

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40718-TQa-47

Short Title: Fallen Wildlife Officers Memorial License. (Public)

Sponsors: Representatives Dixon, J. Bell, Lewis, and Adams (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE FALLEN WILDLIFE OFFICERS MEMORIAL LIFETIME
3 SPORTSMAN LICENSE, ALSO KNOWN AS THE JOHN OLIVER EDWARDS
4 MEMORIAL LIFETIME SPORTSMAN LICENSE, FOR SURVIVING FAMILY
5 MEMBERS OF WILDLIFE ENFORCEMENT OFFICERS KILLED IN THE LINE OF
6 DUTY.

7 Whereas, Deputy Game Warden John W. Hollowell lost his life in the line of duty on
8 August 30, 1930; and

9 Whereas, Game Warden Joseph D. Whitaker lost his life in the line of duty on
10 November 15, 1936; and

11 Whereas, District Game and Fish Protector W. I. Wright, Jr., lost his life in the line
12 of duty on October 31, 1948; and

13 Whereas, Wildlife Agent Grover C. Quinn, Jr., lost his life in the line of duty on
14 March 25, 1949; and

15 Whereas, Wildlife Protector William G. Holler lost his life in the line of duty on
16 October 19, 1951; and

17 Whereas, Wildlife Protector Amos M. Bordeaux lost his life in the line of duty on
18 April 10, 1962; and

19 Whereas, Wildlife Enforcement Officer John O. Edwards lost his life in the line of
20 duty on August 3, 1963; and

21 Whereas, Wildlife Refuge Manager Dewey H. McCall lost his life in the line of duty
22 on September 5, 1971; and

23 Whereas, Wildlife Enforcement Area Leader Troy M. Sigmon lost his life in the line
24 of duty on September 1, 1978; and

25 Whereas, Wildlife Enforcement Officer Lloyd O. Mayse lost his life in the line of
26 duty on November 27, 1980; and

27 Whereas, Wildlife Enforcement Officer William A. Williamson lost his life in the line
28 of duty on December 4, 1985; and

29 Whereas, thousands of men and women proudly perform their duties as wildlife
30 enforcement officers throughout the United States and the State of North Carolina; and

31 Whereas, Section 5 of Article XIV of the North Carolina Constitution declares it to
32 be the policy of this State to conserve and protect its lands and waters for the benefit of all its
33 citizenry; and

34 Whereas, Section 5 of Article XIV of the North Carolina Constitution also declares it
35 to be the proper function of the State to preserve as a part of the common heritage of this State
36 its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty; and



1 Whereas, G.S. 143B-135.42 provides that the State of North Carolina offers unique
2 archaeological, geological, biological, scenic, and recreational resources and finds that these
3 resources are part of the heritage of the people of this State and should be preserved and managed
4 by the people for their use and for the use of their visitors and descendants; and

5 Whereas, the Wildlife Enforcement Officers of the Wildlife Resources Commission
6 are dedicated public servants and work tirelessly to uphold these provisions of the State's
7 Constitution and General Statutes, fulfill their duties to preserve our State's spectacular natural
8 resources, and assure the safety of the State's citizenry in enjoying these resources; and

9 Whereas, the origins of the Wildlife Resource Commission may be traced to 1947,
10 when the General Assembly established the agency to conserve and sustain the State's wildlife
11 and inland fish resources; and

12 Whereas, the Wildlife Enforcement Officers of the Wildlife Resources Commission
13 have responsibility for enforcement of the inland fishing, hunting, trapping, and boating laws
14 throughout the State; and

15 Whereas, many Wildlife Enforcement Officers have been injured in the line of duty,
16 and eleven Wildlife Enforcement Officers have lost their lives in the line of duty; and

17 Whereas, it is fitting to honor and commend the exemplary group of men and women
18 who have served and continue to serve our State and nation and routinely endure dangerous and
19 difficult conditions in the performance of their duties and those that have been injured and lost
20 in the line of duty through service to their State and nation; Now, therefore,
21 The General Assembly of North Carolina enacts:

22 **SECTION 1.** G.S. 113-270.1D reads as rewritten:

23 **"§ 113-270.1D. Sportsman licenses.**

24 (a) Annual Sportsman License – \$50.00. This license shall be issued only to an individual
25 resident of the State and entitles the licensee to take all wild animals and wild birds, including
26 waterfowl, by all lawful methods in all open seasons, including the use of game lands, and to fish
27 with hook and line for all fish in all inland and joint fishing waters, including public mountain
28 trout waters. An annual sportsman license issued under this subsection does not entitle the
29 licensee to engage in recreational fishing in coastal fishing waters that are not joint fishing waters.

30 (b) Lifetime Sportsman Licenses. Except as provided in subdivision (7) of this
31 subsection, lifetime sportsman licenses are valid for the lifetime of the licensees. Lifetime
32 sportsman licenses entitle the licensees to take all wild animals and wild birds by all lawful
33 methods in all open seasons, including the use of game lands, and to fish with hook and line for
34 all fish in all inland and joint fishing waters, including public mountain trout waters. A lifetime
35 sportsman license issued under this subsection does not entitle the licensee to engage in
36 recreational fishing in coastal fishing waters that are not joint fishing waters. Lifetime sportsman
37 licenses issued by the Wildlife Resources Commission are:

38 (1) Infant Lifetime Sportsman License – \$200.00. This license shall be issued
39 only to an individual under one year of age.

40 (2) Youth Lifetime Sportsman License – \$350.00. This license shall be issued
41 only to an individual under 12 years of age.

42 (3) Adult Resident Lifetime Sportsman License – \$500.00. This license shall be
43 issued only to an individual resident of the State who is 12 years of age or
44 older but younger than 70 years of age.

45 (4) Nonresident Lifetime Sportsman License – \$1,200. This license shall be
46 issued only to an individual nonresident of the State.

47 (5) Age 70 Resident Lifetime Sportsman License – \$15.00. This license shall be
48 issued only to an individual resident of the State who is at least 70 years of
49 age.

50 (6) Repealed by Session Laws 2005-455, s. 1.7 effective January 1, 2007.

- 1 (7) Resident Disabled Veteran Lifetime Sportsman License – \$100.00. This
2 license shall be issued only to an individual who is a resident of the State and
3 who is a fifty percent (50%) or more disabled veteran as determined by the
4 United States Department of Veterans Affairs or as established by rules of the
5 Wildlife Resources Commission. This license remains valid for the lifetime
6 of the licensee so long as the licensee remains fifty percent (50%) or more
7 disabled.
- 8 (8) Resident Totally Disabled Lifetime Sportsman License – \$100.00. This
9 license shall be issued only to an individual who is a resident of the State and
10 who is totally and permanently disabled as determined by the Social Security
11 Administration or as established by rules of the Wildlife Resources
12 Commission.
- 13 (9) Fallen Wildlife Officers Memorial Lifetime Sportsman License. – This license
14 shall also be known as the John Oliver Edwards Memorial Lifetime Sportsman
15 License and shall be issued free of charge only to a surviving spouse, child,
16 grandchild, or great-grandchild of a wildlife enforcement officer killed in the
17 line of duty."

18 **SECTION 2.** G.S. 113-270.3 reads as rewritten:

19 **"§ 113-270.3. Special activity licenses; big game kill reports.**

20 (a) In addition to any hunting, trapping, or fishing license that may be required pursuant
21 to G.S. 113-270.1B(a), individuals engaging in specially regulated activities must have the
22 appropriate special activity license and stamp prescribed in this section before engaging in the
23 regulated activity.

24 (b) The special activity licenses and stamp issued by the Wildlife Resources Commission
25 are as follows:

- 26 (1) Resident Big Game Hunting License – \$13.00. This license shall be issued
27 only to an individual resident of the State and entitles the holder to take big
28 game by all lawful methods and during all open seasons.
- 29 (1a) Nonresident Bear Hunting License – \$225.00. This license is valid for use
30 only by an individual within the State and must be procured before taking any
31 bear within the State. Notwithstanding any other provision of law, a
32 nonresident individual may not take any bear within the State without
33 procuring this license; provided, that neither those persons who have a
34 nonresident lifetime sportsman combination license purchased prior to May
35 24, 1994, nor those persons who have obtained a lifetime license established
36 by G.S. 113-270.1D(b)(9) shall not have to purchase this license.
- 37 (1b) Bear Management Stamp – \$10.00. This electronically generated stamp must
38 be procured before taking any bear within the State. Notwithstanding any
39 other provision of law, a resident or nonresident individual may not take any
40 bear within the State without procuring this stamp; provided, that those
41 persons who have purchased a lifetime license established by
42 G.S. 113-270.1D(b), 113-270.2(c)(2), or 113-351(c)(3) prior to July 1, 2014,
43 those persons who have obtained a lifetime license established by
44 G.S. 113-270.1D(b)(9), and those persons exempt from the license
45 requirements as set forth in G.S. 113-276(c), G.S. 113-276(d), and
46 G.S. 113-276(n) shall obtain this stamp free of charge. All of the revenue
47 generated by this stamp shall be dedicated to black bear research and
48 management.
- 49 (2) Nonresident Big Game Hunting License. This license shall be issued only to
50 an individual nonresident of the State and entitles the holder to take big game

- 1 by all lawful methods and during all open seasons. The nonresident big game
2 hunting licenses issued by the Wildlife Resources Commission are:
- 3 a. Season License – \$80.00.
- 4 b. Ten-Day License – \$60.00. This license is only valid for the 10
5 consecutive dates indicated on the license.
- 6 (2a) Bonus Antlerless Deer License – \$10.00. This license shall be issued to an
7 individual resident or nonresident of the State who holds a valid North
8 Carolina big game hunting license or an individual resident who is exempt
9 from the hunting license requirement in accordance with G.S. 113-276(c) and
10 G.S. 113-276(d) and entitles the holder to take two antlerless deer during
11 seasons and by methods authorized by the Wildlife Resources Commission.
12 This license expires June 30.
- 13 (3) Game Land License – \$15.00. This license shall be issued to an individual
14 resident or nonresident of the State and entitles the holder to hunt and trap on
15 game lands managed by the Wildlife Resources Commission. The Wildlife
16 Resources Commission may, pursuant to G.S. 113-264(a), designate in its
17 rules other activities on game lands that require purchase of this license and
18 may charge additional fees for use of specially developed facilities.
- 19 (4) Falconry License – \$10.00. This license shall be issued to an individual
20 resident or nonresident of the State and must be procured before:
- 21 a. Taking, importing, transporting, or possessing a raptor; or
22 b. Taking wildlife by means of falconry.
- 23 The Wildlife Resources Commission may issue classes of falconry licenses
24 necessary to participate in the federal/State permit system, require necessary
25 examinations before issuing licenses or permits to engage in various
26 authorized activities related to possession and maintenance of raptors and the
27 sport of falconry, and regulate licenses as required by governing federal law
28 and rules. To defray the costs of administering required examinations, the
29 Wildlife Resources Commission may charge reasonable fees upon giving
30 them. To meet minimum federal standards plus other State standards in the
31 interests of conservation of wildlife resources, the Wildlife Resources
32 Commission may impose all necessary controls, including those set out in the
33 sections pertaining to collection licenses and captivity licenses, and may issue
34 permits and require reports, but no collection license or captivity license is
35 needed in addition to the falconry license.
- 36 (5) Migratory Waterfowl Hunting License – \$13.00. This license shall be issued
37 to an individual resident or nonresident of the State and entitles the holder to
38 take migratory waterfowl in accordance with applicable laws and regulations.
39 The Wildlife Resources Commission may implement this license requirement
40 through the sale of an official waterfowl stamp which may be a facsimile, in
41 an appropriate size, of the waterfowl conservation print authorized by
42 G.S. 113-270.2B. An amount not less than one-half of the annual proceeds
43 from the sale of this license shall be used by the Commission for cooperative
44 waterfowl habitat improvement projects through contracts with local
45 waterfowl interests, with the remainder of the proceeds to be used by the
46 Commission in its statewide programs for the conservation of waterfowl.
- 47 (c) Any individual who kills any species of big game must report the kill to the Wildlife
48 Resources Commission. The Commission may by rule prescribe the method of making the report,
49 prescribe its contents, and require positive identification of the carcass of the kill, by tagging or
50 otherwise. The Wildlife Resources Commission may administratively provide for the annual

1 issuance of big game tags or other identification for big game authorized by this section to holders
2 of lifetime sportsman licenses and lifetime comprehensive hunting licenses.

3 (d) Any individual who possesses any of the lifetime sportsman licenses established by
4 G.S. 113-270.1D(b) may engage in specially regulated activities without the licenses required by
5 subdivisions (1), (2), (3), and (5) of subsection (b) of this section. Any individual possessing an
6 annual sportsman license established by G.S. 113-270.1D(a) or a lifetime or annual
7 comprehensive hunting license established by G.S.113-270.2(c)(2) or (5) may engage in
8 specially regulated activities without the licenses required by subdivisions (1), (3), and (5) of
9 subsection (b) of this section.

10 (e) When the Wildlife Resources Commission establishes a primitive weapons season
11 pursuant to G.S. 113-291.2(a), all of the combination hunting and fishing licenses established in
12 G.S.113-270.1C, sportsman licenses established in G.S. 113-270.1D, and hunting licenses
13 established in G.S. 113-270.2(c)(1), (2), (3), (5), and (6) entitle the holder to participate. For
14 purposes of this section, "primitive weapons" include bow and arrow, muzzle-loading firearm,
15 and any other primitive weapon specified in the rules of the Wildlife Resources Commission."

16 **SECTION 3.** G.S. 113-272.3 reads as rewritten:

17 **"§ 113-272.3. Special provisions respecting fishing licenses; grabbling; taking bait fish; use**
18 **of landing nets; lifetime licenses issued from Wildlife Resources Commission**
19 **headquarters; personalized lifetime sportsman combination licenses.**

20 (a) The Wildlife Resources Commission by rule may define the meaning of "hook and
21 line" and "special device" as applied to fishing techniques. Any technique of fishing that may be
22 lawfully authorized which employs neither the use of any special device nor hook and line must
23 be pursued under the appropriate hook-and-line fishing license.

24 (b) In accordance with established fishing customs and the orderly conservation of
25 wildlife resources, the Wildlife Resources Commission may by rule provide for use of nets or
26 other special devices which it may authorize as an incident to hook-and-line fishing or for
27 procuring bait fish without requiring a special device license. In this instance, however, the
28 individual fishing must meet applicable hook-and-line license requirements.

29 (c) Lifetime licenses are issued from the Wildlife Resources Commission headquarters.
30 Each application for an Infant Lifetime Sportsman or Youth Lifetime Sportsman License must
31 be accompanied by a certified copy of the birth certificate, adoption order containing the date of
32 birth, or other proof of age satisfactory to the Commission, of the individual to be named as the
33 licensee. Each application for a Fallen Wildlife Officers Memorial Lifetime Sportsman License
34 shall be accompanied by proof of relationship to the fallen wildlife officer, satisfactory to the
35 Wildlife Resources Commission, of the individual to be named as the licensee.

36 (d) In issuing lifetime licenses, the Wildlife Resources Commission is authorized to adopt
37 rules to establish a personalized series for certain license types and to charge a five dollar (\$5.00)
38 administrative fee, to be deposited in the Wildlife Fund, to defray the cost of issuance of the
39 personalized license. The fee shall not be assessed for a personalized Fallen Wildlife Officers
40 Memorial Lifetime Sportsman License as enacted under G.S. 113-270.1D(b)(9)."

41 **SECTION 4.** The Wildlife Resources Commission may adopt rules to implement
42 this act.

43 **SECTION 5.** Five thousand dollars (\$5,000) in nonrecurring funds for the
44 2018-2019 fiscal year is appropriated to the Wildlife Resources Commission to design and
45 develop the Fallen Wildlife Officers Memorial Lifetime Sportsman License and to implement
46 the provisions of this act.

47 **SECTION 6.** The provisions of G.S. 143C-5-2 do not apply to this act.

48 **SECTION 7.** Sections 1, 2, and 3 of this act become effective July 1, 2019. The
49 remainder of this act is effective when it becomes law.