

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 816
Finance Committee Substitute Adopted 4/29/97

Short Title: Alligator/Yellow Perch Production.

(Public)

Sponsors:

Referred to:

April 14, 1997

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE NEED TO OBTAIN PRIOR APPROVAL FROM THE WILDLIFE RESOURCES COMMISSION TO RAISE YELLOW PERCH COMMERCIALY IN SOME AREAS OF THE STATE AND TO ALLOW ALLIGATORS TO BE RAISED COMMERCIALY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-761(c) reads as rewritten:

"(c) Exceptions for Species Not Listed. – The following fish species that are not listed in subsection (b) of this section may be produced and sold as if they were listed in that subsection with the following restrictions:

(1) Hybrid striped bass. – ~~The hybrid striped bass shall be subject to rules adopted by the Board of Agriculture in all river basins of the State except for the Neuse, Roanoke, and Tar/Pamlico River basins. In these basins production,~~ Production, propagation, and holding facilities in the Neuse, Roanoke, or Tar/Pamlico River basins for the hybrid striped bass shall comply with additional escapement prevention measures as prescribed by the Wildlife Resources Commission.

1 (2) Yellow perch. – A letter of approval from the Wildlife Resources
2 Commission is required before the yellow perch, perca flavescens, may
3 be raised at a facility located west of Interstate Highway 77."

4 Section 2. Article 63 of Chapter 106 of the General Statutes is amended by
5 adding a new section to read:

6 **"§ 106-763.1. Propagation and production of American alligators.**

7 (a) License Required. – A person who intends to raise American alligators
8 commercially must first obtain an Aquaculture Propagation and Production Facility
9 License from the Department. The Board of Agriculture may regulate a facility that
10 raises American alligators to the same extent that it can regulate any other facility
11 licensed under this Article.

12 (b) Requirements. – A facility that raises American alligators commercially must
13 comply with all of the following requirements:

14 (1) Before a facility begins operation, it must prepare and implement a
15 confinement plan. After a facility begins operation, it must adhere to
16 the confinement plan. A confinement plan must comply with guidelines
17 developed and adopted by the Wildlife Resources Commission. The
18 Department may inspect a facility to determine if the facility is
19 complying with the confinement plan. As used in this subdivision,
20 'confinement' includes production within a building or similar structure
21 and a perimeter fence.

22 (2) A facility can possess only hatchlings that have been permanently
23 tagged and have an export permit from their state of origin. The facility
24 must keep records of all hatchlings it receives and must make these
25 records available for inspection by the Wildlife Resources Commission
26 and the Department upon request.

27 (3) If the facility uses swine, poultry, or other livestock for feed, it must
28 have a disease management plan that has been approved by the State
29 Veterinarian, and it must comply with the plan.

30 (4) The activities of the facility must comply with the Endangered Species
31 Act and the Convention on International Trade in Endangered Species.
32 The Department is the State agency responsible for the administration of
33 this program for farm-raised alligators.

34 (c) Sanctions. – The operator of a facility that possesses an untagged or
35 undocumented alligator commits a Class H felony if the operator knows the alligator is
36 untagged or undocumented. Conviction of an operator of a facility under this section
37 revokes the license of the facility for five years beginning on the date of the conviction.
38 An operator convicted under this section may not be the operator of any other facility
39 required to be licensed under this Article for five years beginning on the date of the
40 conviction."

41 Section 3. This act is effective when it becomes law.