

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 483
Committee Substitute Favorable 4/16/19
Committee Substitute #2 Favorable 6/18/19
Fourth Edition Engrossed 6/20/19

Short Title: Let Them Spawn.

(Public)

Sponsors:

Referred to:

March 28, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A MINIMUM SIZE LIMIT FOR CERTAIN SPECIES OF MARINE FISH TO ENSURE THAT SEVENTY-FIVE PERCENT OF THE JUVENILE FISH OF THE SPECIES WILL HAVE AN OPPORTUNITY TO REACH MATURITY AND SPAWN AT LEAST ONCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-182.1(b) is amended by adding a new subdivision to read:

"(8) Include a minimum size limit for spot (*Leiostomus xanthurus*), Atlantic croaker (*Micropogonias undulatus*), kingfishes (*Menticirrhus ssp.*), striped mullet (*Mugil cephalus*), southern flounder (*Paralichthys lethostigma*), and bluefish (*Pomatomus saltatrix*), to ensure that seventy-five percent (75%) of the juvenile fish at the minimum size limit established for the species will reach the size of maturity and will have an opportunity to spawn at least once. The minimum size limit required by this subdivision shall be based on the best available biological and life history data for each species. In the event data for a particular species is unavailable for North Carolina, the Commission shall utilize data from other Atlantic coast states until studies specific to North Carolina can be completed. This subdivision shall not apply if the Fisheries Director determines that the species under consideration has a unique life cycle and maturity characteristic that makes the minimum size limit required by this subdivision inappropriate based on generally accepted fishery management protocols. If the Fisheries Director determines that the minimum size limit required by this subdivision is inappropriate, the Fisheries Director shall instead propose slot limits to protect the adult spawning stock."

SECTION 2. Rule Making. – The Marine Fisheries Commission shall adopt rules to implement G.S. 113-182.1(b)(8), as enacted by Section 1 of this act.

SECTION 3. Temporary Management Measures. – Until Fishery Management Plans are adopted that include the minimum size limits required by this act, the Director of the Division of Marine Fisheries and the Marine Fisheries Commission shall develop and adopt temporary management measures as provided in this section. The Director shall review the biological and life history data currently available for spot (*Leiostomus xanthurus*), Atlantic croaker (*Micropogonias undulatus*), kingfishes (*Menticirrhus ssp.*), striped mullet (*Mugil cephalus*), southern flounder (*Paralichthys lethostigma*), and bluefish (*Pomatomus saltatrix*). No later than December 1, 2019, the Director shall present the findings of this review to the Commission.



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1 Based on these findings, the Commission shall adopt temporary management measures that
2 establish minimum size limits to ensure that seventy-five percent (75%) of the juvenile fish at
3 the minimum size limit established for these species will reach the size of maturity and will have
4 an opportunity to spawn at least once.

5 **SECTION 4.** There is appropriated from the unappropriated fund balance of the
6 General Fund to the Division of Marine Fisheries of the Department of Environmental Quality
7 the sum of ten thousand dollars (\$10,000) in non-recurring funds to be used to implement this
8 act.

9 **SECTION 5.** This act is effective when it becomes law and applies to Fishery
10 Management Plans developed prior to that date and Fishery Management Plans developed on or
11 after that date.