

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 541

Short Title: Buoy Fishing/Special Fishing Device.

(Public)

Sponsors: Representative Mitchell.

Referred to: Wildlife Resources, if favorable, Finance.

March 23, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT TROT LINES, BUOY SETS, AND SET HOOKS ARE
SPECIAL FISHING DEVICES.

The General Assembly of North Carolina enacts:

Section 1. G. S. 113-272.3 reads as rewritten:

"§ 113-272.3. **Special provisions respecting special devices; fishing licenses; grabbling; taking bait fish; use of landing nets; lifetime licenses issued from Wildlife Resources Commission headquarters; personalized lifetime sportsman combination licenses.**

(a) The Wildlife Resources Commission by rule may define the meaning of 'hook and line' and 'special device' as applied to fishing techniques. Any technique of fishing that may be lawfully authorized which employs neither the use of any special device nor hook and line must be pursued under the appropriate hook-and-line fishing license.

(a1) Notwithstanding subsection (a) of this section, trotlines, buoy sets, and set hooks as defined in this section are special fishing devices. The use of any of these special fishing devices requires the special device fishing license as provided by G.S. 113-272.2. A licensed individual fishing any set hook in inland public water shall be within 100 yards of the set hook at all times. Buoy sets, trotlines, gill nets, fish traps, and any other special device that the Wildlife Resources Commission determines should be marked for the convenience and safety of the public shall be marked with yellow buoys

1 made of solid foam or other solid buoyant material no less than five inches in their
2 smallest dimension. Double buoys as described in this subsection shall be used to mark
3 each end of anchored, fixed, or drift gill nets and trotlines. Buoys shall be marked with
4 the owner's name and address, special device fishing license number, or vessel
5 registration number either by engraving the buoys or by attaching engraved metal or
6 plastic tags to the buoys.

7 (b) In accordance with established fishing customs and the orderly conservation of
8 wildlife resources, the Wildlife Resources Commission may by rule provide for use of
9 nets or other special devices which it may authorize as an incident to hook-and-line
10 fishing or for procuring bait fish without requiring a special device license. In this
11 instance, however, the individual fishing must meet applicable hook-and-line license
12 requirements.

13 (c) Lifetime licenses are issued from the Wildlife Resources Commission
14 headquarters. Each application for an Infant Lifetime Sportsman or Youth Lifetime
15 Sportsman License must be accompanied by a certified copy of the birth certificate of the
16 individual to be named as the license holder.

17 (d) In issuing lifetime sportsman combination licenses, the Wildlife Resources
18 Commission is authorized to adopt rules to establish a personalized series and to charge a
19 five dollar (\$5.00) administrative fee, to be deposited in the Wildlife Fund, to defray the
20 cost of issuance of the personalized license.

21 (e) The following definitions apply in this section:

22 (1) Buoy set. – A hook and line affixed to an approved buoy as provided in
23 G.S. 113-272.3(a1).

24 (2) Set hook. – A hook and line affixed to a stationary object or anchor and
25 not under the immediate control of a licensed individual.

26 (3) Trotline. – A line having multiple hooks that is attached to a stationary
27 object or anchor at either or both ends."

28 Section 3. This act becomes effective July 1, 1999.