

**GENERAL ASSEMBLY OF NORTH CAROLINA**



**Session 2009**

**Legislative Fiscal Note**

**BILL NUMBER:** Senate Bill 107 (Second Edition)

**SHORT TITLE:** Implement Shellfish FMP Recommendations.

<b>FISCAL IMPACT</b>					
	<b>Yes ( )</b>	<b>No (X)</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2009-10</u></b>	<b><u>FY 2010-11</u></b>	<b><u>FY 2011-12</u></b>	<b><u>FY 2012-13</u></b>	<b><u>FY 2013-14</u></b>
<b>REVENUES</b>					
DENR					**See Assumptions & Methodology**
<b>EXPENDITURES</b>					
DENR	\$0	\$0	\$0	\$0	\$0
<b>POSITIONS (cumulative):</b>					
DENR	0	0	0	0	0
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>					
Division of Marine Fisheries, Department of Environment & Natural Resources (DENR)					
<b>EFFECTIVE DATE:</b> When bill becomes law					

**BILL SUMMARY:**

S.B. 107, Implement Shellfish FMP Recommendations, implements the recommendations of the Oyster and Hard Clam Fishery Management Plan (FMP), as recommended by the Joint Legislative Commission on Seafood and Aquaculture.

**ASSUMPTIONS AND METHODOLOGY:**

S.B. 107 will have no fiscal impact on the Division of Marine Fisheries within DENR.

The bill requires the Marine Fisheries Commission (MFC) to develop and adopt rules related to shellfish; however, MFC already conducts at least one rule making cycle per year and any rules required by the bill would be reviewed and discussed at hearings and committee meetings that are scheduled for rules being developed for other FMPs. Therefore, there will not be any additional costs associated with rule making.

S.B. 107 changes the expiration of shellfish cultivation leases from ten years to five years. This change will not create any additional costs to the agency. However, lease renewal fees, set at \$100 per renewal, will gradually increase as old contracts expire and new five year contracts are put into place. Lease renewal fees currently total about \$3,000 per year. Assuming current lease levels and fees, receipts are expected to increase to \$6,000 per year over the next ten years.

The Division of Marine Fisheries maintains that existing staff can handle any additional responsibilities resulting from S.B. 107, including both program operations and enforcement responsibilities. Thus, there are no new personnel or operating costs associated with S.B. 107.

**SOURCES OF DATA:**

Department of Environment & Natural Resources

**TECHNICAL CONSIDERATIONS:** None

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**DATE:** July 10, 2009



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