

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 483
PROPOSED COMMITTEE SUBSTITUTE H483-PCS10530-SB-3

Short Title: Let Them Spawn.

(Public)

Sponsors:

Referred to:

March 28, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE A MINIMUM SIZE LIMIT ON ALL COMMERCIALY AND
3 RECREATIONALLY IMPORTANT SPECIES OF MARINE FISH TO ENSURE THAT
4 SEVENTY-FIVE PERCENT OF JUVENILE FISH OF EACH SPECIES HAVE AN
5 OPPORTUNITY TO REACH MATURITY AND SPAWN AT LEAST ONCE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 113-182.1(b) is amended by adding a new subdivision to read:

8 "(8) Include a minimum size limit for every species of marine fish that has
9 contributed historically and significantly to the fisheries of North Carolina,
10 including spot (*Leiostomus xanthurus*), Atlantic croaker (*Micropogonias*
11 *undulatus*), kingfishes (*Menticirrhus ssp.*), striped mullet (*Mugil cephalus*),
12 southern flounder (*Paralichthys lethostigma*), and bluefish (*Pomatomus*
13 *saltatrix*), to ensure that seventy-five percent (75%) of the juvenile fish at the
14 minimum size limit established for the species have reached the size of
15 maturity and have had an opportunity to spawn at least once. The Division of
16 Marine Fisheries and the Marine Fisheries Commission must follow this
17 requirement for any new Fishery Management Plans developed for species
18 without a size limit or with a size limit that does not meet the seventy-five
19 percent (75%) threshold. The Division of Marine Fisheries and the Marine
20 Fisheries Commission will also review all current size limits in current Fishery
21 Management Plans to ensure they meet the seventy-five percent (75%)
22 threshold. The requirement for a minimum size limit shall not apply when the
23 Fisheries Director determines that the species under consideration has a
24 unique life cycle and maturity characteristic that would render the
25 management measure inappropriate to generally accepted fishery
26 management protocol. In the event the Marine Fisheries Commission accepts
27 the determination of the Fisheries Director that an exception to the minimum
28 size requirement is appropriate for a particular species, the Fisheries Director
29 shall instead propose slot limits to protect the adult spawning stock."

30 **SECTION 2.(a)** Rule Making. – The Marine Fisheries Commission (Commission)
31 shall adopt rules to implement G.S. 113-182.1(b)(8), as enacted by Section 1 of this act, as set
32 forth in this section. The Commission shall establish a minimum size limit for every species of
33 marine fish listed in the Division of Marine Fisheries Stock Status Report based upon the best
34 available biological and life history data to ensure that at least seventy-five percent (75%) of the
35 juvenile fish of each species reaching the minimum size limit are mature and have had the
36 opportunity to spawn at least once. In the event data for a particular species are unavailable for



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1 North Carolina, the Commission will utilize data from other Atlantic coast states until North
2 Carolina specific studies can be completed. The minimum size limits set by the Commission shall
3 be included in the management measures of the Fishery Management Plan for each species
4 currently listed on the Division of Marine Fisheries annual Stock Status Report.

5 **SECTION 2.(b)** Temporary Management Measures. – Until Fishery Management
6 Plans are adopted that include the minimum size limits required by this act, the Director of the
7 Division of Marine Fisheries is directed to review the biological and life history information
8 currently available in the marine fisheries literature and marine fisheries reports. No later than
9 August 1, 2019, the Director shall present the findings of this review and an authorization to the
10 Commission to impose temporary management measures establishing minimum size limits
11 required to allow seventy-five percent (75%) of juveniles of each species reaching the minimum
12 size limit to have reached the size of maturity and to have had the opportunity to spawn at least
13 once.

14 **SECTION 3.** This act is effective when it becomes law and applies to Fishery
15 Management Plans developed prior to this date and Fishery Management Plans developed on or
16 after this date.