

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 189\***

Short Title: Repeal Fisheries Sunsets/ Extend Core Sound Mor. (Public)

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Sponsors: Representatives Wainwright, Smith; Preston and Underhill.

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Referred to: Environment and Natural Resources.

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February 21, 2001

A BILL TO BE ENTITLED

1 AN ACT TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE  
2 FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES  
3 AMENDMENTS OF 1998 AND TO EXTEND THE MORATORIUM ON  
4 ISSUING NEW SHELLFISH LEASES IN CORE SOUND BY ONE YEAR TO  
5 OCTOBER 1, 2002, AS RECOMMENDED BY THE JOINT LEGISLATIVE  
6 COMMISSION ON SEAFOOD AND AQUACULTURE.  
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Section 6.15 of S.L. 1997-400 reads as rewritten:

10 "Section 6.15. Sections 1.1, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 5.5, 5.6, 5.8, 6.2, 6.7, 6.10,  
11 6.11, 6.12, 6.13, and 6.15 of this act are effective when this act becomes law. Sections  
12 2.1, 4.4, 5.3, 6.3, 6.4, 6.5, 6.6, and 6.8 of this act become effective 1 September 1997.  
13 Sections 4.1, 4.2, and 4.3 of this act become effective 1 September 1997 and apply to  
14 violations and offenses on or after 1 September 1997. Section 1.2 of this act is effective  
15 retroactively as of 1 March 1997. Sections 6.1 and 6.14 of this act become effective 15  
16 August 1997. Sections 3.1, 3.2, 3.3, 3.4, 3.5, and 6.9 of this act become effective 1 July  
17 1998. Sections 2.2, 5.1, 5.2, 5.4, and 5.7 of this act become effective 1 July 1999.  
18 Section 4.5 of this act becomes effective 1 July 1999 and applies to violations and  
19 offenses on or after 1 July 1999. ~~Sections 5.1 and 5.2 of this act expire 1 September~~  
20 ~~2003."~~

21 **SECTION 2.** Section 5.6 of S.L. 1998-225 reads as rewritten:

22 "Section 5.6. Sections 1.3, 1.5, 1.8, 2.1, 3.2, 3.8, 4.4, 4.5, 4.23, 5.1, 5.2, 5.3, 5.4, 5.5,  
23 and 5.6 of this act are effective when this act becomes law. Sections 3.7 and 3.9 of this  
24 act become effective December 1, 1998, and apply to offenses committed on or after  
25 that date. Sections 1.4, 3.3, 3.4, 3.10, 4.1, 4.2, 4.3, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15,  
26 4.16, 4.17, 4.18, 4.19, 4.20, 4.21, 4.22, and 4.24 become effective July 1, 1999. Section  
27 4.6 is effective retroactively to August 14, 1997. Sections 1.1, 1.2, 1.6, 1.7, 3.1, 3.5, 3.6,

1 4.7, and 4.8 are effective retroactively to September 1, 1997. ~~Section 4.15 expires~~  
2 ~~September 1, 2003."~~

3 **SECTION 3.** Section 3 of Chapter 547 of the 1995 Session Laws, Regular  
4 Session 1996, as amended by subsection (b) of Section 1 of Chapter 633 of the 1995  
5 Session Laws, Regular Session 1996; Section 27.33 of Chapter 18 of the 1996 Session  
6 Laws, Second Extra Session; Section 12 of S.L. 1997-256; Section 8 of S.L. 1997-347;  
7 Section 6.14 of S.L. 1997-400; Section 15 of S.L. 1998-23; Section 1 of S.L. 1998-56;  
8 and Section 1 of S.L. 1999-209, reads as rewritten:

9 "Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation  
10 leases shall be imposed in the remaining area of Core Sound not described in Section 1  
11 of this act. During the moratorium, a comprehensive study of the shellfish lease  
12 program shall be conducted. The moratorium established under this section covers that  
13 part of Core Sound bounded by a line beginning at a point on Cedar Island at  
14 35°00'39"N - 76°17'48"W, thence 109°(M) to a point in Core Sound 35°00'00"N -  
15 76°12'42"W, thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at  
16 34°43'30"N - 76°29'00"W, thence 207°(M) to the Cape Lookout Lighthouse at  
17 34°37'24"N - 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N -  
18 76°31'12"W, thence following the shoreline in a northerly direction to the point of  
19 beginning except that the highway bridges at Salters Creek, Thorofare Bay, and the  
20 Rumley Bay ditch shall be considered shoreline. The moratorium shall expire ~~October~~  
21 ~~1, 2001.~~ October 1, 2002."

22 **SECTION 4.** This act becomes effective July 1, 2001.