

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

**SENATE BILL 374
RATIFIED BILL**

AN ACT TO REPEAL THE REQUIREMENT THAT A HOLDER OF A FOR-HIRE COASTAL RECREATIONAL FISHING LICENSE SUBMIT A LOGBOOK SUMMARIZING CATCH AND EFFORT STATISTICAL DATA, TO DIRECT THE DIVISION OF MARINE FISHERIES TO STUDY THE ADVISABILITY OF REQUIRING THE SUBMISSION OF CATCH AND EFFORT STATISTICAL DATA; TO FORBID THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM ENTERING INTO A JOINT ENFORCEMENT AGREEMENT WITH THE NATIONAL MARINE FISHERIES SERVICE; AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO STUDY THE JOINT ENFORCEMENT AGREEMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-174.3(e), as enacted by subsection 14.8(o) of S.L. 2013-360, is repealed.

SECTION 2. The Division of Marine Fisheries of the Department of Environment and Natural Resources shall study the advisability of implementing a requirement that for-hire coastal recreational fishing license holders submit to the Division logbooks summarizing catch and effort statistical data. The study shall also include the establishment of and consultation with a stakeholder advisory group that shall only include persons who are for-hire license holders representing all major recreational fishing areas on the North Carolina coast, commercial fishing license holders on the North Carolina coast, and relevant staff to the Division. The Division shall submit its report to the Environmental Review Commission no later than January 15, 2016.

SECTION 3.(a) G.S. 113-224 reads as rewritten:

"§ 113-224. Cooperative agreements by Department.

(a) ~~The~~ Except as otherwise provided in this section, the Department is empowered to enter into cooperative agreements with public and private agencies and individuals respecting the matters governed in this Subchapter. Pursuant to such agreements the Department may expend funds, assign employees to additional duties within or without the State, assume additional responsibilities, and take other actions that may be required by virtue of such agreements, in the overall best interests of the conservation of marine and estuarine resources.

(b) The Fisheries Director or a designee of the Fisheries Director ~~may~~ shall not enter into an agreement with the National Marine Fisheries Service of the United States Department of Commerce allowing Division of Marine Fisheries inspectors to accept delegation of law enforcement powers over matters within the jurisdiction of the National Marine Fisheries Service."

SECTION 3.(b) G.S. 128-1.1(c2) is repealed.

SECTION 4. The Division of Marine Fisheries of the Department of Environment and Natural Resources shall conduct a 12-month process to seek input from stakeholders on the impacts, costs, and benefits of a joint enforcement agreement with the National Marine Fisheries Service of the United States Department of Commerce and whether the authorization



to enter into such an agreement should be reenacted. The study shall also include the establishment of and consultation with a stakeholder advisory group that shall only include persons who are for-hire license holders representing all major recreational fishing areas on the North Carolina coast, commercial fishing license holders on the North Carolina coast, and relevant staff to the Division. The Division shall submit its report to the Environmental Review Commission no later than October 15, 2016.

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of July, 2015.

s/ Louis M. Pate, Jr.
Deputy President Pro Tempore of the Senate

s/ David R. Lewis
Presiding Officer of the House of Representatives

Pat McCrory
Governor

Approved _____m. this _____ day of _____, 2015