

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1557*

Short Title: Extend Core Sound Mor./Marine Fish. Studies.

(Public)

Sponsors: Representative Wainwright.

Referred to: Environment and Natural Resources.

June 6, 2002

A BILL TO BE ENTITLED

1
2 AN ACT TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH
3 CULTIVATION LEASES IN CORE SOUND AND TO DIRECT THE JOINT
4 LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO
5 STUDY VARIOUS MARINE FISHERIES ISSUES, AS RECOMMENDED BY
6 THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND
7 AQUACULTURE.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Section 3 of Chapter 547 of the 1995 Session Laws, Regular
10 Session 1996, as amended by subsection (b) of Section 1 of Chapter 633 of the 1995
11 Session Laws, Regular Session 1996; Section 27.33 of Chapter 18 of the 1996 Session
12 Laws, Second Extra Session; Section 12 of S.L. 1997-256; Section 8 of S.L. 1997-347;
13 Section 6.14 of S.L. 1997-400; Section 15 of S.L. 1998-23; Section 1 of S.L. 1998-56;
14 Section 1 of S.L. 1999-209; and Section 4 of S.L. 2001-213, reads as rewritten:

15 "Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation
16 leases shall be imposed in the remaining area of Core Sound not described in Section 1
17 of this act. During the moratorium, a comprehensive study of the shellfish lease
18 program shall be conducted. The moratorium established under this section covers that
19 part of Core Sound bounded by a line beginning at a point on Cedar Island at
20 35°00'39"N - 76°17'48"W, thence 109°(M) to a point in Core Sound 35°00'00"N -
21 76°12'42"W, thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at
22 34°43'30"N - 76°29'00"W, thence 207°(M) to the Cape Lookout Lighthouse at
23 34°37'24"N - 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N -
24 76°31'12"W, thence following the shoreline in a northerly direction to the point of
25 beginning except that the highway bridges at Salters Creek, Thorofare Bay, and the
26 Rumley Bay ditch shall be considered shoreline. The moratorium shall expire ~~October~~
27 ~~1, 2002.~~ July 1, 2003."

28 **SECTION 2.** The Joint Legislative Commission on Seafood and
29 Aquaculture shall review the statutory changes recommended by the Marine Fisheries

1 Commission in the August 2001, Hard Clam Fishery Management Plan and the August
2 2001, Oyster Fishery Management Plan. The Joint Legislative Commission on Seafood
3 and Aquaculture shall report its findings and recommendations, if any, including any
4 legislative proposals, to the 2003 General Assembly.

5 **SECTION 3.** The Joint Legislative Commission on Seafood and
6 Aquaculture shall review recommendations of the Marine Fisheries Commission
7 regarding the moratorium on issuing new shellfish cultivation leases in Core Sound and
8 the shellfish cultivation program. The Joint Legislative Commission on Seafood and
9 Aquaculture shall report its findings and recommendations, if any, including any
10 legislative proposals, to the 2003 General Assembly.

11 **SECTION 4.** The Joint Legislative Commission on Seafood and
12 Aquaculture shall study the process by which the Department of Health and Human
13 Services develops and issues fish consumption advisories. The Joint Legislative
14 Commission on Seafood and Aquaculture shall report its findings and
15 recommendations, if any, including any legislative proposals, to the 2003 General
16 Assembly.

17 **SECTION 5.** This act is effective when it becomes law.