

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1303
Agriculture/Environment/Natural Resources Committee Substitute Adopted
5/22/07
House Committee Substitute Favorable 7/19/07

Short Title: Mountain Heritage Trout Waters Program.

(Public)

Sponsors:

Referred to:

March 26, 2007

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A MOUNTAIN HERITAGE TROUT WATERS
THREE-DAY FISHING LICENSE AND TO DIRECT THE WILDLIFE
RESOURCES COMMISSION TO ADOPT RULES TO ESTABLISH AND
IMPLEMENT A MOUNTAIN HERITAGE TROUT WATERS PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-272 reads as rewritten:

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

(a) License Required. – Except as provided in G.S. 113-270.1D, G.S. 113-270.1C(b), 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 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(b) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 684, s. 5, effective July 1, 1995.

(c) Definitions. – As used in this section:

(1) City has the same meaning as in G.S. 160A-1.

(2) 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.

(3) Mountain heritage trout waters are those waters that have been designated as public mountain trout waters by the Wildlife Resources Commission, and that run through or are adjacent to a city that has been designated as a Mountain Heritage Trout City pursuant to G.S. 113-272.3(e).

1 (d) ~~Special Trout License~~License: Fee. – \$10.00. This license shall be issued to
2 an individual resident or nonresident of the State and entitles the holder to fish with
3 hook and line in public mountain trout waters."

4 **SECTION 2.** G.S. 113-272 reads as rewritten:

5 **"§ 113-272. Special trout license; mountain heritage trout waters 3-day**
6 **fishing license.**

7 ...

8 (e) Mountain Heritage Trout Waters 3-Day Fishing License: Fee. – \$5.00. This
9 license shall be issued to an individual resident or nonresident of the State and shall
10 entitle the holder to fish in waters designated by the Wildlife Resources Commission as
11 mountain heritage trout waters for the three consecutive days indicated on the license.
12 An individual who holds a mountain heritage trout waters 3-day fishing license does not
13 need to hold a hook-and-line fishing license issued pursuant to G.S. 113-271 in order to
14 fish in mountain heritage trout waters."

15 **SECTION 3.** G.S. 133-272.3 reads as rewritten:

16 **"§ 113-272.3. Special provisions respecting fishing licenses; grabbling; taking bait**
17 **fish; use of landing nets; lifetime licenses issued from Wildlife Resources**
18 **Commission headquarters; personalized lifetime sportsman combination**
19 **licenses; Mountain Heritage Trout Waters Program.**

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

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

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

36 (d) In issuing lifetime licenses, the Wildlife Resources Commission is authorized
37 to adopt rules to establish a personalized series for certain license types and to charge a
38 five dollar (\$5.00) administrative fee, to be deposited in the Wildlife Fund, to defray the
39 cost of issuance of the personalized license.

40 (e) Mountain Heritage Trout Waters Program. – The Wildlife Resources
41 Commission shall adopt rules to establish and implement a Mountain Heritage Trout
42 Waters Program to promote trout fishing as a heritage tourism activity. The
43 Commission shall develop criteria for participation in the Program by cities and prepare
44 a management plan for mountain heritage trout waters. A city that meets the criteria for

1 participation in the Program shall be designated by the Commission as a Mountain
2 Heritage Trout City."

3 **SECTION 4.** Section 2 of this act becomes effective July 1, 2008. The
4 remainder of this act is effective when it becomes law.