GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H **D**

HOUSE BILL 108*
PROPOSED COMMITTEE SUBSTITUTE H108-PCS50170-SB-2

Short Title: Suspension and Revocation of Fishing Licenses. (Public)

Sponsors:

Referred to:

February 11, 2009

A BILL TO BE ENTITLED

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.

The General Assembly of North Carolina enacts:

SECTION 1. The Marine Fisheries Commission may adopt rules to provide for the suspension, revocation, and reissuance of licenses and permits issued under Articles 14A, 14B, and 25A of Chapter 113 of the General Statutes that are under the jurisdiction of the Marine Fisheries Commission or the Division of Marine Fisheries of the Department of Environment and Natural Resources. In adopting rules pursuant to this section, the Commission shall consider all of the following:

(1) The suspension, revocation, and reissuance process set out in G.S. 113-171.
(2) Whether the rules should differentiate between minor and major violations.
(3) How to define minor and major violations.
(4) How service of revocation could be made more efficient.
(5) How the rules should treat violations related to recreational fishing licenses and permits.
(6) Whether violations related to littering or assault on a marine patrol inspector should be treated as grounds for suspension or revocation.
(7) Whether suspension and revocation provisions should be strengthened in cases of harvesting shellfish from polluted waters.

SECTION 2. G.S. 113-171 is repealed.

SECTION 3. Sections 1 and 3 of this act are effective when the act becomes law. Section 2 of this act is effective when rules adopted pursuant to Section 1 of this act become effective.