

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 675
SENATE BILL 1436

AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO CHAPTER
576 OF THE 1993 SESSION LAWS (REGULAR SESSION 1994) CONCERNING
THE TWO-YEAR MORATORIUM ON SPECIFIED FISHING LICENSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-153.1(d) as amended by Chapter 576 of the 1993 Session Laws (Regular Session 1994) reads as rewritten:

"(d) The owner of a vessel licensed under G.S. 113-152 shall be eligible to purchase a vessel crab license for crabs as an alternative to the purchase of individual licenses under this section. A vessel crab license authorizes the owner of the vessel and up to two unlicensed persons serving as crew to fish for crabs from that vessel. It is unlawful for the owner of a vessel to take crabs from the coastal fishing waters of North Carolina for commercial use by any means, when unlicensed persons not authorized by the vessel crab license are on the vessel. The vessel crab license issued under this subsection shall be revoked when the owner or any other person using the owner's vessel is convicted of a violation under this section, except for subsection (b)."

Sec. 2. G.S. 113-153.1 is amended by adding a new subsection to read:

"(c1) Persons under 16 years of age are exempt from the license requirements of this section if they are accompanied by their parent or guardian who is in compliance with the requirements of this section or if they have in their possession their parent's or guardian's crab license."

Sec. 3. Subsection (a) of Section 3 of Chapter 576 of the 1993 Session Laws (Regular Session 1994) reads as rewritten:

"(a) Except as provided in subsections ~~(b) or (c)~~ (b), (c), or (c1) of this section, the Department shall not issue any new licenses for a two-year period beginning July 1, 1994, and ending June 30, 1996 under the following statutes:

- (1) G.S. 113-152. Vessel licenses.
- (2) G.S. 113-153.1. Crab License.
- (3) G.S. 113-154. Shellfish license
- (4) G.S. 113-154.1. Nonvessel endorsements to sell fish."

Sec. 4. Section 3 of Chapter 576 of the 1993 Session Laws (Regular Session 1994) is amended by adding a new subsection to read:

"(c1) The following exemptions shall apply to the moratorium:

- (1) The owner of a currently valid vessel license may transfer that license upon application to the Division of Marine Fisheries, Morehead City office, to:

- a. Another vessel purchased by the owner of the original vessel license; or
 - b. The purchaser of the vessel who is otherwise qualified to hold the license under this Article.
- (2) Any person previously exempt from the license requirements when accompanied by their parent or guardian holding the license and who is otherwise qualified, may be issued a Shellfish or Crab license upon application to the Division of Marine Fisheries, Morehead City office.
- (3) Non-vessel endorsement to sell licenses may be issued to the duly designated license agents for tournaments that meet the requirements of the rules of the Marine Fisheries Commission.
- (4) Vessel licenses may be issued on a charter vessel not previously licensed; provided that no vessel endorsement to sell be issued on that vessel."

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 5th day of July,

1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives