

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 181
Committee Substitute Favorable 3/23/21
Committee Substitute #2 Favorable 3/30/21
Committee Substitute #3 Favorable 6/3/21
Committee Substitute #4 Favorable 6/22/21

Short Title: Wildlife Resources Comm'n. Amendments.-AB

(Public)

Sponsors:

Referred to:

March 1, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE
3 WILDLIFE RESOURCES COMMISSION.

4 The General Assembly of North Carolina enacts:

5
6 **AUTHORIZE ACQUISITION OR CONSTRUCTION OF CERTAIN CAPITAL**
7 **IMPROVEMENT PROJECTS OF THE COMMISSION**

8 **SECTION 1.(a)** G.S. 143C-8-12 reads as rewritten:

9 **"§ 143C-8-12. Capital improvement projects from sources other than the General Fund.**

10 ...

11 (c) National Guard Projects. – Notwithstanding any other provision of this Chapter, the
12 North Carolina National Guard may approve expenditures for a capital project of the North
13 Carolina National Guard if (i) the project will be funded entirely with federal funds and (ii) any
14 operating costs associated with the project will be paid entirely with federal funds.

15 (c1) Wildlife Resources Commission Projects. – Notwithstanding any other provision of
16 this Chapter, the Wildlife Resources Commission may approve expenditures for a capital project
17 of the Wildlife Resources Commission if (i) the project will be funded entirely with agency
18 receipts or federal funds and (ii) any operating costs associated with the project will be paid
19 entirely with agency receipts or federal funds.

20 (d) Reporting. – The Board of ~~Governors and~~ Governors, the National ~~Guard~~ Guard, and
21 the Wildlife Resources Commission shall report any expenditure made pursuant to this section
22 to the Office of State Budget and Management and to the Joint Legislative Commission on
23 Governmental Operations."

24 **SECTION 1.(b)** This section becomes effective July 1, 2021.

25
26 **REVISE REQUIREMENTS FOR HARVEST OF BLACK BEAR**

27 **SECTION 2.(a)** G.S. 113-291.7 reads as rewritten:

28 **"§ 113-291.7. Regulation of bears; limited retention of local acts closing bear seasons.**

29 ...

30 (c) Any hunter who has harvested a black bear (Ursus americanus) shall submit at least
31 one premolar tooth to the Wildlife Resources Commission no later than January 31 following the
32 applicable prior bear hunting season. The tooth submission shall include all of the following
33 information on a form specified by the Wildlife Resources Commission:



1 (1) The hunter's name and mailing address.

2 (2) The hunter's Wildlife Resources Commission customer number and bear
3 harvest authorization number.

4 (3) The sex of the harvested bear.

5 (4) The county of harvest.

6 (d) Violation of subsection (c) of this section shall be an infraction as provided in
7 G.S. 14-3.1, punishable by a fine of thirty-five dollars (\$35.00). A person responsible for an
8 infraction under this subsection shall not be assessed court costs, but the Executive Director of
9 the North Carolina Wildlife Resources Commission is authorized to revoke or refuse to issue
10 bear e-stamp privileges for any individual guilty of an infraction for violations of subsection (c)
11 of this section for two consecutive years or upon failure to pay outstanding infraction fines when
12 required to do so."

13 **SECTION 2.(b)** The Wildlife Resources Commission may adopt temporary and
14 permanent rules to implement this section.

15 **SECTION 2.(c)** Subsection (a) of this section becomes effective October 1, 2021,
16 and applies to bear hunting seasons beginning on or after that date.

17 18 **REPEAL COMMISSION LAW ENFORCEMENT OFFICER REPORT**

19 **SECTION 3.** Subsection 35(b) of S.L. 2015-263 is repealed.

20 21 **WILDLIFE CONTROL TECHNICIAN CERTIFICATION AMENDMENTS**

22 **SECTION 4.(a)** G.S. 113-273 reads as rewritten:

23 "**§ 113-273. Other licenses.**

24 ...

25 (l) Wildlife Control Agent License. – ~~Any~~An individual who engages in wildlife damage
26 control or wildlife removal activities, including bat eviction, for compensation, including
27 reimbursement for the cost of materials, shall first procure a wildlife control agent license. This
28 is an annual license issued by the Wildlife Resources Commission for fifty dollars (\$50.00). This
29 license shall not be required for licensed trappers taking wild animals during the established
30 trapping season for that species. The Wildlife Resources Commission is authorized by rule to set
31 standards for and to license wildlife control agents.

32 (l1) Wildlife Control Technician Certification. – An individual who is under the direct
33 supervision of a licensed wildlife control agent and who engages in wildlife damage control or
34 wildlife removal activities for compensation under the direct supervision of a licensed wildlife
35 control agent shall first procure a wildlife control technician certification. This is an annual
36 certification issued by the Wildlife Resources Commission for twenty-five dollars (\$25.00). This
37 certification shall not authorize the individual to issue depredation permits. This certification
38 shall not be required for licensed trappers taking wild animals during the established trapping
39 season for that species. For purposes of this subsection, the term "wildlife damage control or
40 wildlife removal activities" shall include bat eviction and alligator damage control or removal
41 activities, and the term "for compensation" shall include reimbursement for the cost of materials.
42 The Wildlife Resources Commission may adopt rules to certify and set standards for wildlife
43 control technicians.

44 (m) Alligator Control Agent Certification. – ~~In addition to the wildlife control agent~~
45 ~~license, any~~An individual who engages in alligator damage control or removal activities for
46 compensation, including reimbursement for the cost of materials, shall first procure an alligator
47 control agent ~~certification.~~certification, as well as a wildlife control agent license under
48 subsection (l) of this section. This is an annual certification issued by the Wildlife Resources
49 Commission for twenty-five dollars (\$25.00). The Wildlife Resources Commission is authorized
50 by rule to set standards for and to certify alligator control agents. This certification does not

1 include privileges conveyed with an endangered species permit. The endangered species permit
2 shall be obtained prior to conducting activities under the authorization of this certification."

3 **SECTION 4.(b)** This section becomes effective October 1, 2021.
4

5 **VETERANS EXEMPTION FOR MOUNTAIN HERITAGE TROUT WATERS LICENSE**

6 **SECTION 5.(a)** G.S. 113-276 is amended by adding a new subsection to read:

7 "(13) A resident or nonresident of this State who served as a member of the Armed Forces
8 and who separated under honorable conditions is exempt from the Mountain Heritage Trout
9 fishing license requirements of G.S. 113-271(d)(10) while fishing in waters designated by the
10 Wildlife Resources Commission as Mountain Heritage Trout waters. In order to qualify for the
11 exemption provided under this subsection, the person shall have valid documentation of their
12 service on his or her person at all times during the fishing activity."

13 **SECTION 5.(b)** This section becomes effective October 1, 2021.
14

15 **WATERFOWL HUNTING PUBLIC PROPERTY**

16 **SECTION 6.(a)** Section 1 of S.L. 2019-98 reads as rewritten:

17 "**SECTION 1.** During the waterfowl seasons established by the Wildlife Resources
18 Commission, it shall be unlawful to ~~leave~~ do any of the following:

19 (1) Leave or place any equipment or vessels that may be used for the purpose of
20 taking migratory waterfowl, including, but not limited to, mobile or temporary
21 blinds, layout boats, and decoys between two hours after sunset and 4:00 A.M.
22 each day unless remaining on a portion of the shoreline or attached to a dock
23 as authorized by the owner of the shoreline or dock.

24 (2) Leave unattended or unoccupied any equipment or vessels that may be used
25 for the purpose of taking migratory waterfowl, including, but not limited to,
26 mobile or temporary blinds, layout boats, and ~~decoys, prior to 4:00 A.M.~~
27 decoys between 4:00 A.M. and two hours after sunset each day. All such
28 unattended equipment and unoccupied vessels must be removed by two hours
29 after sunset each day unless remaining on a portion of the shoreline or attached
30 to a dock as authorized by the owner of the shoreline or dock."

31 **SECTION 6.(b)** This section applies only to Roanoke Rapids Lake in Halifax and
32 Northampton Counties.

33 **SECTION 6.(c)** This section is effective when it becomes law and applies to offenses
34 committed on or after that date.
35

36 **PREPARATION FOR CHRONIC WASTING DISEASE**

37 **SECTION 7.(a)** Article 12 of Chapter 143 of the General Statutes is amended by
38 adding a new section to read:

39 "**§ 143-254.7. Appropriation and emergency power to combat Chronic Wasting Disease.**

40 If the Commission determines that an outbreak of Chronic Wasting Disease in the State
41 constitutes a significant threat to deer and other cervid species, the Commission may declare a
42 wildlife emergency. Upon declaration of the wildlife emergency, the Commission shall request
43 needed additional funding for immediate investigation, containment, and eradication of the
44 outbreak from the Contingency and Emergency Fund to the Council of State for approval
45 following the process set forth in G.S. 143C-4-4(c). The approved funds will be allocated by the
46 State Controller to a special fund called the Chronic Wasting Disease Emergency Response Fund
47 (CWD Response Fund). Funds allocated to the CWD Response Fund are appropriated to the
48 Wildlife Resources Commission for the purposes for which the funds are requested and approved.
49 The Commission shall request any federal funds available to combat Chronic Wasting Disease
50 in cervids, and any such funds obtained will be used to offset State funds appropriated under this
51 section to the extent allowed by applicable law. The Commission will inform the Office of State

1 Budget and Management of the amount of State funds offset by federal funds, and the Office of
2 State Budget and Management shall direct the State Controller to transfer these funds from the
3 CWD Response Fund to the Contingency and Emergency Fund upon receipt of the federal
4 funds."

5 **SECTION 7.(b)** This section becomes effective July 1, 2021.

6
7 **HALF-PRICED LIFETIME LICENSES FOR CERTAIN RESIDENTS**

8 **SECTION 8.(a)** G.S. 113-270.1D reads as rewritten:

9 **"§ 113-270.1D. Sportsman licenses.**

10 ...

11 (b) Lifetime Sportsman Licenses. – Lifetime sportsman licenses are valid for the lifetime
12 of the licensees. Lifetime sportsman licenses entitle the licensees to take all wild animals and
13 wild birds by all lawful methods, except trapping, in all open seasons, and to fish with hook and
14 line for all fish in all inland and joint fishing waters, including public mountain trout waters, but
15 do not entitle the licensee to engage in fishing in coastal fishing waters, except if the license was
16 purchased before January 1, 2006, pursuant to G.S. 113-174.2(d)(2). A lifetime sportsman
17 license issued under this subsection entitles the licensee to access and use Wildlife Resources
18 Commission Property. Lifetime sportsman licenses issued by the Wildlife Resources
19 Commission are:

20 ...

21 (3) Adult Resident Lifetime Sportsman License – \$500.00. This license shall be
22 issued only to an individual resident of the State who is 12 years of age or
23 older but younger than 70 years of age. Except for individuals qualifying for
24 a discounted license pursuant to G.S. 113-276(o), a resident who is 50 years
25 of age or older but younger than 70 years of age shall be eligible to purchase
26 this license at fifty percent (50%) of the applicable fee.

27"

28 **SECTION 8.(b)** G.S. 113-351 reads as rewritten:

29 **"§ 113-351. Unified hunting and fishing licenses; subsistence license waiver.**

30 ...

31 (c) Types of Unified Hunting and Fishing Licenses; Fees; Duration. – The Wildlife
32 Resources Commission shall issue the following Unified Hunting and Fishing Licenses:

33 ...

34 (3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses. – A
35 license issued under this subdivision is valid for the lifetime of the licensee.
36 A license issued under this subdivision authorizes the licensee to take all wild
37 animals and wild birds, including waterfowl, by all lawful methods in all open
38 seasons, including the use of game lands; to fish with hook and line for all fish
39 in all inland fishing waters and joint fishing waters, including public mountain
40 trout waters; and to engage in recreational fishing in coastal fishing waters.
41 [The licenses are as follows:]

42 ...

43 c. Resident Adult Lifetime Unified Sportsman/Coastal Recreational
44 Fishing License. – \$675.00. This license shall be issued only to an
45 individual resident of the State who is 12 years of age or older but
46 younger than 70 years of age ~~and who is a resident of the State age.~~
47 Except for individuals qualifying for a discounted license pursuant to
48 G.S. 113-276(o), a resident who is 50 years of age or older but younger
49 than 70 years of age shall be eligible to purchase this license at fifty
50 percent (50%) of the applicable fee.

51"

1
2 **REDUCE CONTROLLED RABBIT HUNTING PRESERVE OPERATOR LICENSE**
3 **FEE**

4 **SECTION 9.** G.S. 113-273(g) reads as rewritten:

5 "(g) Controlled Hunting Preserve Operator License. – The Wildlife Resources
6 Commission is authorized by rule to set standards for and to license the operation of controlled
7 hunting preserves operated by private persons. Controlled hunting preserves are of three types:
8 one is an area marked with appropriate signs along the outside boundaries on which only
9 domestically raised chukars, Hungarian partridges, and game birds other than wild turkeys are
10 taken; one is an area enclosed with a dog-proof fence on which rabbits may be hunted with dogs
11 only; and one is an area enclosed with a dog-proof fence on which foxes and coyotes may be
12 hunted with dogs only. A controlled fox and coyote hunting preserve operated for private use
13 may be of any size; a controlled hunting preserve operated for commercial purposes shall be an
14 area of not less than 500 acres or of such size as set by regulation of the Wildlife Resources
15 Commission, which shall take into account differences in terrain and topography, as well as the
16 welfare of the wildlife.

17 Operators of controlled fox hunting preserves may purchase live foxes and coyotes from
18 licensed trappers who live-trap foxes and coyotes during any open season for trapping them and
19 may, at any time, take live foxes from their preserves for sale to other licensed operators. The
20 controlled hunting preserve operator license for domestically raised birds, foxes, and coyotes
21 may be purchased for a fee of one hundred dollars (~~\$100.00~~) and (~~\$100.00~~). The controlled
22 hunting preserve operator license for rabbits may be purchased for a fee of twenty-five dollars
23 (~~\$25.00~~). The controlled hunting preserve operator license is an annual license issued beginning
24 1 July each year running until the following 30 June."
25

26 **EFFECTIVE DATE**

27 **SECTION 10.** Except as otherwise provided, this act is effective when it becomes
28 law.