

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1436\*

Agriculture, Marine Resources, and Wildlife Committee Substitute Adopted 6/16/94

Third Edition Engrossed 6/23/94

House Committee Substitute Favorable 6/29/94

Short Title: Technical Fisheries Changes.

(Public)

Sponsors:

Referred to:

May 25, 1994

A BILL TO BE ENTITLED

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."

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

3           "(a) Except as provided in subsections ~~(b) or (c)~~ (b), (c), or (c1) of this section, the  
4 Department shall not issue any new licenses for a two-year period beginning July 1,  
5 1994, and ending June 30, 1996 under the following statutes:

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

10          Sec. 4. Section 3 of Chapter 576 of the 1993 Session Laws (Regular Session  
11 1994) is amended by adding a new subsection to read:

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

- 13          (1) The owner of a currently valid vessel license may transfer that license  
14 upon application to the Division of Marine Fisheries, Morehead City  
15 office, to:
  - 16           a. Another vessel purchased by the owner of the original vessel  
17 license; or
  - 18           b. The purchaser of the vessel who is otherwise qualified to hold  
19 the license under this Article.
- 20          (2) Any person previously exempt from the license requirements when  
21 accompanied by their parent or guardian holding the license and who  
22 is otherwise qualified, may be issued a Shellfish or Crab license upon  
23 application to the Division of Marine Fisheries, Morehead City office.
- 24          (3) Non-vessel endorsement to sell licenses may be issued to the duly  
25 designated license agents for tournaments that meet the requirements  
26 of the rules of the Marine Fisheries Commission.
- 27          (4) Vessel licenses may be issued on a charter vessel not previously  
28 licensed; provided that no vessel endorsement to sell be issued on that  
29 vessel."

30          Sec. 5. This act is effective upon ratification.