



# HOUSE BILL 309: Responsible Deer Management Act.

**This Bill Analysis  
reflects the  
contents of the bill  
as it was presented  
in committee.**

2017-2018 General Assembly

<b>Committee:</b>	House Wildlife Resources. If favorable, re- refer to Judiciary I	<b>Date:</b>	April 24, 2017
<b>Introduced by:</b>	Reps. Pittman, Henson	<b>Prepared by:</b>	Jennifer McGinnis Committee Counsel
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** House Bill 309 would require: (i) owners or lessees of property, who take wildlife while committing depredations on their property, to notify the Wildlife Resources Commission (WRC) within 24 hours of the taking; and (ii) WRC to impose a duty on owners or lessees of property who kill or cripple a big game animal while committing depredations on their property to avoid wanton waste with regard to such wildlife taken, i.e., to require such persons to make a reasonable effort to retrieve the animal and properly dispose of it.

**CURRENT LAW:** The statutes currently authorize the WRC to issue depredation permits to allow the taking, destruction, transfer, removal, transplanting, or driving away of undesirable, harmful, predatory, excess, or surplus wildlife or wildlife resources. No depredation permit is needed, however, for the owner or lessee of property to take wildlife while committing depredations upon their property.

The rule governing wildlife taken for depredations (see 15A NCAC 10B .0106) establishes the following pertinent requirements with respect to disposition of wildlife that is taken, and reporting of wildlife taken:

**(e) Disposition of Wildlife Taken:**

- (1) Generally. Except as provided by Subparagraphs (e)(2) through (5) of this Paragraph, any wildlife killed without a permit while committing depredations shall be buried or otherwise disposed of in a safe and sanitary manner on the property. Wildlife killed under a depredation permit may be transported to an alternate disposal site if desired. Anyone in possession of carcasses of animals being transported under a depredation permit shall have the depredation permit in his or her possession. Except as provided by Subparagraphs (e)(2) through (5) of this Rule, all wildlife killed under a depredation permit shall be buried or otherwise disposed of as stated on the permit.
- (2) Deer and feral swine. The edible portions of feral swine and deer may be retained by the landholder for consumption but shall not be transported from the property where the depredations took place without a valid depredation permit. The landholder may give a second party the edible portions of the feral swine and deer taken under the depredation permit. The receiver of the edible portions shall hold a copy of the depredation permit. The nonedible portions of any deer carcass, including head, hide, feet, and antlers, shall be disposed of as specified in Subparagraph (1) of this Paragraph or turned over to a wildlife enforcement officer for disposition.
- (3) Fox. Any fox killed under a depredation permit may be disposed of as described in Subparagraph (1) of this Paragraph or, upon compliance with the fur tagging requirements of 15A NCAC 10B .0400, the carcass or pelt thereof may be sold to a licensed fur dealer.
- (4) Furbearing Animals. The carcass or pelt of any furbearing animal killed during the open season for taking such furbearing animal for control of depredations to property, whether with or without a permit, may be sold to a licensed fur dealer provided that the person offering such carcass or pelt for sale has a valid hunting or trapping license; provided further that bobcats and otters may only be sold upon compliance with any required fur tagging requirement set forth in 15A NCAC 10B .0400.
- (5) Animals Taken Alive. Wild animals in the order Carnivora, armadillos, groundhogs, nutria, and beaver shall be humanely euthanized either at the site of capture or at a facility designed to humanely handle the euthanasia or

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released on the property where captured. Feral swine shall be euthanized while still in the trap in accordance with G.S. 113-291.12. For all other animals taken alive, the animal shall be euthanized or released on property with permission of the landowner. When the relocation site is public property, written permission shall be obtained from an appropriate local, state, or federal official before any animal may be released. Animals transported or held for euthanasia shall be euthanized within 12 hours of capture. Anyone in possession of live animals being transported for relocation or euthanasia under a depredation permit shall have the depredation permit in his or her possession.

**(f) Reporting Requirements.** Any landholder who kills an alligator; a coyote in the counties of Beaufort, Dare, Hyde, Tyrrell, or Washington; deer; Canada goose; bear; elk; or wild turkey under a valid depredation permit shall report such kill on the form provided with the permit and mail the form upon the expiration date to the Wildlife Resources Commission. Any landowner who kills a coyote in the counties of Beaufort, Dare, Hyde, Tyrrell, and Washington shall report such kill as directed on the form provided with the depredation permit. The killing and method of disposition of every alligator; coyote in the counties of Beaufort, Dare, Hyde, Tyrrell, and Washington; bear; or elk taken without a permit shall be reported to the Wildlife Resources Commission within 24 hours following the time of such killing.

**BILL ANALYSIS:** House Bill 309 would require owners or lessees of property who take wildlife while committing depredations on their property, to notify the WRC within 24 hours of the taking. The bill would also require the WRC to impose a duty of wanton waste on wildlife taken by an owner or lessee of land on their property. "Wanton waste," as defined by the bill means to kill or cripple a big game animal (defined under existing law to mean bear, wild turkey, and white-tailed deer) without making a reasonable effort to retrieve the animal and properly dispose of it.

**EFFECTIVE DATE:** The bill would become effective October 1, 2017.