

### § 113-130. Definitions relating to activities of public.

The following definitions and their cognates apply to activities of the public in regard to marine and estuarine and wildlife resources:

- (1) Repealed by Session Laws 1979, c. 830, s. 1.
- (1a) Falconry. – The sport of taking quarry by means of a trained raptor.
- (1b) Individual. – A human being.
- (1c) Landholder. – Any individual, resident or nonresident, owning land in this State or, when he is the one principally engaged in cultivating the land, leasing land in this State for agricultural purposes.
- (2) Owner; Ownership. – As for personal property, refers to persons having beneficial ownership and not to those holding legal title for security; as for real property, refers to persons having the present right of control, possession, and enjoyment, whether as life tenant, fee holder, beneficiary of a trust, or otherwise. Provided, that this definition does not include lessees of property except where the lease arrangement is a security device to facilitate what is in substance a sale of the property to the lessee.
- (3) Person. – Any individual; or any partnership, firm, association, corporation, or other group of individuals capable of suing or being sued as an entity.
- (4) Resident. – In the case of:
  - a. Individuals. – One who at the time in question has resided in North Carolina for the preceding six months or has been domiciled in North Carolina for the preceding 60 days. When domicile in the State for a period of 60 days up to six months is the basis for establishing residence, the individual must sign a certificate on a form supplied by the Department or the Wildlife Resources Commission, as the case may be, stating the necessary facts and the intent to establish domicile here.
  - b. Corporations. – A corporation which is chartered under the laws of North Carolina and has its principal office within the State.
  - c. Partnerships. – A partnership in which all partners are residents of North Carolina and which has its principal office in the State.
  - d. Other Associations and Groups Fitting the Definition of Person. – An association or group principally composed of individual residents of North Carolina, with its principal office, if any, in the State, and organized for a purpose that contemplates more involvement or contact with this State than any other state.
  - e. Military Personnel and Their Dependents. – A member of the Armed Forces of the United States stationed at a military facility in North Carolina, the member's spouse, and any dependent under 18 years of age residing with the member are deemed residents of the State, of the county in which they live, and also, if different, of any county in which the military facility is located. A member of the Armed Forces of the United States on active duty outside the State of North Carolina shall be deemed an individual resident of the State for purposes of all the following licenses:
    1. Coastal Recreational Fishing Licenses issued pursuant to G.S. 113-174.2(c)(1) and (c)(4).
    2. Combination Hunting and Inland Fishing Licenses issued pursuant to G.S. 113-270.1C(b)(1).

3. Sportsman Licenses issued pursuant to G.S. 113-270.1D(a).
  4. Hunting Licenses issued pursuant to G.S. 113-270.2(c)(1) and (c)(5).
  5. Special Activity Licenses issued pursuant to G.S. 113-270.3(b)(1).
  6. Trapping Licenses issued pursuant to G.S. 113-270.5(b)(1).
  7. Hook-and-Line Licenses issued pursuant to G.S. 113-271(d)(1), (d)(2), and (d)(6)a.
  8. Unified Hunting and Fishing Licenses issued pursuant to G.S. 113-351(c)(1) and (c)(2).
- f. Students. – Nonresident students attending a university, college, or community college in the State.
- (4a) To Buy; Purchase. – Includes a purchase or exchange of property, or an offer or attempt to purchase or exchange, for money or any other valuable consideration.
- (5) To Fish. – To take fish.
- (5a) To Hunt. – To take wild animals or wild birds.
- (6) To Sell; Sale. – Includes a sale or exchange of property, or an offer or attempt to sell or exchange – for money or any other valuable consideration.
- (7) To Take. – All operations during, immediately preparatory, and immediately subsequent to an attempt, whether successful or not, to capture, kill, pursue, hunt, or otherwise harm or reduce to possession any fisheries resources or wildlife resources.
- (7a) To Trap. – To take wild animals or wild birds by trapping.
- (8) Vessel. – Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. (1965, c. 957, s. 2; 1971, c. 705, s. 3; 1973, c. 1262, s. 18; 1979, c. 830, s. 1; 2005-455, s. 1.21; 2011-183, s. 76; 2013-191, s. 1.)