

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 411

Short Title: Currituck Game Comm. Changes.

(Local)

Sponsors: Representatives Owens and H. Hunter.

Referred to: Ways and Means, if favorable, Finance.

March 6, 1997

A BILL TO BE ENTITLED

AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 8 of Chapter 1436 of the 1957 Session Laws, as rewritten by Section 6 of Chapter 622 of the 1981 Session Laws, reads as rewritten:

"Sec. 8. To obtain a license for either a stationary bush blind or a floating bush blind, the applicant shall apply in writing to the clerk to the Game Commission enclosing:

(a) ~~For a bush blind, \$15.00; and~~

(b) ~~For a float blind, \$20.00.~~

(1) Twenty-five dollars (\$25.00) if the applicant is a resident of North Carolina; or

(2) Two hundred fifty dollars (\$250.00) if the applicant is not a resident of North Carolina.

~~Of the amount remitted, the clerk to the Game Commission shall retain one dollar (\$1.00) as an issuance fee for each license issued. In addition to the application fee, each application shall be accompanied by a nonrefundable processing fee of ten dollars (\$10.00). Applicants shall submit proof of North Carolina residency along with each application.~~

1 Applicants who are not residents of North Carolina but who were the holders of
2 licensed blinds for the 1996-97 waterfowl season shall be charged as North Carolina
3 residents for all subsequent renewals of that application. However, this exemption
4 terminates if the blind license is not renewed during any subsequent annual renewal
5 period and is not transferable to any different blind location.

6 Float blinds when licensed shall bear the license number or tag, and the same shall be
7 displayed in a prominent or conspicuous place upon the blind."

8 Section 2. Subsection (b) of Section 10 of Chapter 1436 of the 1957 Session
9 Laws, as amended by Section 7 of Chapter 622 of the 1981 Session Laws and Section 4
10 of Chapter 764 of the 1983 Session Laws, reads as rewritten:

11 "(b) Application must be filed on or before August 1 of each year to insure timely
12 consideration. To obtain a license for a point blind, the applicant shall apply in writing to
13 the clerk to the Game Commission enclosing twenty-five dollars (\$25.00). ~~Of the amount~~
14 ~~remitted, the clerk to the Game Commission shall retain two dollars (\$2.00) as an issuance fee~~
15 ~~for each license issued.~~ In addition to the application fee, each application shall be
16 accompanied by a nonrefundable processing fee of ten dollars (\$10.00)."

17 Section 3. Section 18 of Chapter 1436 of the 1957 Session Laws, as rewritten
18 by Section 9 of Chapter 622 of the 1981 Session Laws, reads as rewritten:

19 "Sec. 18. The Game Commission of Currituck County is empowered to pay the
20 necessary fees of attorneys, surveyors, and accountants; the costs of printing license
21 forms for hunting blind licenses to be furnished to the clerk to the Game Commission;
22 and other necessary expenses of carrying out the duties imposed by this act. Each
23 member shall be paid a per diem of ten dollars (\$10.00) and travel expenses of fifteen
24 cents (15¢) per mile while engaged in official business of the Game Commission. the
25 Chairman of the Game Commission shall be paid one thousand dollars (\$1,000) per year
26 in addition to per diem and travel for the fulfillment of his duties as chairman, in such
27 installments as the Commission may direct. Each Game Commission member shall be
28 paid five hundred dollars (\$500.00) per year in addition to per diem and travel in such
29 installments as the Game Commission may direct. The clerk to the Game Commission
30 shall receive an annual salary of five hundred dollars (\$500.00) for the performance of
31 his duties for the Game Commission in addition to his fees for issuing licenses.

32 ~~The Game Commission may accumulate an operating reserve of funds to carry out the~~
33 ~~necessary duties imposed by this act in an amount deemed necessary by the Game~~
34 ~~Commission, but not to exceed five thousand dollars (\$5,000). At the end of each fiscal~~
35 ~~year any funds held by the Game Commission in excess of the operating reserve must be~~
36 ~~paid to the North Carolina Wildlife Commission for deposit in the Wildlife Resources~~
37 ~~Fund.~~

38 In addition, the Game Commission may disburse excess funds generated from fees to
39 an organization established as a nonprofit corporation under North Carolina law for the
40 purpose of conservation, habitat enhancement, and waterfowl protection in Currituck
41 County. The board of directors of this corporation shall be appointed by the Currituck
42 County Board of Commissioners and shall include a representative designated by the
43 Wildlife Resources Commission as a nonvoting member.

1 Prior to the beginning of the Game Commission's fiscal year it shall file a copy of its
2 budget for that year with the North Carolina Wildlife Resources Commission. Within 30
3 days following receipt of the audit report made after the close of a fiscal year, the Game
4 Commission shall file a copy of the audit report with the Wildlife Commission."

5 Section 4. Section 24 of Chapter 1436 of the 1957 Session Laws, as rewritten
6 by Section 5 of Chapter 808 of the 1989 Session Laws, reads as rewritten:

7 "Sec. 24. (a) The—Unless modified by the Game Commission pursuant to
8 subsection (d) of this section, in all areas of Currituck County lying east and north of the
9 line described in subsection (c) of this section, the starting time for waterfowl hunting
10 each day, and the quitting time for waterfowl hunting each day prior to November 1 and
11 after January 31 of the hunting season, shall be as set by the North Carolina Wildlife
12 Resources Commission, or as required by the statewide game law. The quitting time for
13 waterfowl hunting each day after—from November 1 through January 31 of the hunting
14 season shall be 4:20 p.m. Eastern Standard Time.

15 (b) Unless modified by the Game Commission pursuant to subsection (d) of this
16 section, in all areas of Currituck County lying west of the line described in subsection (c)
17 of this section, the starting time for waterfowl hunting each day, and the quitting time for
18 waterfowl hunting each day, shall be as set by the North Carolina Wildlife Resources
19 Commission, or as required by the statewide game law.

20 (c) The line of demarcation between the waterfowl hunting regions referred to in
21 subsections (a) and (b) of this section is as follows:
22 Beginning at a point located on the boundary line between the State of North Carolina
23 and the Commonwealth of Virginia and which point marks the center of the Atlantic
24 Intracoastal Waterway (AICW) as established by the United States Army Corps of
25 Engineers and thence following the center of the AICW channel in a southerly direction
26 to the point which marks the intersection with the center of the ferry channel for the
27 Currituck-Knotts Island Ferry; thence running in a southeasterly direction to the
28 northeastern point of Churches Island at a point where the right-of-way of NCSR 1142
29 (the road from Coinjock to Churches Island) would terminate if extended in a northerly
30 direction to the high water mark of the sound; thence following the center line of NCSR
31 1142 and the northerly extension thereof in a southerly and westerly direction through
32 Churches Island and continuing to a point where the right-of-way intersects the center of
33 U.S. Highway 158 near the bridge crossing the AICW at Coinjock; thence following the
34 center line of U.S. Highway 158 in a southerly direction to the center of the Currituck
35 Sound and the line marking the boundary between Dare County and Currituck County.

36 (d) Subject to the approval of the Currituck County Board of Commissioners, the
37 Game Commission may modify the times for waterfowl hunting set forth in this section
38 upon specific findings, after duly advertised public hearing, that the modifications will
39 benefit the waterfowl flyway and habitat within Currituck County and will promote
40 safety and conservation of resources. However, the Game Commission may not modify
41 the times for waterfowl hunting to allow hunting during times when waterfowl hunting is
42 otherwise prohibited by the Wildlife Resources Commission in other areas of the State."

43 Section 5. This act is effective when it becomes law.