

May 13, 2004

H 1427. REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS. TO ESTABLISH A RECREATIONAL SHELLFISH LICENSE, TO AMEND THE STATUTES GOVERNING THE CULTIVATION OF SHELLFISH, AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES RELATED TO THE CULTIVATION OF SHELLFISH. Deletes GS 113-169.2(i), which authorizes the taking of shellfish for personal use in specified quantities, and replaces it with new GS 113-174, requiring a recreational shellfish license (RSL) to take shellfish for personal use, effective July 1, 2005, and expiring July 1, 2008. New GS 113-174 further prohibits the sale of fish by holders of the RSL, sets a fee of \$10 for license, and exempts persons under 16 years of age from license requirements when accompanied by parent, grandparent, or guardian with RSL license.

Enacts new GS 113-201(c), requiring that Marine Fisheries Comm'n establish training requirements for those applying for new shellfish cultivation leases and enacts new GS 113-202(l)(8), requiring the initiation of an action to terminate leases for failure to comply with training requirements. Amends GS 113-202(d) by adding sub-section (d)(1) and increasing application fees for new shellfish cultivation leases to \$200 (was, \$100). Amends GS 113-202(j) to change lease expirations to July (was, April) after fifth anniversary (was, 10th) of the granting of the lease and to increase rental charge to \$10 per acre (was, \$5) for leases entered into after July 1, 1965. Amends GS 113-202(l) by adding subsection (ll) and providing that lessees may avoid termination of cultivation leases if they cannot comply with subsection (l) (was, subsection (l)(5) only) due to reasons beyond lessees' control. Amends GS 113-202.1(d) to reduce the fee for renewal of water column rentals beginning with fifth year from \$500 to \$100 per acre. All fee changes effective July 1, 2004.

Authorizes the Comm'n to study the feasibility of establishing a cultivation leasing process which would avoid leaseholds reverting to public bottom and to study issues concerning the corporate ownership of shellfish cultivation leases and report findings to Jt. Legis. Comm'n on Seafood and Aquaculture by Dec. 1, 2004. Makes technical changes.

Intro. by Wainwright.

Ref. to Finance

GS 113, STUDY

June 29, 2004

H 1427. REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS. Intro. 5/13/04. House committee substitute makes stylistic changes to 1st edition.

July 1, 2004

H 1427. REC. SHELLFISH LICENSE/AMEND SHELLFISH LAWS. Intro. 05/13/04. House amendment makes the following changes to 2nd edition. Amends proposed new GS 113-174(e) to provide that the recreational shellfish license shall be valid from the date of purchase until July 1, 2008.

July 7, 2004

H 1427. AMEND SHELLFISH LAWS (NEW). Intro. 5/13/04. House committee substitute makes the following changes to 3rd edition. Deletes new GS Ch. 113, Art. 14A, which established a Recreational Shellfish License. Deletes conforming amendments to GS 113-168, -168.1(f), and -169.2. Reinstates GS 113-173(j)(4).

July 8, 2004

H 1427. AMEND SHELLFISH LAWS. Intro. 5/13/04. House amendment makes the following changes to 4th edition. Restores language in original GS 113-202(j) to provide that water column leases for aquaculture expire in July following of the tenth anniversary of the lease. The 4th edition modified the language to provide for expiration in July following the fifth anniversary.

August 6, 2004

SL 2004-150 (H 1427). AMEND SHELLFISH LAWS. AN ACT TO AMEND THE STATUTES GOVERNING THE CULTIVATION OF SHELLFISH AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES RELATED TO THE CULTIVATION OF SHELLFISH. Summarized in *Daily Bulletin* 5/13/04, 6/29/04, 7/1/04, 7/7/04, and 7/8/04. Enacted August 2, 2004. Sections 2, 3, and 5 are effective July 1, 2005. The remainder of this act is effective August 2, 2004.