

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 374
PROPOSED COMMITTEE SUBSTITUTE S374-PCS35264-MH-3

Short Title: Modify For-Hire License Logbook Requirement.

(Public)

Sponsors:

Referred to:

March 25, 2015

A BILL TO BE ENTITLED

AN ACT TO MAKE VOLUNTARY THE REQUIREMENT THAT A HOLDER OF A FOR-HIRE COASTAL RECREATIONAL FISHING LICENSE MAINTAIN A LOGBOOK SUMMARIZING CATCH AND EFFORT STATISTICAL DATA, TO DELAY IMPLEMENTATION TO ALLOW THE DIVISION OF MARINE FISHERIES TO CONDUCT A STAKEHOLDER INPUT AND EDUCATION PROCESS, AND TO FORBID THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM ENTERING INTO A JOINT ENFORCEMENT AGREEMENT WITH THE NATIONAL MARINE FISHERIES SERVICE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-174.3(e), as enacted by subsection 14.8(o) of S.L. 2013-360, reads as rewritten:

"(e) Each individual who obtains a for-hire license ~~shall~~may submit to the Division logbooks summarizing catch and effort statistical data to the Division. The Commission may adopt rules that determine the means and methods to satisfy the requirements of this subsection."

SECTION 2. Section 14.8(ab) of S.L. 2013-360 reads as rewritten:

"SECTION 14.8.(ab) ~~This G.S. 113-174.3(e), as enacted by subsection 14.8(o) of this section, becomes effective January 1, 2016. The remainder of this section becomes effective August 1, 2013.~~"

SECTION 3. Prior to any further implementation of subsection 14.8(o) of S.L. 2013-360, the Division of Marine Fisheries shall conduct a 12-month implementation process to include seeking input from stakeholders with regard to the requirement and public workshops to provide education for persons subject to the requirement. The process shall also include the establishment of a stakeholder advisory group that includes persons who are for-hire license holders representing all major recreational fishing areas on the North Carolina coast. The Division shall review and provide a written response to any issues raised by the advisory group and shall report to the Environmental Review Commission no later than January 15, 2016, regarding the implementation process required by this section.

SECTION 4.(a) G.S. 113-224 reads as rewritten:

"§ 113-224. Cooperative agreements by Department.

(a) ~~The~~Except as otherwise provided in this section, the Department is empowered to enter into cooperative agreements with public and private agencies and individuals respecting the matters governed in this Subchapter. Pursuant to such agreements the Department may expend funds, assign employees to additional duties within or without the State, assume



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1 additional responsibilities, and take other actions that may be required by virtue of such
2 agreements, in the overall best interests of the conservation of marine and estuarine resources.
3 (b) The Fisheries Director or a designee of the Fisheries Director may not enter into an
4 agreement with the National Marine Fisheries Service of the United States Department of
5 Commerce allowing Division of Marine Fisheries inspectors to accept delegation of law
6 enforcement powers over matters within the jurisdiction of the National Marine Fisheries
7 Service."

8 **SECTION 4.(b)** G.S. 128-1.1(c2) is repealed.

9 **SECTION 5.** This act is effective when it becomes law.