

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH70255-SB-18 (03/12)

Short Title: Designation of Coastal Game Fish. (Public)

Sponsors: Representatives Luebke and Justice (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DESIGNATE THE RED DRUM AND SPOTTED SEA TROUT AS COASTAL GAME FISH, TO PROHIBIT THE TAKING OF RED DRUM AND SPOTTED SEA TROUT OTHER THAN BY HOOK-AND-LINE, AND TO COMPENSATE COMMERCIAL FISHERMEN FOR CERTAIN LOSSES DUE TO THE DESIGNATION AND PROHIBITION.

The General Assembly of North Carolina enacts:

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

"§ 113-192. Coastal game fish.

(a) Designation. – The General Assembly hereby designates the following species as coastal game fish:

(1) Red drum (*Sciaenops ocellatus*).

(2) Spotted sea trout (*Cynoscion nebulosus*).

(b) Regulation. – Species designated as coastal game fish under subsection (a) of this section are subject to all of the following regulations:

(1) In coastal fishing waters, they may only be taken by hook-and-line.

(2) They may not be bought, sold, bartered, or exchanged.

(3) They may not be possessed for the purpose of purchase, sale, barter, exchange, or for transport or shipment in commerce within the State or for export from the State."

SECTION 2.(a) Notwithstanding G.S. 113-175.1, the Marine Fisheries Commission shall make mitigation payments from the North Carolina Marine Resources Fund to commercial fishermen licensed under Article 14A of this Chapter who can demonstrate actual financial losses due to the designation of red drum and spotted sea trout as coastal game fish.

SECTION 2.(b) Subject to the limitation contained in subsection (c) of this section, the Marine Fisheries Commission shall make mitigation payments for all of the following:

(1) The average annual income to a commercial fisherman from the sale of red drum and spotted sea trout over the period 2006 through 2008. The Marine Fisheries Commission shall make an annual payment in this amount to an eligible commercial fisherman in the years 2010, 2011, and 2012.



1 (2) The 2008 value of commercial fishing gear used exclusively to take red
2 drum and spotted sea trout during 2008. The Marine Fisheries Commission
3 shall make this payment in 2010.

4 **SECTION 2.c.** Payments made under this section shall be limited to a total of one
5 million dollars (\$1,000,000).

6 **SECTION 2.d.** The Marine Fisheries Commission may adopt any rules necessary
7 for the implementation of this section.

8 **SECTION 3.** This act becomes effective July 1, 2009.