

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 1070*

Short Title: Federal Enforcement by Marine Inspectors. (Public)

Sponsors: Senators Albertson; and Carpenter.

Referred to: Judiciary I.

May 13, 2004

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW MARINE FISHERIES INSPECTORS TO ACCEPT
3 DELEGATION OF LAW ENFORCEMENT POWERS FROM THE NATIONAL
4 MARINE FISHERIES SERVICE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 113-134.1 reads as rewritten:

7 "**§ 113-134.1. Jurisdiction over marine fisheries resources in Atlantic**
8 **Ocean.Ocean; delegation of law enforcement powers from the National**
9 **Marine Fisheries Service.**

10 (a) The Marine Fisheries Commission is directed to exercise all regulatory
11 authority over the conservation of marine fisheries resources in the Atlantic Ocean to
12 the seaward extent of the State jurisdiction over the resources as now or hereafter
13 defined. Marine fisheries inspectors may enforce these regulations and all other
14 provisions of law applicable under the authority granted in this section in the same
15 manner and with the same powers elsewhere granted them as enforcement officers.

16 (b) If authorized by the Fisheries Director or a designee of the Fisheries Director,
17 an inspector may accept delegation of law enforcement powers from the National
18 Marine Fisheries Service over matters within the jurisdiction of the Service. For
19 purposes of this subsection, the office of inspector may be held concurrently with any
20 other elected or appointed office, as authorized by G.S. 128-1.1 and Article VI, Section
21 9, of the North Carolina Constitution."

22 **SECTION 2.** This act is effective when it becomes law.