

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

AMENDMENT NO. A3
(to be filled in by
Principal Clerk)

H1074-ATQ-103 [v.2]

Page 1 of 2

Amends Title [YES]
H1074-PCS40680-TA-24

Date _____, 2016

Representative Millis

1 moves to amend the bill on page 1, line 4,
2 by deleting the "." at the end of the line and inserting the following language to read:

3
4 "AND TO CLARIFY THE SEARCH AUTHORITY OF MARINE INSPECTORS.";

5
6 and on page 8, lines 4 and 5, by inserting the following between those lines:

7
8 **"PART IV. CLARIFY SEARCH AUTHORITY OF MARINE INSPECTORS.**

9 **SECTION 7. G.S. 113-136(k) reads as rewritten:**

10 "(k) It is unlawful to refuse to exhibit upon request by any inspector, protector, or other law
11 enforcement officer any item required to be carried by any law or rule as to which inspectors or
12 protectors have enforcement jurisdiction. The items that must be exhibited include boating safety
13 or other equipment or any license, permit, tax receipt, certificate, or identification. It is unlawful to
14 refuse to allow inspectors, protectors, or other law enforcement officers to inspect weapons or
15 equipment if the officer reasonably believes them to be possessed incident to an activity regulated
16 by any law or rule as to which inspectors and protectors have enforcement jurisdiction and the
17 officer has a reasonable suspicion that a violation has been committed, except that an officer may
18 inspect a shotgun to confirm whether it is plugged or unplugged or commercial fishing equipment
19 or gear, as defined in 15A NCAC 03I .0101(3)(c) (Definitions), without a reasonable suspicion
20 that a violation has been committed. It is unlawful to refuse to allow ~~inspectors, inspectors to~~
21 inspect marine and estuarine resources. It is unlawful to refuse to allow protectors, protectors,
22 other law enforcement officers to inspect fish or wildlife for the purpose of ensuring compliance
23 with bag limits and size limits. Except as authorized by G.S. 113-137, nothing in this section gives
24 an inspector, protector, or other law enforcement officer the authority to inspect, in the absence of
25 a person in apparent control of the item to be inspected, any of the following:

- 26 (1) Weapons.
27 (2) Equipment, except for equipment left unattended in the normal operation of the
28 equipment, including, but not limited to, traps, trot lines, crab pots, and fox
29 pens.
30 (3) Fish.
31 (4) Wildlife."; and
32



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- 1 On page 8, by incrementing the remaining Parts and Sections of the bill accordingly.
2

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**