GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2021

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HOUSE BILL DRH40327-MH-119

Short Title:	Peoples' Choice for Marine Sources.	(Public)
Sponsors:	Representative Richardson.	
Referred to:		

1		A BILL TO BE ENTITLED
2	AN ACT TO	O PROVIDE FOR A REFERENDUM TO LIMIT INDISCRIMINATE NET
3	FISHING	IN THE COASTAL WATERS OF THE STATE.
4	The General A	Assembly of North Carolina enacts:
5	SI	ECTION 1. Article 15 of Chapter 113 of the General Statutes is amended by adding
6	a new section	to read:
7		Regulation of marine net fishing.
8		urpose The marine resources of the State of North Carolina belong to all of the
9		State and should be conserved and managed for the benefit of the State, its people,
10		enerations. To this end, the General Assembly enacts limitations on marine net
11		astal fishing waters to protect saltwater finfish, shellfish, and other marine animals
12		sary killing, overfishing, and waste.
13		et Prohibition It is unlawful to use either a gill net or other entangling net in
14		g waters for the purpose of catching or taking any saltwater finfish, shellfish, or
15	other marine	
16		dditional Net Restrictions. – In addition to the prohibition set forth in subsection (b)
17		n, no other type of net containing more than 500 square feet of mesh area shall be
18		al fishing waters. Additionally, no more than two nets which shall not be connected
19		from any vessel, and no person not on a vessel shall use more than one net in coastal
20	fishing water	
21		efinitions. – The following definitions apply in this section:
22	<u>(1</u>	
23	<u>(2</u>	
24		captures saltwater finfish, shellfish, or other marine animals by causing all or
25 26		part of heads, fins, legs, or other body parts to become entangled or ensnared
26 27	(2	in the meshes of the net. The term does not include a hand-thrown cast net.
27	<u>(3</u>	
28 29		ensnaring or entangling them in the meshes of the net by the gills. The term does not include a hand-thrown cast net.
29 30	<u>(4</u>	
31	<u>(</u> 4	open to comprise the maximum square footage. The square footage shall be
32		calculated using standard mathematical formulas for geometric shapes. Seines
33		and other rectangular nets shall be calculated using the maximum length and
33 34		maximum width of netting. Trawls and other bag-type nets shall be calculated
35		as a cone using the maximum circumference of the net mouth to derive the
36		radius and the maximum length from the net mouth to the tail end of the net
50		rundes and the maximum rength from the not mouth to the un ond of the not



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1	to derive the slant height. Calculations for any other nets of combination type
2	nets shall be based on the shape of the individual components."
3	SECTION 2. The question of whether North Carolina should limit marine net fishing
4	as set out in the statutory amendment in Section 1 of this act shall be submitted to the qualified
5	voters of the State at the general election in November 2022. Any other election or referendum
6	validly called or scheduled by law at the time the election on the bond question provided for in
7	this section is held may be held as called or scheduled. Notice of the election shall be given in
8	the manner and at the times required by G.S. 163-33(8). The election and the registration of
9	voters therefor shall be held under and in accordance with the general laws of the State. Absentee
10	ballots shall be authorized in the election and shall be available 50 days prior to the date on which
11	the election is to be held. Ballots, voting systems authorized by Article 14A of Chapter 163 of
12	the General Statutes, or both may be used in accordance with rules prescribed by the State Board
13	of Elections. The question to be used in the ballots or voting systems shall be:
14	"[] FOR [] AGAINST
15	Limits on marine net fishing in order to protect saltwater finfish, shellfish, and other
16	marine animals from unnecessary killing, overfishing, and waste."
17	SECTION 3. If a majority of the votes cast on the question are in favor of the
18	question set out in Section 2 of this act, the State Board of Elections shall certify the amendment
19	to the Secretary of State and to the Revisor of Statutes. The amendments to the General Statutes
20	set forth in Section 1 shall become effective upon this certification. The Secretary of State shall
21	enroll the amendment so certified among the permanent records of that office.
22	SECTION 4. This act is effective when it becomes law.