

# FAILED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 410\*

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

S410-ASB-64 [v.2]

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Amends Title [NO]  
Fifth Edition

Date \_\_\_\_\_, 2017

Representative McGrady

1 moves to amend the bill on page 6, lines 3 through 23,  
2 by rewriting the lines to read:

3  
4 **"IMPORTATION OF AMERICAN EELS FOR AQUACULTURE/STUDY**

5 **SECTION 3.1.(a)** Definitions. – "Importation of Marine and Estuarine Organisms  
6 Rule" means 15A NCAC 03I .0104 (Introduce, Transfer or Hold Imported Marine and  
7 Estuarine Organisms) for purposes of this section and its implementation.

8 **SECTION 3.1.(b)** Importation of Marine and Estuarine Organisms Rule. – Until  
9 the effective date of the revised permanent rule that the Marine Fisheries Commission is  
10 required to adopt pursuant to subsection (d) of this section, the Commission and the Division of  
11 Marine Fisheries of the Department of Environmental Quality shall implement the Importation  
12 of Marine and Estuarine Organisms Rule, as provided in subsection (c) of this section.

13 **SECTION 3.1.(c)** Implementation. – Use of American eels in an aquaculture  
14 operation that are imported from Virginia water bodies that share drainage with North Carolina  
15 river basins is exempt from the permitting requirements for pathology testing of the  
16 Importation of Marine and Estuarine Organisms Rule.

17 **SECTION 3.1.(d)** Additional Rule-Making Authority. – The Commission shall  
18 adopt a rule to amend the Importation of Marine and Estuarine Organisms Rule consistent with  
19 subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the  
20 Commission, pursuant to this section, shall be substantively identical to the provisions of  
21 subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of  
22 Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall  
23 become effective as provided in G.S. 150B-21.3(b1) as though 10 or more written objections  
24 had been received as provided by G.S. 150B-21.3(b2).

25 **SECTION 3.1.(e)** Sunset. – This section expires when permanent rules adopted as  
26 required by subsection (d) of this section become effective.

27 **SECTION 3.2.** The Division of Marine Fisheries of the Department of  
28 Environmental Quality shall develop a risk assessment plan for common marine and estuarine  
29 aquaculture species. In developing the plan, the Division shall also specifically consider  
30 reforms to reduce the regulatory burdens on the aquaculture industry while maintaining  
31 protection of native species and habitats. No later than May 1, 2018, the Division shall report



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- 1 its findings and recommendations to the Joint Legislative Oversight Committee on Agriculture
- 2 and Natural and Economic Resources."

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

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

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

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and vote information, is available in the  
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