

February 10, 2009

H 108. SUSPENSION AND REVOCATION OF FISHING LICENSES. Filed 2/10/09. *TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES AND ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO STRENGTHEN ENFORCEMENT OF CERTAIN LAWS RELATED TO MARINE RESOURCES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.*

Requires the Marine Fisheries Commission (Commission) to study the current statutes and rules for suspension, revocation, and reissuance of licenses and permits issued under GS Chapter 113, Articles 14A (Coastal and Estuarine Commercial Fishing Licenses), 14B (Coastal Recreational Fishing Licenses), and 25A (Unified Licenses) that are under the jurisdiction of the Commission or the Department of Environment and Natural Resources, Division of Marine Fisheries. Also allows the Commission to adopt rules consistent with GS 113-171 and GS 143B-289.52 for the suspension, revocation, and reissuance of licenses and permits. If the Commission adopts rules, requires the Commission to consider: (1) whether the rules should differentiate between minor and major violations, (2) how to define major and minor violations, (3) how service of revocation could be made more efficient, (4) how the rules should treat violations related to recreational fishing licenses and permits, (5) whether violations related to littering or assault on a marine patrol inspector should be treated as grounds for suspension or revocation, and (6) whether suspension and revocation provisions should be strengthened in cases of harvesting shellfish from polluted waters.

Intro. by Wainwright.

STUDY

March 4, 2009

H 108. SUSPENSION AND REVOCATION OF FISHING LICENSES. Filed 2/10/09. House committee substitute makes the following changes to 1st edition. Deletes the study portion of the bill. Allows the Marine Fisheries Commission to adopt rules (was, adopt rules pursuant to and consistent with GS 113-171 and GS 143B-289.52) to provide for the suspension, revocation, and reissuance of licenses and permits issued under Articles 14A, 14B, and 25A of GS Chapter 113 that are under the jurisdiction of the Marine Fisheries Commission or the Division of Marine Fisheries. Adds the suspension, revocation, and reissuance process set out in GS 113-171 to the list of things that must be consider in adopting the rules. Effective when the rules adopted become effective, repeals GS 113-171. Changes the title to *AN ACT TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF MARINE FISHERIES LICENSES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.*