

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 279
HOUSE BILL 115

AN ACT TO PERMIT RESOLUTION OF CLAIMS TO SHELLFISH BEDS BY
ISSUING A SHELLFISH LEASE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-206 is amended by inserting a new subsection between subsections (a) and (b) to read:

"(a1) If a claim is based on an oyster or other shellfish grant or a perpetual franchise for shellfish cultivation, the Marine Fisheries Commission, upon the recommendation of the Secretary, may, to resolve the claim, grant a shellfish lease to the claimant for part or all of the area claimed. A shellfish lease granted under this subsection is subject to the restrictions imposed on shellfish leases in G.S. 113-202, except the prohibition against leasing an area that contains a natural shellfish bed in G.S. 113-202(a)(2). This restriction is waived because, due to the cultivation efforts of the claimant, the area is likely to contain a natural shellfish bed."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 30th day of May, 1985.