

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1993**

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**HOUSE BILL 1548\***

Short Title: Oyster Blue Ribbon Advisory Council.

(Public)

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Sponsors: Representatives Redwine, James, Smith, Wainwright; Gottovi, Culpepper, Hill, Grady, and J. Preston.

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Referred to: Rules, Calendar, and Operations of the House.

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May 25, 1994

A BILL TO BE ENTITLED

1 AN ACT TO CREATE A BLUE RIBBON ADVISORY COUNCIL TO STUDY AND  
2 MAKE RECOMMENDATIONS CONCERNING POLICIES AND  
3 MANAGEMENT OF THE STATE'S OYSTER RESOURCES.  
4

5 Whereas, North Carolina's naturally grown oyster resources have been  
6 severely reduced by overharvesting, habitat degradation, diminished water quality,  
7 diseases such as oyster parasites, and inadequate funds and management; and

8 Whereas, during the period from 1987 to 1993, oyster landings have  
9 decreased 79% (from 1.4 million pounds in 1987 to 294,000 pounds in 1993); and

10 Whereas, although oyster resources have declined dramatically in recent  
11 years, North Carolina still possesses thousands of untapped acres of potentially  
12 productive shellfish areas; and

13 Whereas, the UNC Sea Grant College Program, the Marine Fisheries  
14 Commission, the Division of Marine Fisheries of the Department of Environment,  
15 Health, and Natural Resources, the Joint Legislative Commission on Seafood and  
16 Aquaculture, as well as others sponsored an Oyster Summit to bring experts from other  
17 states together to pool resources and expertise through workshops and panel  
18 discussions; and

19 Whereas, the Oyster Summit set the stage for developing a new policy and  
20 management of the oyster resource in North Carolina by pooling expertise and resources  
21 with other states to develop strategies to minimize the effect of disease, water pollution,  
22 overharvesting, and failing consumer confidence in order to revive the oyster industry;  
23 Now, therefore,

1 The General Assembly of North Carolina enacts:

2 Section 1. (a) There is established the Blue Ribbon Advisory Council on Oysters  
3 (hereinafter referred to "Advisory Council" ). The Advisory Council shall consist of 19  
4 members appointed as follows:

- 5 (1) Chair of the Oyster, Clam and Scallops Committee of the Marine  
6 Fisheries Commission (or designee).
- 7 (2) Director of the Marine Fisheries Division of the Department of  
8 Environment, Health, and Natural Resources (or designee).
- 9 (3) Co-Chairs of the Joint Legislative Commission on Seafood and  
10 Aquaculture (or designees).
- 11 (4) Director of the North Carolina Sea Grant College Program of North  
12 Carolina State University (or designee).
- 13 (5) Two representatives from the commercial oyster fishery, one of whom  
14 shall represent the northern coastal region and the other shall represent  
15 the Pamlico coastal region, appointed by the President Pro Tempore of  
16 the Senate.
- 17 (6) Two representatives from the commercial oyster fishery, one of whom  
18 shall represent the southern coastal region and the other shall represent  
19 the central coastal region, appointed by the Speaker of the House of  
20 Representatives.
- 21 (7) One representative from oyster aquaculture appointed by the President  
22 Pro Tempore of the Senate.
- 23 (8) One representative with expertise in oyster production and restoration  
24 appointed by the President Pro Tempore of the Senate.
- 25 (9) One economist appointed by the President Pro Tempore of the Senate.
- 26 (10) One representative with expertise in oyster disease research appointed  
27 by the President Pro Tempore of the Senate.
- 28 (11) One representative with expertise in oyster sales and marketing  
29 appointed by the Speaker of the House of Representatives.
- 30 (12) One representative with expertise in health considerations and  
31 sanitation of oysters appointed by the Speaker of the House of  
32 Representatives.
- 33 (13) One representative with expertise in oyster harvesting appointed by the  
34 Speaker of the House of Representatives.
- 35 (14) One representative with expertise in oyster processing appointed by  
36 the Speaker of the House of Representatives.
- 37 (15) One representative with expertise in water quality appointed by the  
38 Speaker of the House of Representatives.
- 39 (16) One social scientist appointed by the Speaker of the House of  
40 Representatives.

41 (b) The Advisory Council shall assist the Marine Fisheries Commission and the  
42 Joint Legislative Commission on Seafood and Aquaculture in an advisory capacity and  
43 shall study and make recommendations relating to the oyster resource including, but not  
44 limited to:

- 1 (1) Restoration of oyster production on public beds.
- 2 (2) Development of aquaculture production of oysters.
- 3 (3) Management of oyster reefs to maximize production.
- 4 (4) Zoning and protective measures concerning oyster reefs and culture
- 5 operations.
- 6 (5) Marketing and economic development of oysters.
- 7 (6) Development of value-added products and processing.
- 8 (7) Changes in the leasing of oyster bottoms and water columns for
- 9 culture.
- 10 (8) Expenditure of public funds in relation to private funding of oyster
- 11 production.
- 12 (9) Development of a management plan for restoration of the oyster
- 13 resource.

14 (c) The Chair of the Advisory Council shall be the Chair of the Oyster, Clam and  
15 Scallops Committee of the Marine Fisheries Commission. The Advisory Council shall  
16 meet upon the call of the Chair. A majority of the Advisory Council shall constitute a  
17 quorum for the transaction of business.

18 (d) Any person who is a member of the Advisory Council may hold such  
19 membership concurrently with and in addition to any other elective or appointive office  
20 or offices such person is permitted to hold under G.S. 128-1.1.

21 (e) Members of the Advisory Council shall receive per diem and necessary  
22 travel and subsistence expenses in accordance with the provisions of G.S. 138-5.

23 (f) The Advisory Council shall make written quarterly reports to the Marine  
24 Fisheries Commission and the Joint Legislative Commission on Seafood and  
25 Aquaculture beginning October 1, 1994. The Advisory Council shall complete its study  
26 and make its final written report on or before October 1, 1995. Upon making its final  
27 written report, the Advisory Council shall terminate.

28 (g) The Department of Environment, Health, and Natural Resources shall  
29 provide secretarial and other support staff for the Advisory Council.

30 Sec. 2. There is appropriated from the General Fund for the 1994-95 fiscal  
31 year the sum of one hundred thousand dollars (\$100,000) to the Department of  
32 Environment, Health, and Natural Resources for administrative and other expenses  
33 incurred by the Blue Ribbon Advisory Council on Oysters.

34 Sec. 3. This act becomes effective July 1, 1994.