

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**SENATE BILL 829**

Short Title: Study Reorganization of Fish & Wildlife Mgmt. (Public)

Sponsors: Senators Brown, Goolsby, and Rabon.

Referred to: Agriculture/Environment/Natural Resources.

May 21, 2012

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE TO JOINTLY STUDY THE REORGANIZATION OF FISH AND WILDLIFE MANAGEMENT IN THE STATE.

The General Assembly of North Carolina enacts:

**SECTION 1.** It is the intent of the General Assembly to gather information on abolishing the current Marine Fisheries Commission, transferring its powers and duties to the Wildlife Resources Commission, and merging all powers, duties, functions, and personnel of the Division of Marine Fisheries of the Department of Environment and Natural Resources and the Wildlife Resources Commission into a new Fish and Wildlife Resources Commission effective July 1, 2013. Prior to October 1, 2012, the Commissioner of Agriculture is authorized to review and identify positions or duties regarding fisheries resource management currently carried out by the Marine Fisheries Commission or the Division of Marine Fisheries of the Department of Environment and Natural Resources that are within the scope of the overall mission of the Department of Agriculture and Consumer Services.

**SECTION 2.** The Executive Director of the Wildlife Resources Commission, the Director of the Division of Marine Fisheries of the Department of Environment and Natural Resources, and, where appropriate, the Commissioner of Agriculture shall, in consultation with various user groups, examine ways to:

- (1) Provide for the efficient and effective transfer of all statutory authority, powers, duties, and functions, including, but not limited to, rule making, licensing, and the rendering of findings, orders, and adjudications.
- (2) Provide for the efficient and effective transfer and consolidation of all records, personnel, property, and unexpended balances of appropriations, allocations, or other funds. This component of the study shall specifically:
  - (a) Provide a detailed description of the proposed organization of the reorganized agencies.
  - (b) Identify any areas of overlap between programs or personnel.
  - (c) Provide for the consolidation of law enforcement functions.
  - (d) Identify a target reduction of five percent (5%) in personnel and budgetary spending to be achieved by the reorganization.
- (3) Provide for the uninterrupted and unimpaired continuation of all:
  - (a) Services provided by the agencies.
  - (b) Rules adopted or implemented by the agencies.



- 1 (c) Contracts or other obligations entered into by either agency.
- 2 (d) Proceedings to which either agency is a party.
- 3 (4) Identify all statutory, rule, and policy changes that would be necessary to
- 4 reorganize fish and wildlife management in the State.
- 5 (5) Identify and address any other issues necessary to implement Section 1 of
- 6 this act.

7 **SECTION 3.** The Executive Director of the Wildlife Resources Commission, the  
8 Director of the Division of Marine Fisheries of the Department of Environment and Natural  
9 Resources, and, if appropriate, the Commissioner of Agriculture shall jointly report on the  
10 study conducted pursuant to Section 2 of this act to the Legislative Research Commission  
11 Committee on Marine Fisheries no later than October 1, 2012.

12 **SECTION 4.** This act is effective when it becomes law.