

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 181  
Committee Substitute Favorable 3/23/21  
PROPOSED COMMITTEE SUBSTITUTE H181-PCS10216-BRf-5

Short Title: Wildlife Resources Comm'n. Amendments.-AB

(Public)

Sponsors:

Referred to:

March 1, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE  
3 WILDLIFE RESOURCES COMMISSION.

4 The General Assembly of North Carolina enacts:

5  
6 STATE CONSTRUCTION PERMITTING EXEMPTION

7 SECTION 1.(a) Article 24 of Chapter 143 of the General Statutes is amended by  
8 adding a new section to read:

9 "§ 143-254.7. Powers of the Commission regarding certain fee negotiations, contracts, and  
10 capital improvements.

11 (a) Notwithstanding G.S. 143-341(3), the Commission shall, with respect to design,  
12 construction, repair, or renovation of property developments at boating access areas, public  
13 fishing areas, and game lands of the Commission requiring the estimated expenditure from  
14 sources other than tax revenues of seven hundred fifty thousand dollars (\$750,000) or less:

15 (1) Conduct the fee negotiations for all design contracts and supervise the letting  
16 of all construction and design contracts.

17 (2) Develop procedures governing the responsibilities of the Commission to  
18 perform the duties of the Department of Administration and the Director or  
19 Office of State Construction under G.S. 133-1.1(d) and G.S. 143-341(3).

20 (b) The Commission shall use the standard contracts for design and construction currently  
21 in use for State capital improvement projects by the Office of State Construction of the  
22 Department of Administration.

23 (c) A contract may not be divided for the purpose of evading the monetary limit under  
24 this section.

25 (d) Notwithstanding any other provision of this Chapter, the Department of  
26 Administration shall not be the awarding authority for contracts awarded under subsection (a) of  
27 this section.

28 (e) The Wildlife Resources Commission shall report no later than October 1 of each year  
29 to the State Building Commission the following information for the previous fiscal year:

30 (1) A list of projects governed by this section.

31 (2) The estimated cost of each project along with the actual cost.

32 (3) The name of each person or business awarded a contract under this section.

33 (4) Whether the person or business awarded a contract under this section meets  
34 the definition of "minority business" or "minority person" as defined in  
35 G.S. 143-128.2(g)."



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1           **SECTION 1.(b)** This section becomes effective July 1, 2021.

2  
3           **AUTHORIZE ACQUISITION OR CONSTRUCTION OF CERTAIN CAPITAL**  
4           **IMPROVEMENT PROJECTS OF THE COMMISSION**

5           **SECTION 2.(a)** G.S. 143C-8-12 reads as rewritten:

6           "**§ 143C-8-12. Capital improvement projects from sources other than the General Fund.**

7           ...

8           (c) National Guard Projects. – Notwithstanding any other provision of this Chapter, the  
9 North Carolina National Guard may approve expenditures for a capital project of the North  
10 Carolina National Guard if (i) the project will be funded entirely with federal funds and (ii) any  
11 operating costs associated with the project will be paid entirely with federal funds.

12           (c1) Wildlife Resources Commission Projects. – Notwithstanding any other provision of  
13 this Chapter, the Wildlife Resources Commission may approve expenditures for a capital project  
14 of the Wildlife Resources Commission if (i) the project will be funded entirely with agency  
15 receipts or federal funds and (ii) any operating costs associated with the project will be paid  
16 entirely with agency receipts or federal funds.

17           (d) Reporting. – The Board of ~~Governors and~~ Governors, the National ~~Guard~~ Guard, and  
18 the Wildlife Resources Commission shall report any expenditure made pursuant to this section  
19 to the Office of State Budget and Management and to the Joint Legislative Commission on  
20 Governmental Operations."

21           **SECTION 2.(b)** This section becomes effective July 1, 2021.

22  
23           **MOTOR FLEET EXEMPTION**

24           **SECTION 3.(a)** G.S. 143-341(8)i.3. reads as rewritten:

25                       "3. To require on a schedule determined by the Department all  
26 State agencies to transfer ownership, custody or control of any  
27 or all passenger motor vehicles within the ownership, custody  
28 or control of that agency to the Department, except those motor  
29 vehicles under the ownership, custody or control of the  
30 Highway Patrol, the State Bureau of Investigation, the Alcohol  
31 Law Enforcement Division of the Department of Public Safety,  
32 the Samarcand Training Academy, the Wildlife Resources  
33 Commission, or the constituent institutions of The University  
34 of North Carolina which are used primarily for  
35 law-enforcement purposes."

36           **SECTION 3.(b)** This section becomes effective July 1, 2021.

37  
38           **REVISE REQUIREMENTS FOR HARVEST OF BLACK BEAR**

39           **SECTION 4.(a)** G.S. 113-291.7 reads as rewritten:

40           "**§ 113-291.7. Regulation of bears; limited retention of local acts closing bear seasons.**

41           ...

42           (c) Any hunter who has harvested a black bear (Ursus americanus) shall submit at least  
43 one premolar tooth to the Wildlife Resources Commission no later than January 31 following the  
44 applicable prior bear hunting season. The tooth submission shall include all of the following  
45 information on a form specified by the Wildlife Resources Commission:

46                       (1) The hunter's name and mailing address.

47                       (2) The hunter's Wildlife Resources Commission customer number and bear  
48 harvest authorization number.

49                       (3) The sex of the harvested bear.

50                       (4) The county of harvest.

1       (d) Violation of subsection (c) of this section shall be an infraction as provided in  
2 G.S. 14-3.1, punishable by a fine of thirty-five dollars (\$35.00). A person responsible for an  
3 infraction under this subsection shall not be assessed court costs, but the Executive Director of  
4 the North Carolina Wildlife Resources Commission is authorized to revoke or refuse to issue  
5 bear e-stamp privileges for any individual guilty of an infraction for violations of subsection (c)  
6 of this section for two consecutive years or upon failure to pay outstanding infraction fines when  
7 required to do so."

8               **SECTION 4.(b)** The Wildlife Resources Commission may adopt temporary and  
9 permanent rules to implement this section.

10               **SECTION 4.(c)** Subsection (a) of this section becomes effective October 1, 2021,  
11 and applies to bear hunting seasons beginning on or after that date.

## 12 **REPEAL COMMISSION LAW ENFORCEMENT OFFICER REPORT**

13               **SECTION 5.** Subsection 35(b) of S.L. 2015-263 is repealed.

## 14 **WILDLIFE CONTROL TECHNICIAN CERTIFICATION AMENDMENTS**

15               **SECTION 6.(a)** G.S. 113-273 reads as rewritten:

16       "**§ 113-273. Other licenses.**

17       ...

18       (l) Wildlife Control Agent License. – Any An individual who engages in wildlife damage  
19 control or wildlife removal activities, including bat eviction, for compensation, including  
20 reimbursement for the cost of materials, shall first procure a wildlife control agent license. This  
21 is an annual license issued by the Wildlife Resources Commission for fifty dollars (\$50.00). This  
22 license shall not be required for licensed trappers taking wild animals during the established  
23 trapping season for that species. The Wildlife Resources Commission is authorized by rule to set  
24 standards for and to license wildlife control agents.

25       (l1) Wildlife Control Technician Certification. – An individual who is under the direct  
26 supervision of a licensed wildlife control agent and who engages in wildlife damage control or  
27 wildlife removal activities for compensation under the direct supervision of a licensed wildlife  
28 control agent shall first procure a wildlife control technician certification. This is an annual  
29 certification issued by the Wildlife Resources Commission for twenty-five dollars (\$25.00). This  
30 certification shall not authorize the individual to issue depredation permits. This certification  
31 shall not be required for licensed trappers taking wild animals during the established trapping  
32 season for that species. For purposes of this subsection, the term "wildlife damage control or  
33 wildlife removal activities" shall include bat eviction and alligator damage control or removal  
34 activities, and the term "for compensation" shall include reimbursement for the cost of materials.  
35 The Wildlife Resources Commission may adopt rules to certify and set standards for wildlife  
36 control technicians.

37       (m) Alligator Control Agent Certification. – In addition to the wildlife control agent  
38 license, any An individual who engages in alligator damage control or removal activities for  
39 compensation, including reimbursement for the cost of materials, shall first procure an alligator  
40 control agent certification, as well as a wildlife control agent license under  
41 subsection (l) of this section. This is an annual certification issued by the Wildlife Resources  
42 Commission for twenty-five dollars (\$25.00). The Wildlife Resources Commission is authorized  
43 by rule to set standards for and to certify alligator control agents. This certification does not  
44 include privileges conveyed with an endangered species permit. The endangered species permit  
45 shall be obtained prior to conducting activities under the authorization of this certification."

46               **SECTION 6.(b)** This section becomes effective October 1, 2021.

## 47 **VETERANS EXEMPTION FOR MOUNTAIN HERITAGE TROUT WATERS LICENSE**

48               **SECTION 7.(a)** G.S. 113-276 is amended by adding a new subsection to read:  
49

1        "(13) A resident or nonresident of this State who served as a member of the Armed Forces  
2 and who separated under honorable conditions is exempt from the Mountain Heritage Trout  
3 fishing license requirements of G.S. 113-271(d)(10) while fishing in waters designated by the  
4 Wildlife Resources Commission as Mountain Heritage Trout waters. In order to qualify for the  
5 exemption provided under this subsection, the person shall have valid documentation of their  
6 service on his or her person at all times during the fishing activity."

7            **SECTION 7.(b)** This section becomes effective October 1, 2021.

## 9 **WATERFOWL HUNTING PUBLIC PROPERTY**

10            **SECTION 8.(a)** Section 1 of S.L. 2019-98 reads as rewritten:

11            **"SECTION 1.** During the waterfowl seasons established by the Wildlife Resources  
12 Commission, it shall be unlawful to do any of the following:

13            (1)        Leave or place any equipment or vessels that may be used for the purpose of  
14 taking migratory waterfowl, including, but not limited to, mobile or temporary  
15 blinds, layout boats, and decoys between two hours after sunset and 4:00 A.M.  
16 each day unless remaining on a portion of the shoreline or attached to a dock  
17 as authorized by the owner of the shoreline or dock.

18            (2)        ~~leave~~ Leave unattended or unoccupied any equipment or vessels that may be  
19 used for the purpose of taking migratory waterfowl, including, but not limited  
20 to, mobile or temporary blinds, layout boats, and decoys, prior to 4:00 A.M.  
21 decoys between 4:00 A.M. and two hours after sunset each day. All such  
22 unattended equipment and unoccupied vessels must be removed by two hours  
23 after sunset each day unless remaining on a portion of the shoreline or attached  
24 to a dock as authorized by the owner of the shoreline or dock."

25            **SECTION 8.(b)** This section applies only to Roanoke Rapids Lake in Halifax and  
26 Northampton Counties.

27            **SECTION 8.(c)** This section is effective when it becomes law and applies to offenses  
28 committed on or after that date.

## 30 **PREPARATION FOR CHRONIC WASTING DISEASE**

31            **SECTION 9.(a)** Article 12 of Chapter 143 of the General Statutes is amended by  
32 adding a new section to read:

33            **"§ 143-254.7. Appropriation and emergency power to combat Chronic Wasting Disease.**

34            If the Commission determines that an outbreak of Chronic Wasting Disease in the State  
35 constitutes a significant threat to deer and other cervid species, the Commission may declare a  
36 wildlife emergency. Upon declaration of the wildlife emergency, the Commission shall request  
37 needed additional funding for immediate investigation, containment, and eradication of the  
38 outbreak from the Contingency and Emergency Fund to the Council of State for approval  
39 following the process set forth in G.S. 143C-4-4(c). The approved funds will be allocated by the  
40 State Controller to a special fund called the Chronic Wasting Disease Emergency Response Fund  
41 (CWD Response Fund). Funds allocated to the CWD Response Fund are appropriated to the  
42 Wildlife Resources Commission for the purposes for which the funds are requested and approved.  
43 The Commission shall request any federal funds available to combat Chronic Wasting Disease  
44 in cervids, and any such funds obtained will be used to offset State funds appropriated under this  
45 section to the extent allowed by applicable law. The Commission will inform the Office of State  
46 Budget and Management of the amount of State funds offset by federal funds, and the Office of  
47 State Budget and Management shall direct the State Controller to transfer these funds from the  
48 CWD Response Fund to the Contingency and Emergency Fund upon receipt of the federal  
49 funds."

50            **SECTION 9.(b)** This section becomes effective July 1, 2021.

**RESTORE WILDLIFE PROTECTOR INSPECTION AUTHORITY**

**SECTION 10.** G.S. 113-136 reads as rewritten:

**"§ 113-136. Enforcement authority of inspectors and protectors; refusal to obey or allow inspection by inspectors and protectors.**

...

(k) It is unlawful to refuse to exhibit upon request by any inspector, protector, or other law enforcement officer any item required to be carried by any law or rule as to which inspectors or protectors have enforcement jurisdiction. The items that must be exhibited include boating safety or other equipment or any license, permit, tax receipt, certificate, or identification. It is unlawful to refuse to allow inspectors, protectors, or other law enforcement officers to inspect ~~weapons or equipment~~ weapons, equipment, fish, or wildlife if the officer reasonably believes them to be possessed incident to an activity regulated by any law or rule as to which inspectors and protectors have enforcement ~~jurisdiction and the officer has a reasonable suspicion that a violation has been committed, except that an officer may inspect a shotgun to confirm whether it is plugged or unplugged without a reasonable suspicion that a violation has been committed.~~ It is unlawful to refuse to allow inspectors, protectors, or other law enforcement officers to inspect ~~fish or wildlife for the purpose of ensuring compliance with bag limits and size limits. Except as authorized by G.S. 113-137, nothing in this section gives an inspector, protector, or other law enforcement officer the authority to inspect, in the absence of a person in apparent control of the item to be inspected, any of the following:~~ jurisdiction.

(1) ~~Weapons.~~

(2) ~~Equipment, except for equipment left unattended in the normal operation of the equipment, including, but not limited to, traps, trot lines, crab pots, and fox pens.~~

(3) ~~Fish.~~

(4) ~~Wildlife.~~

...."

**HALF-PRICED LIFETIME LICENSES FOR CERTAIN RESIDENTS**

**SECTION 11.(a)** G.S. 113-270.1D reads as rewritten:

**"§ 113-270.1D. Sportsman licenses.**

...

(b) Lifetime Sportsman Licenses. – Lifetime sportsman licenses are valid for the lifetime of the licensees. Lifetime sportsman licenses entitle the licensees to take all wild animals and wild birds by all lawful methods, except trapping, in all open seasons, and to fish with hook and line for all fish in all inland and joint fishing waters, including public mountain trout waters, but do not entitle the licensee to engage in fishing in coastal fishing waters, except if the license was purchased before January 1, 2006, pursuant to G.S. 113-174.2(d)(2). A lifetime sportsman license issued under this subsection entitles the licensee to access and use Wildlife Resources Commission Property. Lifetime sportsman licenses issued by the Wildlife Resources Commission are:

...

(3) Adult Resident Lifetime Sportsman License – \$500.00. This license shall be issued only to an individual resident of the State who is 12 years of age or older but younger than 70 years of age. Except for individuals qualifying for a discounted license pursuant to G.S. 113-276(o), a resident who is 50 years of age or older but younger than 70 years of age shall be eligible to purchase this license at fifty percent (50%) of the applicable fee.

...."

**SECTION 11.(b)** G.S. 113-351 reads as rewritten:

**"§ 113-351. Unified hunting and fishing licenses; subsistence license waiver.**

1 ...  
2 (c) Types of Unified Hunting and Fishing Licenses; Fees; Duration. – The Wildlife  
3 Resources Commission shall issue the following Unified Hunting and Fishing Licenses:

4 ...  
5 (3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses. – A  
6 license issued under this subdivision is valid for the lifetime of the licensee.  
7 A license issued under this subdivision authorizes the licensee to take all wild  
8 animals and wild birds, including waterfowl, by all lawful methods in all open  
9 seasons, including the use of game lands; to fish with hook and line for all fish  
10 in all inland fishing waters and joint fishing waters, including public mountain  
11 trout waters; and to engage in recreational fishing in coastal fishing waters.  
12 [The licenses are as follows:]

13 ...  
14 c. Resident Adult Lifetime Unified Sportsman/Coastal Recreational  
15 Fishing License. – \$675.00. This license shall be issued only to an  
16 individual resident of the State who is 12 years of age or older but  
17 younger than 70 years of ~~age and who is a resident of the State~~age.  
18 Except for individuals qualifying for a discounted license pursuant to  
19 G.S. 113-276(o), a resident who is 50 years of age or older but younger  
20 than 70 years of age shall be eligible to purchase this license at fifty  
21 percent (50%) of the applicable fee.

22 ...."

23  
24 **EFFECTIVE DATE**

25 **SECTION 12.** Except as otherwise provided, this act is effective when it becomes  
26 law.