

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 513

Short Title: Peoples' Choice for Marine Sources. (Public)

Sponsors: Representative Richardson.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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

April 12, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR A REFERENDUM TO LIMIT INDISCRIMINATE NET  
3 FISHING IN THE COASTAL WATERS OF THE STATE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 15 of Chapter 113 of the General Statutes is amended by adding  
6 a new section to read:

7 "**§ 113-192. Regulation of marine net fishing.**

8 (a) Purpose. – The marine resources of the State of North Carolina belong to all of the  
9 people of the State and should be conserved and managed for the benefit of the State, its people,  
10 and future generations. To this end, the General Assembly enacts limitations on marine net  
11 fishing in coastal fishing waters to protect saltwater finfish, shellfish, and other marine animals  
12 from unnecessary killing, overfishing, and waste.

13 (b) Net Prohibition. – It is unlawful to use either a gill net or other entangling net in  
14 coastal fishing waters for the purpose of catching or taking any saltwater finfish, shellfish, or  
15 other marine animals.

16 (c) Additional Net Restrictions. – In addition to the prohibition set forth in subsection (b)  
17 of this section, no other type of net containing more than 500 square feet of mesh area shall be  
18 used in coastal fishing waters. Additionally, no more than two nets which shall not be connected  
19 shall be used from any vessel, and no person not on a vessel shall use more than one net in coastal  
20 fishing waters.

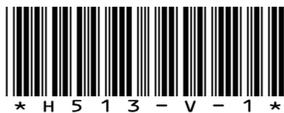
21 (d) Definitions. – The following definitions apply in this section:

22 (1) Coastal fishing waters. – Defined in G.S. 113-129(4).

23 (2) Entangling net. – A drift net, trammell net, stab net, or any other net which  
24 captures saltwater finfish, shellfish, or other marine animals by causing all or  
25 part of heads, fins, legs, or other body parts to become entangled or ensnared  
26 in the meshes of the net. The term does not include a hand-thrown cast net.

27 (3) Gill net. – One or more walls of netting which captures saltwater finfish by  
28 ensnaring or entangling them in the meshes of the net by the gills. The term  
29 does not include a hand-thrown cast net.

30 (4) Mesh area. – With respect to a net, the total area of netting with the meshes  
31 open to comprise the maximum square footage. The square footage shall be  
32 calculated using standard mathematical formulas for geometric shapes. Seines  
33 and other rectangular nets shall be calculated using the maximum length and  
34 maximum width of netting. Trawls and other bag-type nets shall be calculated  
35 as a cone using the maximum circumference of the net mouth to derive the



1 radius and the maximum length from the net mouth to the tail end of the net  
2 to derive the slant height. Calculations for any other nets of combination type  
3 nets shall be based on the shape of the individual components."

4 **SECTION 2.** The question of whether North Carolina should limit marine net fishing  
5 as set out in the statutory amendment in Section 1 of this act shall be submitted to the qualified  
6 voters of the State at the general election in November 2022. Any other election or referendum  
7 validly called or scheduled by law at the time the election on the bond question provided for in  
8 this section is held may be held as called or scheduled. Notice of the election shall be given in  
9 the manner and at the times required by G.S. 163-33(8). The election and the registration of  
10 voters therefor shall be held under and in accordance with the general laws of the State. Absentee  
11 ballots shall be authorized in the election and shall be available 50 days prior to the date on which  
12 the election is to be held. Ballots, voting systems authorized by Article 14A of Chapter 163 of  
13 the General Statutes, or both may be used in accordance with rules prescribed by the State Board  
14 of Elections. The question to be used in the ballots or voting systems shall be:

15 "[ ] FOR [ ] AGAINST

16 Limits on marine net fishing in order to protect saltwater finfish, shellfish, and other  
17 marine animals from unnecessary killing, overfishing, and waste."

18 **SECTION 3.** If a majority of the votes cast on the question are in favor of the  
19 question set out in Section 2 of this act, the State Board of Elections shall certify the amendment  
20 to the Secretary of State and to the Revisor of Statutes. The amendments to the General Statutes  
21 set forth in Section 1 shall become effective upon this certification. The Secretary of State shall  
22 enroll the amendment so certified among the permanent records of that office.

23 **SECTION 4.** This act is effective when it becomes law.