

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1343

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

Sponsors: Representatives Jackson, Harrell (Primary Sponsors); Harrison and Martin.

Referred to: Marine Resources and Aquaculture, if favorable, Judiciary II.

April 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW MARINE FISHERIES INSPECTORS TO ACCEPT DELEGATION
3 OF LAW ENFORCEMENT POWERS FROM THE NATIONAL MARINE FISHERIES
4 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 Ocean.
8 delegation of law enforcement powers from the National Marine Fisheries
9 Service.

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

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

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

