of the  
11 coastal regions of the State, and at least one of these persons shall be a resident of each  
12 of the three coastal regions of the State."

13 **SECTION 3.** This act is effective when it becomes law.