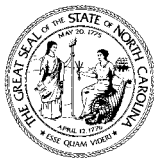


# FAILED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 744

AMENDMENT NO. A5  
(to be filled in by  
Principal Clerk)

S744-AMH-79 [v.2]

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Comm. Sub. [YES]  
Amends Title [NO]  
5th Edition

Date \_\_\_\_\_, 2014

Representative Speciale

1 moves to amend the bill on page 136, line 50 by inserting the following language after that line:  
2 "SECTION 14.9.(k1) Article 14A of Chapter 113 of the General Statutes is  
3 amended by adding a new section to read:

4 **§ 113-173.1. North Carolina Commercial Fishing Resource Fund.**

5 (a) There is hereby established the North Carolina Commercial Fishing Resources Fund  
6 as a nonreverting special revenue fund in the office of the State Treasurer. The purpose of the  
7 Fund is to provide funding for the development of sustainable commercial fishing in the State.  
8 The principal of the Fund shall consist of all of the following:

- 9 (1) Two hundred dollars (\$200.00) from each Standard Commercial Fishing  
10 License issued pursuant to G.S. 113-168.2.
- 11 (2) One hundred dollars (\$100.00) from each Retired Standard Commercial  
12 Fishing License issued pursuant to G.S. 113-168.3.
- 13 (3) Twenty-five dollars (\$25.00) from each shellfish license issued pursuant to  
14 G.S. 113-169.2
- 15 (4) Fifty dollars (\$50.00) from each fish dealer license issued pursuant to  
16 G.S. 113-169.3.
- 17 (5) Two hundred dollars (\$200.00) from each land or sell license issued  
18 pursuant to G.S. 113-169.5.
- 19 (6) Thirty-five dollars (\$35.00) from each Recreational Commercial Gear  
20 License issued pursuant to G.S. 113-173.

21 (b) The State Treasurer shall hold the North Carolina Commercial Fishing Resources  
22 Fund separate and apart from all other moneys, funds, and accounts. The State Treasurer shall  
23 invest the assets of the Fund in accordance with the provisions of G.S. 147-69.2, except that  
24 interest and other income received on the fund balance shall be treated as set forth in  
25 G.S. 147-69.1(d). The State Treasurer shall disburse the principal of the Fund only upon the  
26 written direction of both the Commission and the Board of Directors of the North Carolina  
27 Commercial Fishing Resource Fund established by subsection (c) of this section (Board). The  
28 Commission and the Board may authorize the disbursement of the principal of the North  
29 Carolina Commercial Fishing Resource Fund only for projects to develop sustainable  
30 commercial fishing in the State or to provide funding for North Carolina's incidental take  
31 permits for the commercial fishing industry under the federal Endangered Species Act of 1973  
32 (Public Law 93-205) or the federal Marine Mammal Protection Act of 1972 (Public Law



\* S 7 4 4 - A M H - 7 9 - V - 2 \*

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- 1 92-522). The Commission and the Board shall authorize disbursements to fully fund North  
2 Carolina's incidental take permits for the commercial fishing industry under the federal  
3 Endangered Species Act of 1973 (Public Law 93-205) or the federal Marine Mammal  
4 Protection Act of 1972 (Public Law 92-522) prior to authorizing disbursements for any other  
5 purpose. In case of a disagreement between the Commission and the Board regarding  
6 disbursements from the Fund, the Secretary of the Department of Environment and Natural  
7 Resources shall resolve the disagreement.  
8 (c) A Board of Directors of the North Carolina Commercial Fishing Resource Fund is  
9 established and shall consist of six members. Each of the following commercial fishing  
10 organizations shall appoint one member of the Board:  
11 (1) North Carolina Fisheries Association, Inc..  
12 (2) North Carolina Watermen United, Inc.  
13 (3) Ocracoke Working Watermen's Association.  
14 (4) Albemarle Fishermen's Association.  
15 (5) Carteret County Fishermen's Association.  
16 (6) Brunswick County Fishermen's Association."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
House Principal Clerk's Office**