

Chairman's Report



**NORTH CAROLINA MARINE FISHERIES COMMISSION RESOLUTION
ON
HOUSE BILL 867, THE COASTAL FISHERIES CONSERVATION AND
DEVELOPMENT ACT**

WHEREAS, the North Carolina Marine Fisheries Commission held a business meeting on May 17-18, 2017 at the BridgePointe Hotel and Marina in New Bern; and

WHEREAS, at this meeting a motion was made by Commissioner Brad Koury and seconded by Commissioner Rick Smith, to send a resolution in support of House Bill 867 to the governor, Senate president pro-tem, speaker of the House and full legislative body, with the requirement that this shall be done by email no later than May 25, 2017 and followed by a letter sent as above by May 31, 2017; and

WHEREAS, a roll call vote was requested, with the following results:

Mark Gorges – yes
Brad Koury – yes
Chuck Laughridge – yes
Janet Rose – no
Joe Shute – abstain
Rick Smith – yes
Mike Wicker – yes
Alison Willis – no
Sammy Corbett – no

WHEREAS, all commercial members of the commission voted against this motion and the recreational industry member abstained; and

NOW, THEREFORE, BE IT RESOLVED, by a roll call vote of 5 to 3, with one abstention, that the Marine Fisheries Commission did vote to support House Bill 867, the Coastal Fisheries Conservation and Development Act.

Adopted this the 18th day of May, 2017.



Sammy Corbett, Chairman
N.C. Marine Fisheries Commission



**NORTH CAROLINA MARINE FISHERIES COMMISSION
DEPARTMENT OF ENVIRONMENTAL QUALITY**

COMMISSIONERS

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

SAMMY CORBETT
Chairman

MARK GORGES
Wrightsville Beach
CHUCK LAUGHRIDGE
Harkers Island
JANET ROSE
Moyock
JOE SHUTE
Morehead City

RICK SMITH
Greenville
MIKE WICKER
Raleigh
ALISON WILLIS
Harkers Island
BRAD KOURY
Burlington

June 14, 2017

Mr. Robert E. Beal, Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201

Dear Mr. Beal:

I am writing on behalf of the N.C. Marine Fisheries Commission regarding the Atlantic Menhaden Interstate Fishery Management Plan. On May 17, 2017, our commission voted to support Option 3-D in the draft amendment to the plan. I'd like to ask that you share this letter with the Atlantic Menhaden Management Board.

Please note that these comments do not necessarily reflect the position of the N.C. Department of Environmental Quality or the N.C. Division of Marine Fisheries.

Thank you in advance for keeping our recommendation in mind as the amendment to this plan is being developed and please know how much we appreciate the work you do on behalf of our Atlantic Coast fisheries.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Marine Fisheries Commission



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June 14, 2017

Mr. Robert E. Beal, Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201

Dear Mr. Beal:

I am writing on behalf of the N.C. Marine Fisheries Commission regarding the management of cobia. On May 17, 2017, our commission voted to send letters to the Atlantic States Marine Fisheries Commission and the South Atlantic Fishery Management Council expressing support for the transfer of management of cobia to the Atlantic States Marine Fisheries Commission to provide North Carolina with a state quota allocation to be managed by the N.C. Marine Fisheries Commission and the N.C. Division of Marine Fisheries.

Please note that these comments do not necessarily reflect the position of the N.C. Department of Environmental Quality or the N.C. Division of Marine Fisheries.

Thank you in advance for consideration of this request and please know how much we appreciate the work you do on behalf of our Atlantic Coast fisheries.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Marine Fisheries Commission



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BRAD KOURY
Burlington

June 14, 2017

Mr. Gregg Waugh, Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, S.C. 29405

Dear Mr. Waugh:

I am writing on behalf of the N.C. Marine Fisheries Commission regarding the management of cobia. On May 17, 2017, our commission voted to send letters to the Atlantic States Marine Fisheries Commission and the South Atlantic Fishery Management Council expressing support for the transfer of management of cobia to the Atlantic States Marine Fisheries Commission to provide North Carolina with a state quota allocation to be managed by the N.C. Marine Fisheries Commission and the N.C. Division of Marine Fisheries.

Please note that these comments do not necessarily reflect the position of the N.C. Department of Environmental Quality or the N.C. Division of Marine Fisheries.

Thank you in advance for consideration of this request and please know how much we appreciate the work you do on behalf of our South Atlantic fisheries.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Division of Marine Fisheries



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Harkers Island
BRAD KOURY
Burlington

July 21, 2017

Dear Coastal Recreational Fishing License Committee Members and Advisers:

As you are aware from my earlier letters dated March 29 and April 13 of this year, the Wildlife and Sport Fish Restoration Program within the U.S. Fish and Wildlife Service (USFWS) determined that the North Carolina Division of Marine Fisheries (DMF) lacked sufficient statutory authority to administer and disburse funds from the North Carolina Marine Resources Fund (Fund), as required by the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act. Based on the concerns expressed by USFWS, I postponed the May 10, 2017 meeting of the Coastal Recreational Fishing License Committee (Committee) in consultation with Director Braxton Davis, chair of the committee, until the concerns could be addressed.

Recently, the North Carolina General Assembly addressed the concerns of the USFWS by amending N.C. Gen. Stat. §§ 113-307.1, -175.1 and -175.5 to vest the DMF with the sole authority to administer the Fund (Session Law 2017-57, Assent to Provisions of Certain Federal Fisheries Acts). While the purpose of the Fund and the source of its revenue remain unaffected, the North Carolina Marine Fisheries Commission (Commission) no longer has statutory authority over the Fund. Because the purpose of the Committee was to administer the Fund and its authority to make funding decisions was predicated on the Commission's statutory authority over the Fund, the Committee is no longer able to fulfill its intended purpose. As such, effective immediately, I am hereby dissolving the Committee and disbanding its advisory group.

Please accept my sincerest appreciation for your service and hard work on the Committee, as well as for your commitment to our State's marine resources.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Michael Regan, Secretary, N.C. Department of Environmental Quality
Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Marine Fisheries Commission

COUNTY OF HYDE

Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-Chair
Benjamin Simmons, III
Tom Pahl
Dick Tunnell

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
252-926-3701 Fax

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCC
Clerk to the Board



HYDE COUNTY BOARD OF COMMISSIONERS RESOLUTION IN OPPOSITION OF HOUSE BILL 867

WHEREAS, on January 3, 2017, the Hyde County Board of Commissioners passed a Resolution in Opposition to Petition for Rulemaking to Amend 15A Admin. Code 3L.0101, 3L.0103, 3M.0522, 3M.0523, 3N.0151, and 3R.0105 to Designate Special Secondary Nursery Areas and Reduce Bycatch Mortality in North Carolina Coastal Fishing Waters as Presented by the North Carolina Wildlife Federation; and,

WHEREAS, on March 6, 2017, the Hyde County Board of Commissioners passed a Resolution on Vote of No Confidence in the North Carolina Marine Fisheries Commission; and,

WHEREAS, there is now House Bill 867, which is just another attempt at destroying our commercial fishing industry in North Carolina waters; and,

WHEREAS, newly created opposition to our commercial shrimping and fishing industries is the same wolf in a different disguise. Originally, it was the NC Wildlife Federation (NCWF) and the Coastal Conservation Association (CCA). It has now developed into two new special interest groups, NC Camo Coalition and NC Sound Solutions. All of them are supported by big money recreational interests.

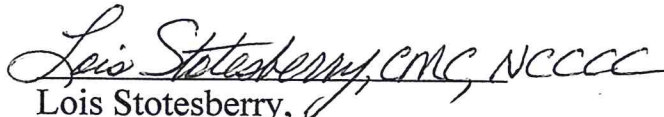
NOW, THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners stand steadfast in their resolution of no confidence in the North Carolina Marine Fisheries Commission and also in their resolution against amending 15A in the attempt to designate special secondary nursery areas and

reduce bycatch mortality in North Carolina fishing waters. Furthermore, we stand in total opposition of House Bill 867.

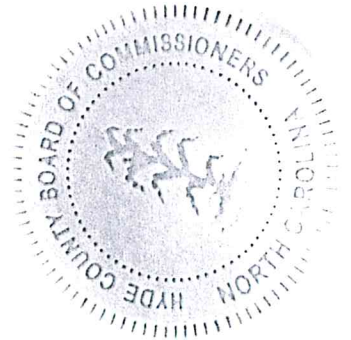
Adopted this the 10th day of July, 2017.



Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners



Lois Stotesberry,
Clerk to the Board



REMINDER

MANDATORY EDUCATION REQUIREMENTS

MANDATORY EDUCATION.

Public Servants and Ethics Liaisons. The State Government Ethics Act *requires* that every public servant and ethics liaison complete an ethics and lobbying education presentation/program approved by the State Ethics Commission *within 6 months* of the person's election, reelection, appointment, or employment **and** complete a refresher ethics presentation *at least every two years thereafter*.

The willful failure of a public servant serving on a board to comply with the education requirements may subject the person to removal from the board. The willful failure of a public servant who is a State employee to comply with the education requirement may be considered a violation of a written work order permitting disciplinary action. Therefore, if there are public servants in your agency or on your covered state board or commission who are past due for completing their ethics education requirements, **those individuals should attend a live presentation, distance video-streamed presentation or complete the online education as soon as possible.**

Legislators. The State Government Ethics Act *requires* that every legislator complete an ethics and lobbying education presentation/program approved by the State Ethics Commission and the Legislative Ethics Committee *within 2 months* of either the convening of the General Assembly to which the legislator is elected or the legislator's appointment, whichever is later, **and** complete a refresher ethics education presentation *at least every two years thereafter*.

The willful failure of a legislator to comply with these education requirements may subject the legislator to sanctions under the Legislative Ethics Act.

Legislative Employees. The State Government Ethics Act *requires* that every legislative employee complete an ethics and lobbying education presentation/program approved by the State Ethics Commission and the Legislative Ethics Committee *within 3 months* of the person's employment **and** complete a refresher ethics education presentation *at least every two years thereafter*.

The willful failure of a legislative employee to comply with these education requirements may subject the person to disciplinary action by their hiring authority.

Legislators and Legislative Employees may check the status of their ethics education by going to the General Assembly intra-net page. Legislators and legislative employees who are past due for completing their ethics education requirements should contact Denise Adams with the Research Division of the General Assembly at denise.adams@ncleg.net or 919-301-1991 to coordinate/schedule their ethics education training.

ETHICS AND LOBBYING EDUCATION TRAINING.

Public Servants and Ethics Liaisons may complete the required basic or refresher ethics and lobbying education training by either attending a live presentation, a distance video streamed presentation or completing the online education modules.

- **Live and Distance Video-Streamed Presentation Dates.** The State Ethics Commission has scheduled live ethics and lobbying education presentations and distance video-streamlined presentations for the remainder of 2014. Dates, locations, and registration information are on the Commission's website at:
www.ethicscommission.nc.gov/education/eduSchedule.aspx.
- **Online Education.** The State Ethics Commission also offers online ethics and lobbying education. The education modules and instructions are on the Commission's website at:
www.ethicscommission.nc.gov/education/eduOnline.aspx.

Legislators may complete the required basic or refresher ethics and lobbying education training by attending a live presentation at the beginning of the legislative session jointly provided by the Ethic Commission and the Research Division of the General Assembly.

Legislative Employees may complete the required basic or refresher ethics and lobbying education training by going online to the General Assembly intra-net page.

REGISTRATION AND QUESTIONS.

- **Public Servants and Ethics Liaisons** please contact Sue Lundberg at (919) 715-2071 or by e-mail at Education.Ethics@doa.nc.gov to register for ethics and lobbying education training or if you have ethics education questions.
- **Legislators and Legislative Employees** please contact the General Assembly ethics hotline at 919-301-1991 or email Denise Adams at denise.adams@ncleg.net if you have questions about the ethics and lobbying education training or have ethics education questions.

Thank you for giving this matter your immediate attention and for sharing this information with all members of your covered board, commission or committee, all staff and employees covered under the State Government Ethics Act, and all legislators and legislative employees.



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

Mailing Address:
P.O. Box 27255
Raleigh, NC 27611-7255

Phone: (919) 733-7173
Fax: (919) 715-0135

KIM WESTBROOK STRACH
Executive Director

State Board of Elections and State Ethics Commission Merged into One New State Board

On June 1, 2017, a panel of superior court judges dismissed a lawsuit challenging the constitutionality of Session Law 2017-6, the [state law](#) creating the Bipartisan State Board of Elections and Ethics Enforcement (State Board). The new State Board merges the N.C. State Board of Elections and the N.C. State Ethics Commission and assumes duties formerly overseen by these two agencies, along with lobbying compliance carried out by the Secretary of State. Though parties to the lawsuit may seek additional review on appeal, for now, the consolidated State Board is the agency to enforce North Carolina's elections, ethics and lobbying laws.

Currently, the ethics staff and the election staff of the State Board are housed in different buildings. However, the goal is for all staff to be housed in one building by September 1, 2017. **So, the ethics staff will be moving soon, but until then we will remain at our present location at 424 North Blount Street in Raleigh and our direct telephone number remains 919-814-3600.**

Although the State Board is a new entity, the State Government Ethics Act (Ethics Act) remains in effect and applies to the same individuals as it did prior to this merger. **The duties and obligations of the Ethics Act remain, including the *SEI filing requirements and the Ethics Education training requirements*.** In addition, the duties of Agency Heads, including Board Chairs, and those of Ethics Liaisons remain the same.

If you have questions or need additional help, please feel free to contact us at 919.814.3600

Sue Lundberg, Education Attorney - Gretchen Aycock, SEI Attorney

2017 Meeting Planning Calendar

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