GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 105*

Short Title:	Suspension and Revocation of Fishing Licenses.	(Public)
Sponsors:	Senator Albertson.	
Referred to:	Agriculture/Environment/Natural Resources.	

February 11, 2009

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO STUDY ISSUES AND ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO STRENGTHEN ENFORCEMENT OF CERTAIN LAWS RELATED TO MARINE RESOURCES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

The General Assembly of North Carolina enacts:

SECTION 1. The Marine Fisheries Commission shall study the current statutes and rules for suspension, revocation, and reissuance of licenses and permits issued under Articles 14A, 14B, and 25A of Chapter 113 of the General Statutes that are under the jurisdiction of the Marine Fisheries Commission or the Division of Marine Fisheries of the Department of Environment and Natural Resources.

SECTION 2. The Marine Fisheries Commission may adopt rules pursuant to and consistent with G.S. 113-171 and G.S. 143B-289.52 for the suspension, revocation, and reissuance of licenses and permits issued under Articles 14A, 14B, and 25A of Chapter 113 of the General Statutes that are under the jurisdiction of the Marine Fisheries Commission or the Division of Marine Fisheries of the Department of Environment and Natural Resources. If the Commission adopts rules pursuant to this section, the Commission shall consider all of the following:

(1) Whether the rules should differentiate between minor and major violations.
(2) How to define minor and major violations.
(3) How service of revocation could be made more efficient.
(4) How the rules should treat violations related to recreational fishing licenses and permits.
(5) Whether violations related to littering or assault on a marine patrol inspector should be treated as grounds for suspension or revocation.
(6) Whether suspension and revocation provisions should be strengthened in cases of harvesting shellfish from polluted waters.

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