

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 312
HOUSE BILL 115

1 AN ACT TO AMEND ARTICLE IV OF CHAPTER 113 RELATING TO PROTECTION
2 AGAINST FOREST FIRES AND FIRE CONTROL SO AS TO MAKE THE SAID
3 ARTICLE APPLICABLE TO FORESTRY MANAGEMENT, DEVELOPMENT, AND
4 IMPROVEMENT.

5
6 The General Assembly of North Carolina do enact:
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8 **Section 1.** G.S. 113-54, as the same appears in the 1961 Supplement to Volume 3A
9 of the General Statutes of North Carolina, is hereby amended by rewriting the said Section to
10 read as follows:

11 **"G.S. 113-54. Duties of Forest Rangers; Payment of Expenses by State and Counties.**
12 Forest rangers shall have charge of measures for controlling forest fires, protection of forests
13 from pests and diseases, and the development and improvement of the forests for maximum
14 production of forest products; shall make arrests for violation of forest laws; shall post along
15 highways and in other conspicuous places copies of the forest fire laws and warnings against
16 fires, which shall be supplied by the State Forester; shall patrol and man lookout towers and
17 other points during dry and dangerous seasons under the direction of the State Forester, and
18 shall perform such other acts and duties as shall be considered necessary by the State Forester
19 for the purposes set out in Articles 4, 4A, and 6A of this Chapter in the protection, development
20 and improvement of the forested area of each of the counties within the State. No county may
21 be held liable for any part of the expenses thus incurred unless specifically authorized by the
22 board of county commissioners under prior written agreement with the State Forester;
23 appropriations for meeting the county's share of such expenses so authorized by the board of
24 county commissioners shall be provided annually in the county budget. For each county in
25 which financial participation by the county is authorized, the State Forester shall keep or cause
26 to be kept an itemized account of all expenses thus incurred and shall send such accounts
27 periodically to the board of county commissioners of said county; upon approval by the board
28 of the correctness of such accounts, the county commissioners shall issue or cause to be issued
29 a warrant on the county treasury for the payment of the county's share of such expenditures,
30 said payment to be made within one (1) month after receipt of such statement from the State
31 Forester. Appropriations made by a county for the purposes set out in Articles 4, 4A and 6A of
32 the Chapter in the cooperative forest protection, development and improvement work are not to
33 replace State and Federal funds which may be available to the State Forester for the work in
34 said county, but are to serve as a supplement thereto. The funds appropriated to the Department
35 of Conservation and Development in the biennial Budget Appropriation Act for the purposes
36 set out in Articles 4, 4A, and 6A of this Chapter shall not be expended in a county unless that
37 county shall contribute at least twenty-five per cent (25%) of the total cost of the Forestry
38 Program."

39 **Sec. 2.** G.S. 113-55 is amended by striking from the sixth and seventh lines thereof
40 the words and punctuation "taken by him in the act of violating any of the laws for the
41 protection of forest and woodlands," and inserting in lieu thereof the words and punctuation
42 "committing a crime in his presence".

1 **Sec. 3.** G.S. 113-56 is amended by deleting from the fifth line the words and
2 punctuation "in fighting or extinguishing any fire," and inserting in lieu thereof the words and
3 punctuation "in the performance of their duties,".

4 **Sec. 4.** G.S. 113-58 is amended by rewriting the said Section to read as follows:

5 "**G.S. 113-58. Misdemeanor to Destroy Posted Forestry Notice.** Any person who shall
6 maliciously or wilfully destroy, deface, remove, or disfigure any sign, poster, or warning
7 notice, posted by order of the State Forester, under the provisions of this Article, or any other
8 Act which may be passed for the purpose of protecting and developing the forests in this State,
9 shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine of not less
10 than ten dollars (\$10.00) nor more than fifty dollars (\$50.00), or imprisoned not exceeding
11 thirty (30) days."

12 **Sec. 5.** G.S. 113-59 is amended by deleting the word "are" from the second line,
13 and inserting in lieu thereof the word "is".

14 G.S. 113-59 is further amended by inserting a comma, following the word
15 "protection", deleting the words "from fire of the", from the fourth line, and inserting in lieu
16 thereof the words "reforestation, and promotion of forest management of their own".

17 **Sec. 6.** G.S. 113-60 is amended by deleting the word "wardens" from the second
18 line, and inserting in lieu thereof the word "rangers"; by deleting the words "fires and forest"
19 from the sixth and seventh lines of the first paragraph; by changing the period following the
20 word "preservation" to a comma, and by adding the following words and punctuation,
21 "development, and forest management."

22 G.S. 113-60 is further amended by adding following the word and punctuation
23 "State," in the ninth line of the second paragraph the words and punctuation "the development
24 and scientific management of the forests of the State,".

25 **Sec. 7.** All laws and clauses of laws in conflict with the provisions of this Act are
26 hereby repealed.

27 **Sec. 8.** This Act shall be in full force and effect from and after its ratification.

28 In the General Assembly read three times and ratified, this the 1st day of May, 1963.