

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**SENATE DRS55328-LD-137 (03/13)**

Short Title: Add Marine Fisheries Commission Members. (Public)

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Sponsors: Senator Brown.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MARINE FISHERIES COMMISSION MEMBERSHIP  
TO INCLUDE REPRESENTATIVES OF THE INDUSTRY THAT PROVIDES  
CHARTER BOATS OR HEAD BOATS AS FOR HIRE BOATS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143B-289.54(a) reads as rewritten:

"(a) Members, Selection. – The Marine Fisheries Commission shall consist of nine members appointed by the Governor as follows:

- (1) One person actively engaged in, or recently retired from, commercial fishing as demonstrated by currently or recently deriving at least fifty percent (50%) of annual earned income from taking and selling fishery resources in coastal fishing waters of the State. The spouse of a commercial fisherman who meets the criteria of this subdivision may be appointed under this subdivision.
- (2) One person actively engaged in, or recently retired from, commercial fishing as demonstrated by currently or recently deriving at least fifty percent (50%) of annual earned income from taking and selling fishery resources in coastal fishing waters of the State. The spouse of a commercial fisherman who meets the criteria of this subdivision may be appointed under this subdivision.
- (3) One person actively connected with, and experienced as, a licensed fish dealer or in seafood processing or distribution as demonstrated by deriving at least fifty percent (50%) of annual earned income from activities involving the buying, selling, processing, or distribution of seafood landed in this State. The spouse of a person qualified under this subdivision may be appointed provided that the spouse is actively involved in the qualifying business.

- 1 (4) One person actively engaged in recreational sports fishing in coastal  
2 waters in this State. An appointee under this subdivision may not  
3 derive more than ten percent (10%) of annual earned income from  
4 sports fishing activities.
- 5 (5) One person actively engaged in recreational sports fishing in coastal  
6 waters in this State. An appointee under this subdivision may not  
7 derive more than ten percent (10%) of annual earned income from  
8 sports fishing activities.
- 9 (6) One person actively engaged in the sports fishing industry as  
10 demonstrated by deriving at least fifty percent (50%) of annual earned  
11 income from selling goods or services in this State. The spouse of a  
12 person qualified under this subdivision may be appointed provided that  
13 the spouse is actively involved in the qualifying business.
- 14 (7) One person having general knowledge of and experience related to  
15 subjects and persons regulated by the Commission.
- 16 (8) One person having general knowledge of and experience related to  
17 subjects and persons regulated by the Commission.
- 18 (9) One person who is a fisheries scientist having special training and  
19 expertise in marine and estuarine fisheries biology, ecology,  
20 population dynamics, water quality, habitat protection, or similar  
21 knowledge. A person appointed under this subdivision may not receive  
22 more than ten percent (10%) of annual earned income from either the  
23 commercial or sports fishing industries, including the processing and  
24 distribution of seafood.
- 25 (10) One person actively engaged in providing a charter boat or head boat  
26 as a for hire boat as demonstrated by currently or recently deriving at  
27 least fifty percent (50%) of the person's annual earned income from  
28 providing a charter boat or head boat as a for hire boat in this State.  
29 The spouse of a charter boat or head boat captain who also meets the  
30 criteria of this subdivision may be appointed under this subdivision.
- 31 (11) One person actively engaged in, or recently retired from, providing a  
32 charter boat or head boat as a for hire boat as demonstrated by  
33 currently or recently deriving at least fifty percent (50%) of the  
34 person's annual earned income from providing a charter boat or head  
35 boat as a for hire boat in this State. The spouse of a charter boat or  
36 head boat captain who also meets the criteria of this subdivision may  
37 be appointed under this subdivision.
- 38 (12) One person actively engaged both in (i) providing a charter boat or  
39 head boat as a for hire boat and (ii) commercial fishing; as  
40 demonstrated by currently deriving at least twenty-five percent (25%)  
41 of annual earned income from providing a charter boat or head boat as  
42 a for hire boat and at least twenty-five percent (25%) of annual earned  
43 income from commercial fishing in this State."

44 **SECTION 2.** G.S. 143B-289.54(b) reads as rewritten:

1       "(b) Residential Qualifications. – For purposes of providing regional  
2 representation on the Commission, the following three coastal regions of the State are  
3 designated: (i) Northeast Coastal Region comprised of Bertie, Camden, Chowan,  
4 Currituck, Dare, Gates, Halifax, Hertford, Martin, Northampton, Pasquotank,  
5 Perquimans, Tyrrell, and Washington Counties, (ii) Central Coastal Region comprised  
6 of Beaufort, Carteret, Craven, Hyde, Jones, and Pamlico Counties; and (iii) Southeast  
7 Coastal Region comprised of Bladen, Brunswick, Columbus, New Hanover, Onslow,  
8 and Pender Counties. Persons appointed under subdivisions (1), (2), (3), (4), and (8) of  
9 subsection (a) of this section shall be residents of one of the coastal regions of the State.  
10 The membership of the Commission shall include at least one person who is a resident  
11 of each of the three coastal regions of the State. Persons appointed under subdivisions  
12 (10), (11), and (12) of subsection (a) of this section shall be residents of one of the  
13 coastal regions of the State, and at least one of these persons shall be a resident of each  
14 of the three coastal regions of the State."

15               **SECTION 3.** This act is effective when it becomes law.