

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1989

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SENATE BILL 294*
Second Edition Engrossed 3/29/89

Short Title: Jt. Legis. Seafood Comms. Authorized.

(Public)

Sponsors: Senators Basnight, Barker, and Shaw.

Referred to: Marine Resources and Wildlife.

February 27, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO ABOLISH THE SEAFOOD STUDY COMMISSION AND TRANSFER
3 ITS FUNCTION TO THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD
4 AND AQUACULTURE.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 120 of the General Statutes is amended by adding a new
7 Article to read:

8 **“ARTICLE 12E.**
9 **"JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.**
10 **"§ 120-70.51. Committee established.**

11 The Joint Legislative Commission on Seafood and Aquaculture is hereby established
12 as a permanent joint committee of the General Assembly. As used in this Article, the
13 term ‘Commission’ means the Joint Legislative Commission on Seafood and
14 Aquaculture.

15 **"§ 120-70.52. Membership; cochairmen; vacancies; quorum.**

16 The Joint Legislative Commission on Seafood and Aquaculture shall consist of
17 eleven members: three Senators appointed by the President Pro Tempore of the Senate;
18 three Representatives appointed by the Speaker of the House of Representatives; three
19 members appointed by the Governor; and two members appointed by the Commissioner
20 of Agriculture. The members shall serve at the pleasure of their appointing officer. The
21 President Pro Tempore of the Senate shall designate one Senator to serve as cochairman
22 and the Speaker of the House of Representatives shall designate one Representative to
23 serve as cochairman. Vacancies occurring on the Commission shall be filled in the

1 same manner as initial appointments. A quorum of the Commission shall consist of six
2 members.

3 **"§ 120-70.53. Powers and duties.**

4 The Commission shall have the following powers and duties:

5 (1) To monitor and study the current seafood industry in North Carolina
6 including studies of the feasibility of increasing the State's production, processing, and
7 marketing of seafood;

8 (2) To study the potential for increasing the role of aquaculture in all regions of
9 the State;

10 (3) To evaluate the feasibility of creating a central permitting office for fishing
11 and aquaculture matters.

12 (4) To evaluate actions of the Marine Fisheries Division of the Department of
13 Natural Resources and Community Development, the Wildlife Resources Commission
14 of the Department of Natural Resources and Community Development, and of any other
15 board, commission, department, or agency of the State or local government as such
16 actions relate to the seafood and aquaculture industries.

17 (5) To make recommendations regarding regulatory matters relating to the
18 seafood and aquaculture industries including, but not limited to:

19 a. Increasing the State's representation and decision-making ability by
20 dividing the State between the Atlantic and South Atlantic regions of
21 the National Division of Marine Fisheries; and

22 b. Evaluating the necessity to substantially increase penalties
23 for trespass and theft of shellfish and other aquaculture products.

24 (6) To review and evaluate changes in federal law and regulations, relevant court
25 decisions, and changes in technology affecting the seafood and aquaculture industries.

26 (7) To review existing and proposed State law and rules affecting the seafood
27 and aquaculture industries and to determine whether any modification of law or rules is
28 in the public interest;

29 (8) To make reports and recommendations, including draft legislation, to the
30 General Assembly from time to time as to any matter relating to the powers and duties
31 set out in this section; and

32 (9) To undertake such additional studies as it deems appropriate or as may from
33 time to time be requested by the President of the Senate, the President Pro Tempore of
34 the Senate, the Speaker of the House of Representatives, either house of the General
35 Assembly, the Legislative Research Commission, or the Joint Legislative Commission
36 on Governmental Operations, and to make such reports and recommendations to the
37 General Assembly regarding such studies as it deems appropriate.

38 **"§ 120-70.54. Additional powers.**

39 The Commission, while in the discharge of official duties, may exercise all the
40 powers provided for under the provisions of G.S. 120-19, and G.S. 120-19.1 through
41 G.S. 120-19.4. The Commission may meet at any time upon the call of either
42 cochairman, whether or not the General Assembly is in session. The Commission may
43 meet in the Legislative Building or the Legislative Office Building upon the approval of
44 the Legislative Services Commission.

1 **"§ 120-70.55. Compensation and expenses of members.**

2 Members of the Commission shall receive subsistence and travel expenses at the
3 rates set forth in G.S. 120-3.1.

4 **"§ 120-70.56. Staffing.**

5 The Legislative Administrative Officer shall assign as staff to the Commission
6 professional employees of the General Assembly, as approved by the Legislative
7 Services Commission. Clerical staff shall be assigned to the Commission through the
8 offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks of the House
9 of Representatives. The expenses of employment of clerical staff shall be borne by the
10 Commission.

11 **"§ 120-70.57. Funding.**

12 From funds available to the General Assembly, the Legislative Services Commission
13 shall allocate monies to fund the Commission created by this Article."

14 Sec. 2. The Joint Legislative Commission on Seafood and Aquaculture shall
15 be a continuation of the Seafood Study Commission authorized by Section 27 of
16 Chapter 873 of the 1987 Session Laws. The initial membership and Cochairmen of the
17 Joint Legislative Commission on Seafood and Aquaculture shall be those persons
18 serving as members and Cochairmen of the original Seafood Study Commission as
19 previously authorized as of the effective date of this act. Any unexpended funds
20 previously available for the original Seafood Study Commission are hereby transferred
21 to the Joint Legislative Commission on Seafood and Aquaculture created by this Part.

22 Sec. 3. There is appropriated from the General Fund to the Legislative
23 Services Commission for fiscal year 1989-90 the sum of fifty thousand dollars
24 (\$50,000) to fund the Joint Legislative Commission on Seafood and Aquaculture
25 authorized by Section 1 of this act.

26 Sec. 4. This act shall become effective July 1, 1989.