



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM

June 11, 2018

TO: KDH Board of Commissioners
FROM: Mayor Sheila F. Davies, Ph.D.
REF: Mayor's Agenda

1. Resolution Opposing North Carolina House Bill 1063 that would Change the Definition of Commercial Fishing (Attached MA-1)

The North Carolina Marine Fisheries Commission is seeking to redefine “commercial fisherman” by, among other things, establishing a percentage of personal income that must be derived from commercial fishing. Dare County has taken a strong position opposing the definition change, and for the third time this year the Board of Commissioners has adopted a resolution opposing the definition change. The Kill Devil Hills Board of Commissioners has supported Dare County’s continuing effort by adopting similar resolutions on January 31st and March 12th.

We are proud to support commercial fishermen who are a vital part of our state’s history, heritage and culture and represent a crucial component of the economy for Dare County and other North Carolina coastal communities.

I recommend approval of the *Resolution Opposing North Carolina House Bill 1063 that would Change the Definition of Commercial Fishing*, as presented, and a motion will be in order.

Staff will post and distribute this action upon adoption.

RESOLUTION
OPPOSING NORTH CAROLINA HOUSE BILL 1063
THAT WOULD CHANGE THE DEFINITION OF COMMERCIAL FISHING

WHEREAS, the Town of Kill Devil Hills Board of Commissioners has steadfastly supported North Carolina's Commercial Fishers who are a vital part of our State's history, heritage, and culture and represent a crucial component of the economy for the Town of Kill Devil Hills and other coastal communities. According to the N.C. Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishers is \$166,066,000; and

WHEREAS, House Bill 1063 proposes to drastically raise the annual Commercial Fishing license fee and impose a burdensome requirement that commercial license holders demonstrate a minimum level of participation by documenting at least 1,000 pounds of seafood during any two out of five continuous years; and

WHEREAS, the introduction of House Bill 1063 is yet another attempt to redefine commercial fishing, which would be detrimental to North Carolina's Commercial Fishing Industry. In fact, earlier this year the North Carolina Marine Fisheries Commission embarked on an effort to change the criteria of what constitutes a commercial fishing operation by imposing, among other things, that license holders document annual seafood landings of at least 1,000 pounds; and

WHEREAS, the Town of Kill Devil Hills Board of Commissioners on January 31, 2018 and again on March 12, 2018 adopted unanimous resolutions opposing any change in the definition of commercial fishing based on the following - - -

- No other professional license issued by the State dictates a level of participation in order for its holders to qualify. Furthermore the definition of what constitutes commercial fishing in North Carolina has already been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes.
- Imposing an arbitrary level of participation based on landings would unfairly have a harsh and punitive effect on coastal communities hit by hurricanes and other natural disasters where many commercial license holders, whose income generating season may have been entirely wiped out by a storm, are forced to temporarily divert their time and talents to other business enterprises.
- Those who engage in commercial fishing already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to support their families.
- In October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial

fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisher. In its Final Report the Taskforce clearly stated its recommendation that “no changes are needed to the existing definition;”

WHEREAS, House Bill 1063 is an attempt to fix something that is not broken and would jeopardize coastal communities whose economy and wellbeing are dependent upon both full-time and part-time commercial fishers who are small, independent businesses that work hard under adverse conditions to put fresh, healthy North Carolina seafood on American tables.

NOW THEREFORE BE IT RESOLVED that the Town of Kill Devil Hills Board of Commissioners reaffirms its unwavering commitment to North Carolina’s commercial fishing industry by strongly opposing House Bill 1063, or any other action, that would change the definition of Commercial Fishing or cause harm to North Carolina’s Working Watermen.

Adopted this the 11th day of June, 2018.

Sheila F. Davies, Ph.D.

SEAL

ATTEST:

James Michael O’Dell
Deputy Town Clerk