

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 353

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

Sponsors: Representatives McCormick, Glazier, Ingle, and Samuelson (Primary Sponsors).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Commerce and Job Development Subcommittee on Business and Labor.

March 16, 2011

A BILL TO BE ENTITLED

AN ACT TO DESIGNATE RED DRUM, SPOTTED SEA TROUT, AND STRIPED BASS AS COASTAL GAME FISH; TO PROHIBIT THE TAKING OF COASTAL GAME FISH OTHER THAN BY HOOK-AND-LINE; TO PROHIBIT THE SALE OF COASTAL GAME FISH; 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 all of the following species as coastal game fish:

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

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

(3) Striped bass (*Morone saxatilis*).

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

(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 a coastal game fish designation under G.S. 113-192, as enacted by Section 1 of this act.

**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 fish designated as coastal game fish under G.S. 113-192 over the period 2008 through 2010. The Marine Fisheries Commission shall make an annual payment in this amount to an eligible commercial fisherman in the years 2012, 2013, and 2014.



1           (2)    The 2010 value of commercial fishing gear used in 2010 to exclusively take  
2                    fish designated as coastal game fish under G.S. 113-192. The Marine  
3                    Fisheries Commission shall make this payment in 2012.

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, 2011.