

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2009**

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**HOUSE BILL 918**

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

Sponsors: Representatives Luebke, Justice (Primary Sponsors); Allred, Hughes, Lucas, Martin, Stewart, and Stiller.

Referred to: Marine Resources and Aquaculture, if favorable, Finance.

April 1, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO DESIGNATE THE RED DRUM AND SPOTTED SEA TROUT AS COASTAL  
3 GAME FISH, TO PROHIBIT THE TAKING OF RED DRUM AND SPOTTED SEA  
4 TROUT OTHER THAN BY HOOK-AND-LINE, AND TO COMPENSATE  
5 COMMERCIAL FISHERMEN FOR CERTAIN LOSSES DUE TO THE DESIGNATION  
6 AND PROHIBITION.

7 The General Assembly of North Carolina enacts:

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

10 "**§ 113-192. Coastal game fish.**

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

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

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

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

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

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

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

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

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

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

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



- 1           **SECTION 2.c.** Payments made under this section shall be limited to a total of one
- 2 million dollars (\$1,000,000).
- 3           **SECTION 2.d.** The Marine Fisheries Commission may adopt any rules necessary
- 4 for the implementation of this section.
- 5           **SECTION 3.** This act becomes effective July 1, 2009.