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SENATE DRS15099-LL-88 (01/09)

Short Title: Hunter Education/Apprentice Permit.

(Public)

Sponsors: Senator Newton (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND AND CLARIFY THE HUNTER EDUCATION REQUIREMENTS
3 AND TO ESTABLISH A HUNTING HERITAGE APPRENTICE PERMIT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 113-270.1A reads as rewritten:

6 "§ 113-270.1A. Hunter safety course required.

7 (a) Except as provided in subsections (a1) and (d) of this section, on or after ~~July 1,~~
8 ~~1991,~~ July 1, 2013, a person, regardless of age, may not procure a hunting license in this State
9 without producing a hunter education certificate of competency or one of the following issued
10 by the Wildlife Resources Commission:

11 (1) A North Carolina hunting heritage apprentice permit.

12 (2) ~~a~~A hunting license issued prior to ~~July 1, 1991,~~ or signing a statement on a
13 ~~form provided by the Wildlife Resources Commission that he had such a~~
14 ~~license.~~July 1, 2013.

15 (a1) A person who qualifies for a ~~totally disabled resident combination hunting-fishing~~
16 ~~license under G.S. 113-270.1C(b)(4)~~ disabled license under G.S. 113-270.1C(b)(5) or (6),
17 G.S. 113-270.1D(b)(7) or (8), or G.S. 113-351(c)(3)(f) or (g) need not comply with the
18 requirements of subsection (a) of this section in order to receive that license, so long as the
19 person does not make use of the license unless:

20 (1) The disabled hunter is accompanied by an adult of at least 18 years of age
21 who is licensed to hunt; and

22 (2) The licensed adult maintains a proximity to the disabled hunter which
23 enables the adult to monitor the activities ~~of, and communicate with, the~~
24 ~~disabled hunter at all times.~~ of the disabled hunter by remaining within sight
25 and hearing distance at all times without the use of electronic devices.

26 (b) The Wildlife Resources Commission shall institute and coordinate a statewide
27 course of instruction in hunter ethics, wildlife laws and regulations, and competency and safety
28 in the handling of firearms, and in so doing, may cooperate with any political subdivision, or
29 with any reputable ~~organization having as one of its objectives the promotion of competency~~
30 ~~and safety in the handling of firearms, including local rod and gun clubs.~~ organization. The
31 course of instruction shall be conducted as follows:

32 (1) The Wildlife Resources Commission shall designate those persons or
33 agencies authorized to give the course of instruction, and this designation
34 shall be valid until revoked by the Commission. Those designated persons
35 shall submit to the Wildlife Resources Commission validated listings



1 naming all persons who have successfully completed the course of
2 instruction.

3 (2) The Wildlife Resources Commission may conduct the course in hunter
4 ~~safety, education,~~ using Commission personnel or ~~other persons at times and~~
5 ~~in areas where other competent agencies are unable or unwilling to meet the~~
6 ~~demand for instruction.~~ Commission-approved persons.

7 (3) The Wildlife Resources Commission shall issue a certificate of competency
8 and safety to each person who successfully completes the course of
9 instruction, and the certificate shall be valid until revoked by the
10 Commission.

11 (4) Any similar certificate issued outside the State by a governmental agency,
12 shall be accepted as complying with the requirements of subsection (a)
13 above, if the privileges are reciprocal for North Carolina residents.

14 (5) The Wildlife Resources Commission shall adopt rules and regulations to
15 provide for the course of instruction and the issuance of the certificates
16 consistent with the purpose of this section.

17 (c) On or after ~~July 1, 1991,~~ July 1, 2013, any person who obtains a hunting license by
18 presenting a fictitious certificate of competency or who attempts to obtain a certificate of
19 competency or hunting license through fraud shall have his hunting privileges revoked by the
20 Wildlife Resources Commission for a period not to exceed one year.

21 (d) Notwithstanding the provisions of subsection (a) of this section, the lifetime licenses
22 provided for in G.S. 113-270.1D(b)(1), (2), ~~and (3)-(3), (4), and (5)~~ and G.S. 113-270.2(c)(2)
23 and G.S. 113-351(3) may be purchased by or in the name of persons who have not obtained a
24 hunter ~~safety-education~~ certificate of competency, subject to the requirements of this
25 subsection. Pending satisfactory completion of the hunter ~~safety-education~~ course, persons who
26 possess one of the lifetime licenses specified in this subsection may exercise the privileges of
27 the lifetime license only when accompanied by an adult of at least 18 years of age who is
28 licensed to hunt in this State. For the purpose of this section, "accompanied" means that the
29 licensed adult maintains a proximity that enables the adult to monitor the activities ~~of, and~~
30 ~~communicate with, the young hunter at all times.~~ of the hunter by remaining within sight and
31 hearing distance at all times without use of electronic devices."

32 **SECTION 2.** G.S. 113-270.2A reads as rewritten:

33 "**§ 113-270.2A. Voluntary contribution to ~~hunters safety~~ hunter education program.**

34 (a) A person applying for a hunting license may make a voluntary contribution ~~of fifty~~
35 ~~cents (50¢)~~ to the Wildlife Resources Commission for the purpose of funding a hunter safety
36 education program.

37 (b) The Wildlife Resources Commission shall devise administrative procedure for the
38 collection of all contributions donated pursuant to the provisions of this act and shall collect
39 and use the contributions to fund and provide for a hunter ~~safety-education~~ program."

40 **SECTION 3.** G.S. 113-274(c) reads as rewritten:

41 "(c) The Wildlife Resources Commission may issue the following permits:

42 ...

43 (3c) Hunting Heritage Apprentice Permit. – Authorizes a person who does not
44 meet the hunter education course requirements under G.S. 113-270.1A(a) to
45 purchase a hunting license and hunt if accompanied by an adult at least 18
46 years of age who is licensed to hunt in this State or if accompanied by an
47 adult landholder or spouse exempted from the hunting license requirement as
48 defined by G.S. 113-276(c), provided the licensee is hunting on the
49 landholder's land. For purposes of this section, "accompanied" means that
50 the licensed adult maintains a proximity that enables the adult to monitor the
51 activities of the apprentice by remaining within sight and hearing distance at

1 all times without use of electronic devices. This permit is valid only for the
2 term of the hunting license purchased under the authority of the permit. Any
3 person who hunts with a permit issued under this subdivision without
4 complying with all the requirements of this subdivision is guilty of hunting
5 without having first procured a current and valid license, in violation of
6 G.S. 113-270.1B."

7 **SECTION 4.** G.S. 113-276 reads as rewritten:

8 **"§ 113-276. Exemptions and exceptions to license and permit requirements.**

9 ...

10 (d) Except as otherwise provided in this Subchapter, individuals under 16 years of age
11 are exempt from the hunting and trapping license requirements of G.S. 113-270.1B(a) and
12 G.S. 113-270.3(a), except the falconry license described in G.S. 113-270.3(b)(4). Individuals
13 under 16 may hunt under this exemption, provided that the ~~young~~ hunter is accompanied by an
14 adult of at least 18 years of age who is licensed to hunt in this State. For purposes of this
15 section, "accompanied" means that the licensed adult maintains a proximity that enables the
16 adult to monitor the activities ~~of, and communicate with, the young hunter at all times. of the~~
17 hunter by remaining within sight and hearing distance at all times without use of electronic
18 devices. Upon successfully obtaining the hunter ~~safety~~-education certificate of competency
19 required by G.S. 113-270.1A(a), a ~~young~~ hunter may hunt under the license exemption until
20 age 16 without adult accompaniment. Individuals under 16 years of age are exempt from the
21 fishing license requirements of G.S. 113-270.1B(a), 113-272, and 113-271.

22 ...

23 (12) A resident of this State who is a member of the Armed Forces of the United States
24 serving outside the State, or who is serving on full-time active military duty outside the State in
25 a reserve component of the Armed Forces of the United States as defined in 10 U.S.C. 10101,
26 is exempt from the hunting and fishing license requirements of G.S. 113-270.1B,
27 G.S. 113-270.3(b)(1), G.S. 113-270.3(b)(3), G.S. 113-270.3(b)(5), G.S. 113-271, G.S. 113-272,
28 G.S. 113-272.2(c)(1), and the Coastal Recreational Fishing License requirements of
29 G.S. 113-174.2 while that person is on leave in this State for 30 days or less. In order to qualify
30 for the exemption provided under this subsection, the person shall have on his or her person at
31 all times during the hunting or fishing activity the person's military identification card and a
32 copy of the official document issued by the person's service unit confirming that the person is
33 on authorized leave from a duty station outside this State.

34 A person exempted from licensing requirements under this subsection is responsible for
35 complying with any reporting requirements prescribed by rule of the Wildlife Resources
36 Commission, complying with the hunter ~~safety~~-education requirements of G.S. 113-270.1A,
37 purchasing any federal migratory waterfowl stamps as a result of waterfowl hunting activity,
38 and complying with any other requirements that the holder of a North Carolina license is
39 subject to.

40 ...

41 (n) The Wildlife Resources Commission may adopt rules to exempt individuals from
42 the hunting and fishing license requirements of G.S. 113-270.1B, 113-270.3(b)(1),
43 113-270.3(b)(3), 113-270.3(b)(5), 113-271, 113-272, and 113-272.2(c)(1) who participate in
44 organized hunting and fishing events for the specified time and place of the event when the
45 purpose of the event is consistent with the conservation objectives of the Commission. A
46 person exempted from licensing requirements under this subsection is responsible for
47 complying with any reporting requirements prescribed by rule of the Wildlife Resources
48 Commission, purchasing any federal migratory waterfowl stamps as a result of waterfowl
49 hunting activity, and complying with any other requirements that the holder of a North Carolina
50 license is subject to. Those exempted persons shall comply with the hunter ~~safety~~-education
51 requirements of G.S. 113-270.1A or shall be accompanied by a properly licensed adult of at

1 least 18 years of age who maintains a proximity to the license exempt individual which that
2 enables the adult to monitor the activities of, and communicate with, the individual at all
3 times of the hunter by remaining within sight and hearing distance at all times without use of
4 electronic devices."

5 **SECTION 5.** This act becomes effective July 1, 2013.