

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 323

Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/21/99

House Committee Substitute Favorable 6/23/99

Short Title: Waterfowl License Changes/AB.

(Public)

Sponsors:

Referred to:

March 11, 1999

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND WATERFOWL HUNTING PRIVILEGES TO HOLDERS OF
2 COMPREHENSIVE HUNTING LICENSES, TO INCREASE THE FEE CHARGED
3 FOR MIGRATORY WATERFOWL LICENSES, AND TO INCREASE THE
4 APPLICATION FEE FOR MANAGED HUNTS FOR MIGRATORY
5 WATERFOWL AND REQUIRE APPLICANTS TO FURNISH SATISFACTORY
6 PROOF OF POSSESSION OF THE NECESSARY HUNTING LICENSE.
7

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 113-129 is amended by adding a new subdivision to read:

10 "(11c) Migratory Waterfowl; Waterfowl. – Those migratory birds for which
11 open seasons are prescribed by the United States Department of the
12 Interior and belonging to the Family Anatidae (wild ducks, geese, brant,
13 and swans)."

14 Section 2. G.S. 113-129(11c) reads as rewritten:

15 "~~(He)~~(11d) Nongame Animals. – All wild animals except game and
16 fur-bearing animals."

17 Section 3. G.S. 113-129(11d) reads as rewritten:

18 "~~(11d)~~(11e) Nongame Birds. – All wild birds except game birds."

1 Section 4. G.S. 113-270.1D(a) reads as rewritten:

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

7 Section 5. G.S. 113-270.2(a) reads as rewritten:

8 "(a) The hunting licenses set forth in subdivisions (1), (3), and (6) of subsection (c)
9 of this section entitle the holder to take, except on game lands, wild birds and wild
10 animals, other than big game and waterfowl, by all lawful methods and in all open
11 seasons. The comprehensive hunting licenses of subdivisions (2) and (5) of subsection
12 (c) of this section further entitle the holder to take big game and waterfowl and to use
13 game lands."

14 Section 6. G.S. 113-270.3(b)(5) reads as rewritten:

15 "(5) Migratory Waterfowl Hunting License —~~\$5.00.~~ \$10.00. This license
16 shall be issued to an individual resident or nonresident of the State and
17 entitles the holder to take migratory waterfowl in accordance with
18 applicable laws and regulations. The Wildlife Resources Commission
19 may implement this license requirement through the sale of an official
20 waterfowl stamp which may be a facsimile, in an appropriate size, of the
21 waterfowl conservation print authorized by G.S. 113-270.2B. An
22 amount not less than one-half of the annual proceeds from the sale of
23 this license shall be used by the Commission for cooperative waterfowl
24 habitat improvement projects through contracts with local waterfowl
25 interests, with the remainder of the proceeds to be used by the
26 Commission in its statewide programs for the conservation of
27 waterfowl."

28 Section 7. G.S. 113-291.2(a) reads as rewritten:

29 "(a) In accordance with the supply of wildlife and other factors it determines to be
30 of public importance, the Wildlife Resources Commission may fix seasons and bag limits
31 upon the wild animals and wild birds authorized to be taken that it deems necessary or
32 desirable in the interests of the conservation of wildlife resources. The authority to fix
33 seasons includes the closing of seasons completely when necessary and fixing the hours
34 of hunting. The authority to fix bag limits includes the setting of season and possession
35 limits. Different seasons and bag limits may be set in differing areas; early or extended
36 seasons and different or unlimited bag limits may be authorized on controlled shooting
37 preserves, game lands, and public hunting grounds; and special or extended seasons may
38 be fixed for those engaging in falconry, using primitive weapons, or taking wildlife under
39 other special conditions. ~~Unless modified~~

40 Unless modified by rules of the Wildlife Resources Commission, the seasons,
41 shooting hours, bag limits, and possession limits fixed by the United States Department
42 of Interior or any successor agency for migratory game birds in North Carolina must be
43 followed, and a violation of the applicable federal rules is hereby made unlawful. When

1 the applicable federal rules require that the State limit participation in seasons and/or bag
2 limits for migratory game birds, the Wildlife Resources Commission may schedule
3 managed hunts for migratory game birds. Participants in such hunts shall be selected at
4 random by computer from properly licensed ~~applicants~~ applicants, and each applicant
5 shall provide proof satisfactory to the Wildlife Resources Commission that the applicant
6 is the lawful holder of a North Carolina hunting license that has the applicable migratory
7 game bird hunting privilege. A nonrefundable fee of ~~five dollars (\$5.00)~~ ten dollars
8 (\$10.00) shall be required of each applicant to defray the cost of processing the
9 applications.

10 Where there is a muzzle-loading firearm season for deer, with a bag limit of five or
11 more, one antlerless deer may be taken. Dogs may not be used for hunting deer during
12 such season."

13 Section 8. This act becomes effective July 1, 1999.