

March 24, 2005

S 1126. AMEND FISHING LICENSE REQUIREMENTS-2. TO PROVIDE FOR THE IMPLEMENTATION OF THE COASTAL RECREATIONAL FISHING LICENSE, TO PROVIDE A SYSTEM OF UNIFIED LICENSES UNDER WHICH INDIVIDUALS MAY FISH THROUGHOUT THE STATE, AND TO AMEND CERTAIN STATUTES RELATED TO THE WILDLIFE RESOURCES COMMISSION.

Amends Article 14B of GS Chapter 113 relating to Coastal Recreational Fishing Licenses (for coastal and joint waters) to provide that annual licenses are \$15 for residents and \$30 for nonresidents, and 10-day licenses are \$5 for residents and \$10 for nonresidents. Lifetime licenses and for-hire blanket licenses are available as well. Extends license requirement to include shellfish and crustaceans as well as finfish. Exempt from license requirement are children under 17 years old, holders of certain lifetime licenses acquired before 2005, and certain disabled individuals.

Amends Article 14C of GS Chapter 113 (NC Saltwater Fishing Fund) to abolish board of trustees, convert the Fund into a Marine Resources Fund and Marine Resources Endowment Fund, to which the license fees will be credited, and provide for disbursement of funds by Wildlife Resources Commission (WRC) to manage marine resources. Amends Article 21 of GS Chapter 113 and GS 113-196(b) regarding inland fishing licenses, to repeal home county/natural bait exemption, prohibit disclosure of license applicants' personal information, and make clarifying and technical changes.

Enacts Article 25A of GS Chapter 113 to establish unified fishing licenses for hunting and for fishing in coastal, joint, and inland waters. Prohibits WRC from disclosing applicants' personal information and allows disclosure of information about commercial license applicants. Provides for five annual transfers of \$600,000 each from the Wildlife Endowment Fund to the Marine Resources Endowment Fund. Licensing changes effective March 1, 2006.

Intro. by Albertson.

Ref. to Agriculture

GS 113, 143B, 150B, APPROP

March 29, 2005

S 1126. AMEND FISHING LICENSE REQUIREMENTS-2. (Corrected summary) TO PROVIDE FOR THE IMPLEMENTATION OF THE COASTAL RECREATIONAL FISHING LICENSE, TO PROVIDE A SYSTEM OF UNIFIED LICENSES UNDER WHICH INDIVIDUALS MAY FISH THROUGHOUT THE STATE, AND TO AMEND CERTAIN STATUTES RELATED TO THE WILDLIFE RESOURCES COMMISSION. (Introduced 3/24/05.)

Amends Article 14B of GS Chapter 113 relating to Coastal Recreational Fishing Licenses (for coastal and joint waters) to provide that annual licenses are \$15 for residents and \$30 for nonresidents, and 10-day licenses are \$5 for residents and \$10 for nonresidents. Lifetime licenses and for-hire blanket licenses are available as well. License requirement applies only to finfish. Exempt from license requirement are children under 17 years old, holders of certain lifetime licenses acquired before 2005, and certain disabled individuals.

Amends Article 14C of GS Chapter 113 (NC Saltwater Fishing Fund) to abolish board of trustees, convert the Fund into a Marine Resources Fund and Marine Resources Endowment Fund, to which the license fees will be credited, and provide for disbursement of funds by Wildlife Resources Commission (WRC) to manage marine resources. Amends Article 21 of GS Chapter 113 and GS 113-196(b) regarding inland fishing licenses, to repeal home county/natural bait exemption, prohibit disclosure of license applicants' personal information, and make clarifying and technical changes.

Enacts Article 25A of GS Chapter 113 to establish unified fishing licenses for hunting and for fishing in coastal, joint, and inland waters. Prohibits WRC from disclosing applicants' personal information and allows disclosure of information about commercial license applicants. Provides for five annual transfers of \$600,000 each from the Wildlife Endowment Fund to the Marine Resources Endowment Fund. Licensing changes effective March 1, 2006.

Intro. by Albertson.

Ref. to

GS 113, 143B, 150B, APPROP

April 5, 2005

S 1126. AMEND FISHING LICENSE REQUIREMENTS-2. Intro. 3/24/05. Senate committee substitute makes the following changes to 1st edition. Amends GS 113-174.1(f) to authorize the Dep't of Environment and Natural Resources, Div'n of Marine Fisheries, to cancel a For Hire Blanket CRFL issued under GS 113-174.3 if the license was issued on the basis of false information supplied by the license applicant. Amends GS 113-174.2(d) to exempt individuals under 16 years old (was, 16 years old and younger) from fishing licensing requirements. Amends GS 113-175 definitions of "endowment investment income," "endowment license revenues," "Marine resources investment income," and "Marine resources license revenues." Replaces GS 113-175.5(a)(3) and (4) references to "licensing revenue" with "investment income." Amends GS 113-271 to decrease fee for Resident Disabled Veteran Lifetime Inland Fishing License from \$100 to \$10. Amends GS 113-276.1(b) to require that the Wildlife Resources Comm'n disclose information on certain fishing license holders to the Marine Fisheries Comm'n and the Div'n of Marine Fisheries and GS 143B-289.52(h) to prohibit Marine Resources Comm'n and Div'n from disclosing that information. Amends SL 2004-187 to repeal changes to GS 113-169.2 (shellfish license for NC residents without a SCFL) and the sunset on the GS 113-173(j)(4) exemption from the Recreational Commercial Gear License requirements for the taking of shellfish for personal use by nonmechanical means. Provides that GS 113.270.1(b3) and (b4) (authorizing Comm'n to adopt rules) are effective January 1, 2006. Provides that appropriations are effective March 1, 2006, and that repeal of certain sections of SL 2004-187 are effective when act becomes law. Makes technical corrections and conforming changes.

April 7, 2005

S 1126. AMEND FISHING LICENSE REQUIREMENTS-2. Intro. 3/24/05. Senate committee substitute adopted 4/6/05 makes the following changes to 2nd edition. Exempts from license requirements for recreational fishing in coastal waters person who holds Lifetime Combination Hunting and Fishing License for Disabled Residents or Disabled Resident Sportsman License purchased before January 1, 2005 (was, purchased before March 1, 2006). Requires Wildlife Resources Comm'n to consult with Marine Fisheries Comm'n and Division of Marine Fisheries on (1) disbursement of the principal of the Marine Resources Fund and marine resources investment income and (2) disbursement of endowment investment income from the Marine Resources Endowment Fund. Beginning October 1, 2006, requires executive director of Wildlife Resources Comm'n to submit report on Marine Resources Fund and Marine Resources Endowment Fund to Joint Legislative Comm'n on Seafood and Aquaculture by October 1 of each year. Clarifies that repeal of statutory authority of Wildlife Resources Comm'n to issue a type of license does not affect authority of individual to whom a license of that type is issued before the effective date of the repeal to engage in activity that repealed license authorizes.

April 11, 2005

S 1126. AMEND FISHING LICENSE REQUIREMENTS-2. Intro. 3/24/05. Senate amendment makes the following changes to 3rd edition. Enacts new GS 113-174.4 to provide that person who owns or operates ocean fishing pier and charges fee to allow person to engage in recreational fishing from pier may purchase Ocean Fishing Pier Blanket CRFL issued by Division of Marine Fisheries, which permits all individuals who do not hold license under specified statutes to engage in recreational fishing in coastal fishing waters while on pier. License is valid for one year from date of issuance. Fee is \$4.00 per linear foot, to nearest foot, that pier extends into coastal fishing waters beyond mean high waterline. Length of pier is measured to include all extensions of pier.

June 28, 2005

S 1126. IMPLEMENT CRFL/AMEND FISHERIES LAWS. Intro. 3/24/05. House committee substitute makes the following changes to 4th edition.

Fishing license requirements. Changes effective date of fishing license requirements from March 1, 2006, to January 1, 2007. Amends GS 113-174(4) to expand scope of coastal recreational fishing license requirement to include fishing for bivalves as well as finfish. Amends GS 113.174.1 to (1) provide that Ocean Fishing Pier Blanket license may be cancelled if it was

issued on the basis of false information supplied by the applicant and (2) authorize the Division of Marine Fisheries (DMF) to issue replacement licenses. Modifies proposed GS 113-174.3 relating to For Hire Blanket licenses to (1) delete provision limiting the time and place that law enforcement officers could verify licensure and (2) set the license fee at \$300 for a vessel whose captain is certified to carry six or fewer passengers and \$400 for a vessel whose captain is certified to carry more than six passengers (was, range of \$150 to \$450, depending on size of vessel). Enacts new GS 113-276(n) to authorize the Wildlife Resources Commission (WRC) to exempt from recreational fishing license requirements individuals who participate in organized fishing events in inland or joint waters. Modifies proposed GS 113-351 to (1) limit to fishing the free unified lifetime licenses for blind individuals and residents of adult care homes (was, hunting and fishing), and (2) to impose a \$1.00 fee for the resident subsistence unified fishing license (was, free). Enacts new GS 143-254.5 limiting the WRC's disclosure of personal identifying information and deletes proposed amendments to GS 113-276.1 and 143B-289.52(h) on the same subject. Amends GS 113-130(4) to provide that nonresident students attending an institution of higher education in NC are considered residents for fishing license purposes.

Marine Resources Funds. Modifies GS 113-175.1 and proposed 113-175.5 to (1) provide that funds may be disbursed from the Marine Resources Fund and the Marine Resources Endowment Fund by the Marine Fisheries Commission (MFC) rather than by the WRC; (2) specify that the two funds are special revenue funds; and (3) provide that marine resources investment income is credited to the Marine Resources Fund (was, Endowment Fund). Amends GS 113.175.6 to specify the membership of the Marine Resources Committee. Authorizes the WRC to disburse up to \$1 million from the Wildlife Resources Fund to implement the act and requires that the amount disbursed be reimbursed to the Wildlife Resources Fund from the Marine Resources Fund on July 1, 2010.

Establish new Marine Fisheries Commission. Repeals Part 5D of Article 7 of GS Chapter 143B and replaces it with a new Part 5E establishing a new MFC with 14 members (was, 9). The MFC is prohibited from disclosing personal identifying information related to recreational fishing. Like the WRC, the MFC is authorized to exempt from recreational fishing license requirements individuals who participate in organized fishing events.

Enforcement of marine resources laws. Amends GS 113-341.1 to authorize the Marine Fisheries Director to allow inspectors to accept delegation of law enforcement powers from the US Marine Fisheries Service. Requires DMF to report to legislative commissions regarding any joint enforcement agreement. Amends GS 113-136(d1) to authorize marine inspectors to enforce criminal laws and assist other law enforcement agencies.

General. Reorganizes and renumbers numerous sections of the bill, revises title to itemize substantive provisions of the bill, and makes technical and conforming changes.

July 5, 2005

S 1126. IMPLEMENT CRFL/AMEND FISHERIES LAWS. Intro. 3/24/05. House committee substitute makes the following changes to 5th edition. Amends act to provide that the resident elderly lifetime coastal recreational fishing license, the resident elderly lifetime unified license, the resident lifetime sportsman license, the resident adult lifetime unified license, and the resident lifetime inland fishing license are available only to individuals who are 65 years old or older (was, 70 years old or older). Amends GS 113-174.2(d)(2) to provide that exemptions to the recreational fishing license requirements set forth in GS 113-174.1(a) apply to individuals who hold listed licenses prior to January 1, 2007 (was, January 1, 2005). Reinstates GS 113-276(e) exemption from hook-and-line fishing license requirements for an individual fishing in individual's county of residence with natural bait. Requires that the State Treasurer transfer \$3.8 million (was, \$3 million) from the Wildlife Endowment Fund to the Marine Resources Endowment Fund in five equal installments of \$760,000 (was, \$600,000) on the first day of March 2006 and for the following four years. Makes technical and conforming changes.

August 12, 2005

S 1126. IMPLEMENT CRFL/AMEND FISHERIES LAWS. Intro. 3/24/05. Conference report recommends the following changes to 6th edition to reconcile matters in controversy. (1) Defines

“recreational fishing” as activities related to taking of finfish, but not those related to taking of bivalves. (2) Sets fee for resident elderly lifetime coastal recreational fishing license (CRFL), age 65 resident lifetime sportsman license, and age 65 resident lifetime inland fishing license at \$15. Sets fee for resident elderly lifetime unified sportsman/CRFL at \$30. (3) Exempts from CRFL requirements holders of lifetime licenses purchased before January 1, 2006 (was, January 1, 2007). (4) Transfers \$3.4 million (was, \$3.8 million) from Wildlife Endowment Fund to Marine Resources Endowment Fund to offset losses from exemption. (5) Reduces by \$50 the fees for For Hire Blanket CRFLs. (6) Repeals provisions related to home county and natural bait exemption. (7) Requires county dep’t of social services to issue a Resident Subsistence Unified Inland/CRFL to specified recipients of public assistance (was, \$1 fee for license issued by license agent upon certification by county social services department). (8) Provides that Wildlife Resources Comm’n and Marine Fisheries Comm’n (was, Marine Fisheries Comm’n only) must authorize disbursement of funds from Marine Resources Fund and Marine Resources Endowment Fund, that funding proposals be made by and through Fisheries Director, and that no funds may be used to establish positions without specific authorization by General Assembly. (9) Deletes provisions establishing Marine Resources Committee. (10) Deletes provisions establishing new Marine Fisheries Comm’n. (11) Deletes provisions authorizing federal deputization of marine inspectors and expanding enforcement powers of marine inspectors.

October 5, 2005

SL 2005-455 (S 1126). IMPLEMENT CRFL/AMEND FISHERIES LAWS. AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE COASTAL RECREATIONAL FISHING LICENSE, TO EXEMPT FROM COASTAL RECREATIONAL FISHING LICENSE REQUIREMENTS ONLY THOSE INDIVIDUALS WHO ARE UNDER SIXTEEN YEARS OF AGE OR WHO HOLD CERTAIN LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION THAT WERE PURCHASED PRIOR TO JANUARY 1, 2006, TO PROVIDE FOR A STATEWIDE SUBSISTENCE FISHING LICENSE WAIVER, TO PROHIBIT THE WILDLIFE RESOURCES COMMISSION FROM DISCLOSING PERSONAL IDENTIFYING INFORMATION OF LICENSEES AND OTHERS UNDER CERTAIN CIRCUMSTANCES, TO AMEND VARIOUS STATUTES RELATED TO THE WILDLIFE RESOURCES COMMISSION, TO PROVIDE A SYSTEM OF UNIFIED LICENSES UNDER WHICH INDIVIDUALS MAY FISH THROUGHOUT THE STATE, AND TO AUTHORIZE THE MARINE FISHERIES COMMISSION AND THE WILDLIFE RESOURCES COMMISSION TO JOINTLY DISBURSE FISHING LICENSE REVENUES AND INVESTMENT INCOME TO MANAGE THE MARINE RESOURCES OF THE STATE. Summarized in *Daily Bulletin* 3/29/05, 4/5/05, 4/7/05, 4/11/05, 6/28/05, 7/5/05, and 8/12/05. Enacted September 29, 2005. Section 2.10 is effective July 1, 2005. Sections 1.9, 1.10, 1.15, 1.21, 2.1–9, and 3.3 are effective January 1, 2006. Sections 1.1–8, 1.11, 1.12, and 1.16 are effective January 1, 2007. Section 3.2 is effective on the date that all rules adopted by the Wildlife Resources commission pursuant to Section 3.1 become effective, except that GS 113-270.1(b3) and (b4) are effective January 1, 2006. The remainder is effective September 30, 2005.