

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 684
SENATE BILL 591

AN ACT TO RESTRUCTURE THE HUNTING AND FISHING LICENSE SCHEDULE TO MORE CLEARLY DEFINE LICENSE REQUIREMENTS, TO PROVIDE FOR TWELVE-MONTH HUNTING AND FISHING LICENSES, TO ESTABLISH SHORT-TERM AND SEASON NONRESIDENT LICENSES FOR HUNTING GAME, TO PROVIDE FOR A FREE FISHING DAY, AND TO PROVIDE FOR FOUR NEW MEMBERS OF THE WILDLIFE RESOURCES COMMISSION TO BE APPOINTED BY THE GENERAL ASSEMBLY.

The General Assembly of North Carolina enacts:

Section 1. Article 21 of Chapter 113 of the General Statutes is amended by adding three new sections to read:

"§ 113-270.1B. License required to hunt, fish, or trap.

(a) Except as otherwise specifically provided by law, no person may hunt, fish, trap, or participate in any other activity regulated by the Wildlife Resources Commission for which a license is provided by law without having first procured a current and valid license authorizing the activity.

(b) Except as indicated otherwise, all licenses are annual licenses valid from the date of issue for a period of 12 months.

"§ 113-270.1C. Combination hunting and fishing licenses.

(a) The combination hunting and fishing licenses set forth in subsection (b) of this section entitle the holder to take, except on game lands, all wild birds and wild animals, other than big game and waterfowl, by all lawful methods and in all open seasons, and to fish with hook and line in all inland and joint fishing waters, except public mountain trout waters.

(b) Combination hunting and fishing licenses issued by the Wildlife Resources Commission are:

- (1) Resident Annual Combination Hunting and Fishing License – \$20.00. This license shall be issued only to an individual resident of the State.
- (2) Disabled Veteran Lifetime Combination Hunting and Fishing License – \$7.50. This license shall be issued only to an individual resident of the State who is a fifty percent (50%) or more disabled war veteran as determined by the Veterans Administration and remains valid for the lifetime of the individual so long as the individual remains fifty percent (50%) or more disabled.
- (3) Totally Disabled Resident Lifetime Combination Hunting and Fishing License – \$7.50. This license shall be issued only to an individual

resident of the State who is totally disabled and is valid for the lifetime of the individual so long as the individual remains totally disabled. For purposes of this section, 'totally disabled' means physically incapable of being gainfully employed.

"§ 113-270.1D. Sportsman licenses.

(a) Annual Sportsman License – \$40.00. This license shall be issued only to an individual resident of the State and entitles the holder to take all wild animals and wild birds, other than waterfowl, by all lawful methods in all open seasons, including the use of game lands, and to fish with hook and line for all fish in all inland and joint fishing waters, including public mountain trout waters.

(b) Lifetime Sportsman Licenses. Lifetime sportsman licenses are valid for the lifetime of the holders and entitle the holders to take all wild animals and wild birds by all lawful methods in all open seasons, including the use of game lands, and to fish with hook and line for all fish in all inland and joint fishing waters, including public mountain trout waters. Lifetime sportsman licenses issued by the Wildlife Resources Commission are:

- (1) Infant Lifetime Sportsman License – \$200.00. This license shall be issued only to an individual under one year of age.
- (2) Youth Lifetime Sportsman License – \$350.00. This license shall be issued only to an individual under 12 years of age.
- (3) Adult Resident Lifetime Sportsman License – \$500.00. This license shall be issued only to an individual resident of the State.
- (4) Nonresident Lifetime Sportsman License – \$1,000. This license shall be issued only to an individual nonresident of the State.
- (5) Age 70 Resident Lifetime Sportsman License – \$10.00. This license shall be issued only to an individual resident of the State who is at least 70 years of age."

Sec. 2. G.S. 113-270.2 reads as rewritten:

"§ 113-270.2. Hunting licenses.

(a) ~~Except as otherwise specifically provided by law, no one may take wild animals or wild birds without having first procured a current and valid hunting license. The hunting licenses set forth in subdivisions (1), (3), and (6) of subsection (c) of this section entitle the holder to take, except on game lands, wild birds and wild animals, other than big game and waterfowl, by all lawful methods and in all open seasons. The comprehensive hunting licenses of subdivisions (2) and (5) of subsection (c) of this section further entitle the holder to take big game and to use game lands.~~

~~(a1) Except as provided by G.S. 113-270.1A(d), on or after July 1, 1991, a person, regardless of age, may not procure a hunting license or hunt in this State, without producing a certificate of competency pursuant to G.S. 113-270.1A or a hunting license issued prior to July 1, 1991, or making out an affidavit that he had such a license.~~

~~(b) Except when indicated otherwise, all hunting licenses are annual licenses beginning July 1 each year running until the following June 30.~~

(c) The hunting licenses issued by the Wildlife Resources Commission are as follows:

- ~~(1) Resident Sportsman Combination License — \$40.00. This license is valid only for use by an individual resident of the State.~~
- ~~(1a) Lifetime Sportsman Combination Licenses. — These licenses are valid only for use by individual holders and are of the following types depending on the holders' ages on the dates of issue:~~
 - ~~a. Type I available only to an individual under one year of age — \$200.00.~~
 - ~~b. Type Y available only to an individual under 12 years of age — \$350.00.~~
 - ~~e. Type A available to a resident individual of any age — \$500.00.~~
 - ~~d. Type N available to a nonresident individual of any age — \$1,000.~~
- ~~(2) Resident Combination Hunting Fishing License — \$20.00. This license is valid only for use by an individual resident of the State.~~
- ~~(3)(1) Resident State Hunting License – \$15.00. This license is valid only for use by shall be issued only to an individual resident of the State.~~
- ~~(3a)(2) Lifetime Resident Comprehensive Hunting License – \$250.00. This license is valid only for use by shall be issued only to an individual resident of the State. State and is valid for the lifetime of the holder.~~
- ~~(4)(3) Resident County Hunting License – \$10.00. This license is valid for use by shall be issued only to an individual resident of the State and is valid only in the county of residence of the license holder. within the county in which he resides.~~
- ~~(5)(4) Controlled Hunting Preserve Hunting License – \$15.00. This license is valid only for use by shall be issued to an individual resident or nonresident to take only foxes and domestically raised game birds, other than wild turkey, only hunting within a controlled hunting preserve licensed and operated in accordance with this Subchapter. G.S. 113-273(g) and implementing rules of the Wildlife Resources Commission.~~
- ~~(6) Nonresident Sportsman Combination License — \$130.00. This license is valid for use by an individual within the State.~~
- ~~(7) Repealed by Session Laws 1987, c. 156, s. 1.~~
- ~~(8) Nonresident Six-Day Hunting License — \$40.00. This license is valid only for use on six consecutive hunting days by an individual within the State. Consecutive hunting days do not include Sundays except on military reservations where Sunday hunting is permitted.~~
- ~~(8a)(5) Resident Annual Comprehensive Hunting License – \$30.00. This license is valid only for use by shall be issued only to an individual resident of the State.~~
- ~~(8b) Nonresident Comprehensive Hunting License — \$80.00. This license is valid for use by an individual within the State.~~
- ~~(9) Disabled Veteran Lifetime Combination Hunting Fishing License — \$7.50. This license is valid only for use by an individual resident of the~~

~~State who is a fifty percent (50%) or more disabled war veteran as determined by the Veterans Administration. The license is valid for the life of the individual so long as he remains fifty percent (50%) or more disabled.~~

- ~~(10) [Reserved.]~~
- ~~(11) Age 70 Lifetime Sportsman Combination License — \$10.00. This license is valid only for use by an individual resident of the State who has attained the age of 70 years. The license is valid for the life of the individual.~~
- ~~(12) Totally Disabled Resident Combination Hunting Fishing License — \$7.50. This license is valid only for use by an individual resident of the State who is totally disabled (physically incapable of being gainfully employed). This license is valid for the life of the individual so long as he remains totally disabled.~~
- (6) Nonresident State Hunting License. This license shall be issued only to a nonresident. The nonresident State hunting licenses issued by the Wildlife Resources Commission are:
 - a. Season License – \$40.00.
 - b. Six-Day License – \$25.00. This license is valid for the six consecutive dates indicated on the license.

~~(d) One dollar (\$1.00) of the proceeds received from the sale of each nonresident sportsman combination license, each nonresident comprehensive hunting license, and each nonresident six day hunting license must hunting license sold pursuant to subdivision (6) of subsection (c) of this section shall be set aside by the Wildlife Resources Commission and contributed to a proper agency or agencies in the United States for expenditure in Canada for the propagation, restoration and management management, and control of migratory waterfowl."~~

Sec. 3. G.S. 113-270.3 reads as rewritten:

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

(a) In addition to any hunting, trapping, or fishing license that may be ~~required,~~ required pursuant to G.S. 113-270.1B(a), individuals engaging in specially regulated activities must have the appropriate special activity license prescribed in this section before engaging in the regulated activity. ~~Special activity licenses are annual licenses issued beginning July 1 each year running until the following June 30.~~

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

- (1) Resident Big Game Hunting License – \$10.00. This license ~~is valid only for use by~~ shall be issued only to an individual resident of the State and must be procured before taking any big game within the State. entitles the holder to take big game by all lawful methods and during all open seasons.
- (2) Repealed by Session Laws 1991, c. 671, s. 1.
- (3) ~~Primitive Weapons Hunting License — \$10.00. This license is valid for use only by an individual resident of the State and must be procured~~

~~before taking any wild animals or birds with a primitive weapon during any special season for hunting with primitive weapons established by the Wildlife Resources Commission. During the regular season, a primitive weapon may be used without any special license unless its use is prohibited. For the purposes of this section a "primitive weapon" includes a bow and arrow, muzzle loading firearm, and any other primitive weapon specified in the rules of the Wildlife Resources Commission.~~

(2) Nonresident Big Game Hunting License. This license shall be issued only to an individual nonresident of the State and entitles the holder to take big game by all lawful methods and during all open seasons. The nonresident big game hunting licenses issued by the Wildlife Resources Commission are:

a. Season License – \$40.00.

b. Six-Day License – \$25.00. This license is only valid for the six consecutive dates indicated on the license.

~~(4)(3) Game Land License – \$15.00. This license is valid for use only by shall be issued to an individual resident or nonresident of the State and entitles the holder to hunt and trap on game lands managed by the Wildlife Resources Commission. The Wildlife Resources Commission may, pursuant to G.S. 113-264(a), designate in its rules other activities on game lands that require purchase of this license and may charge additional fees for use of specially developed facilities. must be procured before hunting or trapping on game lands or fishing in managed waters on game lands. Managed waters include public mountain trout waters and other public waters, or private ponds, lying wholly or partly on game lands and designated as managed waters by the Wildlife Resources Commission. Possession of this license does not exempt its holder from payment of any applicable special use fees that may be prescribed by the Wildlife Resources Commission under the authority of G.S. 113-264(a), such as fees for field trials on game lands.~~

~~(5)(4) Falconry License – \$10.00. This license is valid for use by shall be issued to an individual resident or nonresident of within the State and must be procured before:~~

a. Taking, importing, transporting, or possessing a raptor; or

b. Taking wildlife by means of falconry.

The Wildlife Resources Commission may issue classes of falconry licenses necessary to participate in the federal/State permit system, require necessary examinations before issuing licenses or permits to engage in various authorized activities related to possession and maintenance of raptors and the sport of falconry, and regulate licenses as required by governing federal law and rules. To defray the costs of administering required examinations, the Wildlife Resources

Commission may charge reasonable fees upon giving them. To meet minimum federal standards plus other State standards in the interests of conservation of wildlife resources, the Wildlife Resources Commission may impose all necessary controls, including those set out in the sections pertaining to collection licenses and captivity licenses, and may issue permits and require reports, but no collection license or captivity license is needed in addition to the falconry license.

~~(6)~~(5) Migratory Waterfowl Hunting License – \$5.00. This license ~~is valid for use by~~ shall be issued to an individual resident or nonresident of within the State and entitles the holder to take ~~must be procured before taking any migratory waterfowl in accordance with applicable laws and regulations. within the State.~~ The Wildlife Resources Commission may implement this license requirement through the sale of an official waterfowl stamp which may be a facsimile, in an appropriate size, of the waterfowl conservation print authorized by G.S. 113-270.2B. An amount not less than one-half of the annual proceeds from the sale of this license shall be used by the Commission for cooperative waterfowl habitat improvement projects through contracts with local waterfowl interests, with the remainder of the proceeds to be used by the Commission in its statewide programs for the conservation of waterfowl.

(c) Any individual who kills any species of big game must report the kill to the Wildlife Resources Commission. ~~The commission~~ Commission may by rule prescribe the method of making the report, prescribe its contents, and require positive identification of the carcass of the kill, by tagging or otherwise. The Wildlife Resources Commission may administratively provide for the annual issuance of big game tags or other identification for big game authorized by this section to holders of lifetime sportsman licenses and lifetime comprehensive hunting licenses.

~~(d) Any individual who possesses a current and valid lifetime or resident or nonresident sportsman combination license may at lawful times and places engage in any specially regulated activity without any of the licenses required by subdivisions (1) through (4) of subsection (b). Any individual who possesses a current and valid lifetime sportsman combination license may engage in hunting migratory waterfowl without the license required by subdivision (b)(6) of this section. The Wildlife Resources Commission may administratively provide for the annual issuance of big game tags, or other identification for big game authorized by subsection (c), to holders of lifetime sportsman combination licenses.~~

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

or (5) may engage in specially regulated activities without the licenses required by subdivisions (1) and (3) of subsection (b) of this section.

(e) ~~Any individual who possesses a current and valid resident or nonresident comprehensive fishing license may at lawful times and places fish in managed waters on game lands without the game land license required by subdivision (4) of subsection (b).~~

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

Sec. 4. G.S. 113-271 reads as rewritten:

"§ 113-271. Hook-and-line licenses in inland fishing waters.

(a) ~~Except as otherwise provided in this Article, no one may fish by means of hook and line in inland fishing waters without having first procured a current and valid hook and line fishing license. All the hook-and-line fishing licenses set forth in subsection (b) of this section entitle the holder to fish with hook and line in the inland and joint waters of the State, but not in public mountain trout waters. The licenses set forth in subdivisions (1), (3), (7), and (9) of subsection (d) of this section further entitle the holder to fish with hook and line in public mountain trout waters.~~

(b) ~~Except when indicated otherwise, all hook and line fishing licenses are annual licenses. Annual fishing licenses are issued beginning July 1 each running until the following June 30.~~

(c) ~~Repealed by Session Laws 1979, c. 830, s. 1.~~

(d) The hook-and-line fishing licenses issued by the Wildlife Resources Commission are as follows:

(1) ~~Repealed by Session Laws 1979, c. 830, s. 1.~~

(1a) ~~Resident Sportsman Combination License — \$40.00. This license is valid only for use by an individual resident of the State.~~

(1b) ~~Resident comprehensive fishing licenses valid only for use by individual residents of the State:~~

a. ~~One day — \$10.00.~~

b, c. ~~Repealed by Session Laws 1987, c. 156, s. 8.~~

d. ~~Annual — \$25.00.~~

(1) Resident Annual Comprehensive Fishing License — \$20.00. This license shall be issued only to an individual resident of the State.

(1c) ~~Lifetime Sportsman Combination Licenses — These licenses are valid only for use by individual holders and are of the following types depending on the holders' ages on the dates of issue.~~

a. ~~Type I available only to an individual under one year of age — \$200.00.~~

- b. ~~Type Y available only to an individual under 12 years of age—\$350.00.~~
 - e. ~~Type A available to a resident individual of any age—\$500.00.~~
 - d. ~~Type N available to a nonresident individual of any age—\$1,000.~~
- (2) ~~Resident Combination Hunting Fishing License—\$20.00. This license is valid only for use by an individual resident of the State.~~
- (2a)(2) Resident State Fishing License – \$15.00. This license shall be issued only to an individual resident of the State.
- (2b)(3) Lifetime Resident Comprehensive Fishing License – \$250.00. This license shall be issued only to an individual resident of the State and is valid for the lifetime of the holder.
- (3)(4) Resident County Fishing License – \$10.00. This license shall be issued only to an individual resident of the State and is valid only within the county in which he resides. of residence of the license holder.
- ~~(4) Resident one day State fishing license valid only for use by an individual resident of the State during the day indicated:—\$5.00.~~
- ~~a. c. Repealed by Session Laws 1987, c. 156, s. 8.~~
- ~~(4a) Nonresident Sportsman Combination License—\$130.00. This license is valid for use by an individual within the State.~~
- ~~(4b) Nonresident comprehensive fishing licenses valid for use by an individual within the State only during the day, consecutive days, or year indicated:~~
- ~~a. One day—\$15.00.~~
 - ~~b. Three days—\$25.00.~~
 - ~~c. Repealed by Session Laws 1987, c. 156, s. 8.~~
 - ~~d. Annual—\$50.00.~~
- ~~(5) Nonresident State Fishing License – \$30.00. This license is valid for use by shall be issued to an individual within nonresident of the State.~~
- ~~(6) Nonresident variable short term State fishing licenses which are valid only for use by an individual within the State during the day or consecutive days indicated at the following rates:~~
- ~~a. One day—\$10.00.~~
 - ~~b. Three days—\$15.00.~~
 - ~~c. Repealed by Session Laws 1987, c. 156, s. 8.~~
- (6) Short-Term Fishing Licenses. Short-term fishing licenses are valid only for the date or consecutive dates indicated on the licenses. Short-term fishing licenses issued by the Wildlife Resources Commission are:
- a. Resident one day – \$5.00. This license shall be issued only to a resident of the State.
 - b. Nonresident one day – \$10.00. This license shall be issued only to a nonresident of the State.

- c. Nonresident three day – \$15.00. This license shall be issued only to a nonresident of the State.
- (7) Lifetime Fishing License for the Legally Blind – No charge. This license is ~~valid only for use by~~ shall be issued only to an individual resident of the State who has been certified by the Department of Human Resources as a person whose vision with glasses is insufficient for use in ordinary occupations for which sight is essential. This license is valid for the life of the individual so long as he remains legally blind.
- (8) ~~Disabled Veteran Lifetime Combination Hunting Fishing License – \$7.50. This license is valid only for use by an individual resident of the State who is a fifty percent (50%) or more disabled war veteran as determined by the Veterans Administration. The license is valid for the life of the individual so long as he remains fifty percent (50%) or more disabled.~~
- (9) [Reserved.]
- (10) ~~Age 70 Lifetime Sportsman Combination License – \$10.00. This license is valid only for use by an individual resident of the State who has attained the age of 70 years. The license is valid for the life of the individual.~~
- (11) ~~Totally Disabled Resident Combination Hunting Fishing License – \$7.50. This license is valid only for use of an individual resident of the State who is totally disabled (physically incapable of being gainfully employed). This license is valid for the life of the individual so long as he remains totally disabled.~~
- (12)(8) Rest Home Resident Fishing License – No charge. This license is ~~valid only for use of~~ shall be issued only to an individual resident of the State who resides in a domiciliary home as defined in G.S. 131D-2(a)(3) or G.S. 131E-101(4). This license is valid for the life of the individual so long as he remains a resident of a domiciliary home.
- (e)(9) Special Guest Fishing License – \$50.00. This license shall be issued only to the owner or lessee of private property bordering inland or joint fishing waters, including public mountain trout waters, and entitles persons to fish from the shore or any pier or dock originating from the property without any additional fishing license. A special guest fishing license, to be sold for an annual fee of fifty dollars (\$50.00) upon application to the Wildlife Resources Commission in the form which they may require, may be purchased by the owner or lessee of private property bordering inland or joint fishing waters entitling persons to fish from such waterfront property and any pier or dock originating on such property without any additional inland fishing license. This license is applicable only to private property and private docks and piers and is not valid for any public property, pier, or dock nor for any private property, pier, or dock operated for any

commercial purpose whatsoever. The guest fishing license shall not be in force unless displayed on the premises of the property and only entitles fishing without additional license to persons fishing from the licensed property and then only when fishing within the private property lines ~~lines. of the site of posting.~~ The guest fishing license is not transferable as to person or location. ~~These provisions shall not apply to residents of the Cherokee Indian Reservation."~~

Sec. 5. G.S. 113-272 reads as rewritten:

"§ 113-272. Special trout licenses-license.

~~"(a) In addition to such hook and line fishing license as may be required in G.S. 113-271, Except as provided in G.S. 113-270.1D and G.S. 113-271(a), no one may fish in public mountain trout waters without having first procured a current and valid special trout license. license in addition to a hook-and-line fishing license required in G.S. 113-271. When public mountain trout waters occur on game lands, this license entitles the holder to use game lands only for the purpose of access to public mountain trout waters to fish with hook and line.~~

~~(b) Except as otherwise indicated, special trout licenses or annual licenses issued beginning July 1 each year running until the following June 30.~~

~~(c) Public mountain trout waters are those waters so designated by the Wildlife Resources Commission which are managed and regulated to sustain a mountain trout fishery.~~

~~(d) The special trout licenses issued by the Wildlife Resources Commission are as follows:~~

~~(1) Repealed by Session Laws 1979, c. 830, s. 1.~~

~~(1a) Resident Sportsman Combination License — \$40.00. This license is valid in public mountain trout waters for use only by an individual resident of the State.~~

~~(1a1) Resident comprehensive fishing licenses valid for use in public mountain trout waters only by an individual resident of the State:~~

~~a. One day — \$10.00.~~

~~b. c. Repealed by Session Laws 1987, c. 156, s. 10.~~

~~d. Annual — \$25.00.~~

~~(1a2) Lifetime Sportsman Combination Licenses — These licenses are valid only for use by individual holders and are of the following types depending on the holders' ages on the dates of issue:~~

~~a. Types I available only to an individual under one year of age — \$200.00.~~

~~b. Types Y available only to an individual under 12 years of age — \$350.00.~~

~~e. Type A available to a resident individual of any age — \$500.00.~~

~~d. Type N available to a nonresident individual of any age — \$1,000.~~

~~(1b) Resident Special Trout License – \$10.00. This license is valid only for use by shall be issued to an individual resident or nonresident of the~~

State and entitles the holder to fish with hook and line in public mountain trout waters.

- ~~(1b1) Lifetime Resident Comprehensive fishing license—\$250.00.~~
- ~~(1e) Nonresident Sportsman Combination License—\$130.00. This is valid for use by an individual within the State in public mountain trout waters.~~
- ~~(1d) Nonresident Comprehensive Fishing Licenses valid for use in public mountain trout waters only by an individual within the State during the day, consecutive days, or year indicated:
 - a. One day—\$15.00.
 - b. Three days—\$25.00.
 - e. Repealed by Session Laws 1987, c. 156, s. 10.
 - d. Annual—\$50.00.~~
- ~~(2) Repealed by Session Laws 1987, c. 156, s. 10.~~
- ~~(3) Lifetime Fishing License for the Legally Blind—No charge. This is valid in public mountain trout waters for use only by an individual resident of the State. It is issued upon the terms set out in G.S. 113-271(d)(8)."~~

Sec. 6.1. G.S. 113-272.3(c) reads as rewritten:

"(c) Lifetime licenses are issued from the Wildlife Resources Commission headquarters. Each application for a Type I or Type Y lifetime sportsman combination license ~~an Infant Lifetime Sportsman or Youth Lifetime Sportsman License~~ must be accompanied by a certified copy of the birth certificate of the individual to be named as the license holder."

Sec. 6. G.S. 113-276 is amended by adding a new subsection to read:

"(m) Notwithstanding any other provision of law, the fourth day of July of each year is declared a free fishing day to promote the sport of fishing and no hook-and-line fishing license is required to fish in any of the public waters of the State on this day. All other laws and rules pertaining to hook-and-line fishing still apply."

Sec. 7. G.S. 113-275(b1) reads as rewritten:

"(b1) No ~~resident~~ hunting or fishing license issued to a ~~qualified applicant resident~~ under the provisions of G.S. 113-270.1C, 113-270.1D, 113-270.2, 113-270.3, 113-271, or 113-272 becomes invalid for use during the term for which it is issued by reason of a removal of the residence of the licensee to another state. ~~This provision applies both to renewable and lifetime licenses."~~

Sec. 8. G.S. 113-276(c) reads as rewritten:

"(c) Except as otherwise provided in this Subchapter, every landholder, his spouse, and dependents under 18 years of age residing with him may take wildlife upon the land held by the landholder without any license required by G.S. 113-270.1B or G.S. 113-270.3(a), except that such persons are not exempt from the falconry license described in G.S. 113-270.3(b)(4). G.S. 113-270.2, 113-270.3(b) except for subdivision (5), 113-270.5, 113-271, or 113-272."

Sec. 9. G.S. 113-276(d) reads as rewritten:

"(d) Except as otherwise provided in this Subchapter, individuals under 16 years of age are exempt from the ~~hunting, trapping, and fishing~~ hunting and trapping license requirements of G.S.113-270.1B(a) and G.S. 113-270.3(a), ~~except the falconry license described in G.S. 113-270.3(b)(4), and the fishing license requirement of G.S. 113-272, if: G.S. 113-270.2, 113-270.3(b) except for subdivision (5), 113-270.5, and 113-272 if:~~

- (1) He is accompanied by a responsible adult who is in compliance with applicable license requirements; or
- (2) He is carrying a current and valid license appropriate to the activity which has been issued to one of his parents or to his guardian.

Individuals under 16 years of age are exempt from the fishing license requirements of G.S. 113-270.1B and G.S. 113-271."

Sec. 10. G.S. 143-250.1(c) reads as rewritten:

"(c) The assets of the Wildlife Endowment Fund shall be derived from the following:

- (1) The proceeds of any gifts, grants and contributions to the State which are specifically designated for inclusion in the fund;
- (2) The proceeds from the sale of lifetime sportsman combination licenses issued pursuant to G.S. 113-270.1D; in accordance with G.S. 113-270.2(c)(1a), 113-271(d)(1e) and 113-272(d)(1a2);
- (3) The proceeds from the sale of lifetime hunting and lifetime fishing licenses pursuant to G.S. 113-270.2(c)(2) and G.S. 113-271(d)(3); in accordance with G.S. 113-270.2(c)(3a) and 113-271(d)(2b);
- (4) The proceeds of lifetime subscriptions to the magazine Wildlife in North Carolina at such rates as may be established from time to time by the Wildlife Resources Commission;
- (5) Any amount in excess of the statutory fee for a particular lifetime license or lifetime subscription shall become an asset of the fund and shall qualify as a tax exempt donation to the State;
- (6) Such other sources as may be specified by law."

Sec. 11. G.S 143-250.1(d) reads as rewritten:

"(d) The Wildlife Endowment Fund is declared to constitute a special trust derived from a contractual relationship between the State and the members of the public whose investments contribute to the fund. In recognition of such special trust, the following limitations and restrictions are placed on expenditures from the funds:

- (1) Any limitations or restrictions specified by the donors on the uses of the income derived from gifts, grants and voluntary contributions shall be respected but shall not be binding.
- (2) No expenditures or disbursements from the income from the proceeds derived from the sale of Infant Lifetime Sportsman or Youth Lifetime Sportsman Licenses pursuant to G.S. 113-270.1D(b)(1) or (2) ~~types I and Y lifetime sportsman combination licenses specified in G.S. 113-270.2(c)(1a), 113-271(d)(1e) and 113-272(d)(1a2)~~ shall be made for any purpose until the respective holders of such licenses attain the age of 16 years. The State Treasurer, as custodian of the fund, shall

determine actuarially from time to time the amount of income within the fund which remains encumbered by and which is free of this restriction. For such purpose, the executive director shall cause deposits of proceeds from Infant Lifetime Sportsman Licenses ~~type-I licenses~~ to be distinguished and deposits of proceeds from Youth Lifetime Sportsman Licenses ~~type-Y licenses~~ to be accompanied by information as to the ages of the license recipients.

- (3) No expenditure or disbursement shall be made from the principal of the Wildlife Endowment Fund except as otherwise provided by law.
- (4) The income received and accruing from the investments of the Wildlife Endowment Fund must be spent only in furthering the conservation of wildlife resources and the efficient operation of the North Carolina Wildlife Resources Commission in accomplishing the purposes of the agency as set forth in G.S. 143-239."

Sec. 12. G.S. 143-250.1(h) reads as rewritten:

"(h) In the event of a future dissolution of the Wildlife Resources Commission, such State agency as shall succeed to its budgetary authority shall, ex officio, assume the trusteeship of the Wildlife Endowment Fund and shall be bound by all the limitations and restrictions placed by this section on expenditures from the fund. No repeal or modification of this section or of G.S. 143-239 shall alter the fundamental purposes to which the Wildlife Endowment Fund may be applied. No future dissolution of the Wildlife Resources Commission or substitution of any agency in its stead shall invalidate any lifetime license issued in accordance with G.S. 113-270.1D(b), 113-270.2(c)(2), or 113-271(d)(3). ~~G.S. 113-270.2(e)(1a) or (3a), 113-271(d)(1e) or (2b), or 113-272(d)(1a2)~~."

Sec. 13. G.S. 143-240(a) reads as rewritten:

"(a) There is hereby created the Wildlife Resources Commission of the Department of Environment, Health, and Natural Resources which shall consist of ~~13-17~~ citizens of North Carolina who shall be appointed as is provided in G.S. 143-241.

Each member of the Commission shall be an experienced hunter, fisherman, farmer, or biologist, who shall be generally informed on wildlife conservation and restoration problems.

Members of the Commission shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5 or G.S. 138-6 as the case may be, which shall be paid from fees collected by the Wildlife Resources Commission."

Sec. 14. G.S. 143-241 reads as rewritten:

"§ 143-241. Appointment and terms of office of Commission members; filling of vacancies.

The members of the North Carolina Wildlife Resources Commission shall be appointed as follows:

The Governor shall appoint one member each from the first, fourth, and seventh wildlife districts to serve six-year terms;

The Governor shall appoint one member each from the second, fifth, and eighth wildlife districts to serve two-year terms;

The Governor shall appoint one member each from the third, sixth, and ninth wildlife districts to serve four-year terms;

The Governor shall also appoint two at-large members to serve four-year terms.

The General Assembly shall appoint ~~two~~ six members of the Commission to serve two-year terms, ~~one~~ three upon the recommendation of the Speaker of the ~~House and House~~, one upon the recommendation of the President of the Senate, and two upon the recommendation of the President Pro Tempore of the Senate, in accordance with G.S. 120-121. Of the members appointed upon the recommendation of the Speaker of the House and upon the recommendation of the President Pro Tempore of the Senate, at least one of each shall be a member of the political party to which the largest minority of the members of the General Assembly belongs.

Thereafter as the terms of office of the members of the Commission appointed by the Governor from the several wildlife districts expire, their successors shall be appointed for terms of six years each. As the terms of office of the members of the Commission appointed by the General Assembly expire, their successors shall be appointed for terms of two years each. All members appointed by the Governor serve at the pleasure of the Governor that appointed them and they may be removed by that Governor at any time. A successor to the appointing Governor may remove a Commission member only for cause as provided in G.S. 143B-13. Members appointed by the General Assembly serve at the pleasure of that body and may be removed by law at any time. In the event that a Commission member is removed, the member appointed to replace the removed member shall serve only for the unexpired term of the removed member."

Sec. 15. The initial terms of office of the four new members of the Wildlife Resources Commission established in Sections 13 and 14 of this act shall expire on the same date in 1995 as the terms of the other members appointed by the General Assembly.

Sec. 16. Section 6 and Sections 13 through 15 of this act are effective upon ratification. The remainder of this act becomes effective July 1, 1995.

In the General Assembly read three times and ratified this the 5th day of July, 1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives