A BILL TO BE ENTITLED
AN ACT TO REQUIRE A MINIMUM SIZE LIMIT ON ALL COMMERCIALLY AND RECREATIONALLY IMPORTANT SPECIES OF MARINE FISH TO ENSURE THAT SEVENTY-FIVE PERCENT OF JUVENILE FISH OF EACH SPECIES HAVE AN OPPORTUNITY TO REACH MATURITY AND SPAWN AT LEAST ONCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-182.1(b) is amended by adding a new subdivision to read:

"(8) Include a minimum size limit for every species of marine fish that has contributed historically and significantly to the fisheries of North Carolina, including spot (Leiostomus xanthurus), Atlantic croaker (Micropogonias undulatus), kingfishes (Menticirrhus ssp.), striped mullet (Mugil cephalus), southern flounder (Paralichthys lethostigma), and bluefish (Pomatomus saltatrix), to ensure that seventy-five percent (75%) of the juvenile fish at the minimum size limit established for the species have reached the size of maturity and have had an opportunity to spawn at least once. The Division of Marine Fisheries and the Marine Fisheries Commission must follow this requirement for any new Fishery Management Plans developed for species without a size limit or with a size limit that does not meet the seventy-five percent (75%) threshold. The Division of Marine Fisheries and the Marine Fisheries Commission will also review all current size limits in current Fishery Management Plans to ensure they meet the seventy-five percent (75%) threshold. The requirement for a minimum size limit shall not apply when the Fisheries Director determines that the species under consideration has a unique life cycle and maturity characteristic that would render the management measure inappropriate to generally accepted fishery management protocol. In the event the Marine Fisheries Commission accepts the determination of the Fisheries Director that an exception to the minimum size requirement is appropriate for a particular species, the Fisheries Director shall instead propose slot limits to protect the adult spawning stock."

SECTION 2.(a) Rule Making. – The Marine Fisheries Commission (Commission) shall adopt rules to implement G.S. 113-182.1(b)(8), as enacted by Section 1 of this act, as set forth in this section. The Commission shall establish a minimum size limit for every species of marine fish listed in the Division of Marine Fisheries Stock Status Report based upon the best available biological and life history data to ensure that at least seventy-five percent (75%) of the juvenile fish of each species reaching the minimum size limit are mature and have had the opportunity to spawn at least once. In the event data for a particular species are unavailable for
North Carolina, the Commission will utilize data from other Atlantic coast states until North Carolina specific studies can be completed. The minimum size limits set by the Commission shall be included in the management measures of the Fishery Management Plan for each species currently listed on the Division of Marine Fisheries annual Stock Status Report.

**SECTION 2.(b) Temporary Management Measures.** – Until Fishery Management Plans are adopted that include the minimum size limits required by this act, the Director of the Division of Marine Fisheries is directed to review the biological and life history information currently available in the marine fisheries literature and marine fisheries reports. No later than August 1, 2019, the Director shall present the findings of this review and an authorization to the Commission to impose temporary management measures establishing minimum size limits required to allow seventy-five percent (75%) of juveniles of each species reaching the minimum size limit to have reached the size of maturity and to have had the opportunity to spawn at least once.

**SECTION 3.** This act is effective when it becomes law and applies to Fishery Management Plans developed prior to this date and Fishery Management Plans developed on or after this date.