

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1616*

Short Title: Environmental Technical Corrections.

(Public)

Sponsors: Representative Gibson.

Referred to: Wildlife Resources.

May 20, 2004

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL
3 AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT,
4 PUBLIC HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY
5 THE ENVIRONMENTAL REVIEW COMMISSION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 113-301.1 reads as rewritten:

8 **"§ 113-301.1. Wildlife Resources Commission obligated to make efforts to notify**
9 **members of the public who may be affected by operative provisions of**
10 **statutes and ~~regulations~~rules.**

11 (a) The Wildlife Resources Commission must prepare and distribute to license
12 agents informational materials relating to hunting, fishing, trapping, and boating laws
13 and ~~regulations~~rules administered by the Wildlife Resources Commission. The
14 materials furnished an agent should be appropriate to the types of licenses ~~he~~the agent
15 customarily handles, and in a quantity reasonably anticipated to be sufficient to meet the
16 needs of licensees obtaining licenses from the agent.

17 (b) In issuing new licenses and permits from the Raleigh office by mail, the
18 Wildlife Resources Commission must generally inform the licensee or permittee of
19 governing provisions of law and ~~regulations~~rules applicable to the type of license or
20 permit secured. In issuing renewal licenses and permits by mail, the Wildlife Resources
21 Commission must inform the licensee or permittee of any substantial changes in the law
22 or ~~regulations~~which rules that may affect the activities of the licensee or permittee.

23 (c) After adopting regulations ~~which~~that impose new restrictions upon the
24 activities of members of the public who do not normally hold licenses or permits to
25 engage in the activity in question, the Wildlife Resources Commission must take
26 appropriate steps to publicize the new restrictions. These steps may include press
27 releases to the media, informing local authorities, and other forms of communication
28 that give promise of reaching the segment of the public affected.

1 (d) After adopting new restrictions on hunting, fishing, trapping, or boating at a
2 time other than when usual annual changes in the ~~regulations~~ rules affecting those
3 activities are adopted, the Wildlife Resources Commission must take appropriate steps
4 to publicize the new restrictions in a manner designed to reach persons who may be
5 affected.

6 (e) Repealed by Session Laws 1987, c. 827, s. 9."

7 **SECTION 2.** G.S. 113A-115.1(b) reads as rewritten:

8 "(b) No person shall construct a permanent erosion control structure in an ocean
9 shoreline. The Commission shall not permit the construction of a temporary erosion
10 control structure that consists of anything other than sandbags in an ocean shoreline.
11 This section shall not apply to (i) any permanent erosion control structure that is
12 approved pursuant to an exception set out in a rule adopted by the Commission prior to
13 1 July 2003 or (ii) any permanent erosion control structure that was originally
14 constructed prior to 1 July 1974 and that has since been in continuous use to protect an
15 inlet that is maintained for navigation. This section shall not be construed to limit the
16 authority of the Commission to adopt rules to designate or protect areas of
17 environmental concern, to govern the use of sandbags, or to govern the use of erosion
18 ~~coastal control~~ structures in estuarine shorelines."

19 **SECTION 3.** G.S. 121-34 reads as rewritten:

20 "**§ 121-34. Short title.**

21 The title of this Article shall be known as the "~~Historic~~ Conservation and Historic
22 Preservation and Conservation Agreements Act."

23 **SECTION 4.** G.S. 121-42 reads as rewritten:

24 "**§ 121-42. Citation of Article.**

25 This Article shall be known and may be cited as "~~Uniform Conservation~~ the
26 'Conservation and Historic Preservation Agreement Agreements Act."

27 **SECTION 5.** This act is effective when it becomes law.