



# HOUSE BILL 1061: Currituck County Game Commission/Licensing.

2021-2022 General Assembly

|                       |  |                     |                |
|-----------------------|--|---------------------|----------------|
| <b>Committee:</b>     | Senate State and Local Government.   | <b>If Date:</b>     | June 22, 2022  |
|                       | favorable, re-refer to Finance. If favorable, re-refer to Rules and Operations of the Senate |                     |                |
| <b>Introduced by:</b> | Reps. Hanig, Goodwin   | <b>Prepared by:</b> | Brad Krehely   |
| <b>Analysis of:</b>   | Second Edition   |                     | Staff Attorney |

**OVERVIEW:** House Bill 1061 would make the following changes, as requested by the Currituck County Game Commission:

- Increase the license application fees in Currituck County for stationary bush blinds, floating bush blinds, and point blinds.
- Prohibit the use of airboats on the public waters of Currituck County from September 1 of each year to April 1 of the following year.

### CURRENT LAW/BILL ANALYSIS:

**Section 1(a):** To obtain a license for either a stationary bush blind or a floating bush blind in Currituck County, an applicant must apply with the clerk of the Currituck County Game Commission and pay the respective application fee. For in-state residents, the fee is \$25.00. For out-of-state residents, the fee is \$250.00. House Bill 1061 would increase the fee for in-state residents from \$25.00 to \$40.00.

**Section 1(b):** To obtain a license for a point blind in Currituck County, an applicant must apply with the clerk of the Currituck County Game Commission and pay a \$25.00 fee. House Bill 1061 would increase this fee to \$40.00.

**Section 1(c):** Under current law, the Currituck County Game Commission, with the approval of the North Carolina Wildlife Resource Commission, may restrict or prohibit the use of air boats on the Currituck Sound from September 1 to April 1 of each year. House Bill 1061 would explicitly prohibit the use of air boats on the Currituck Sound from September 1 each year to April 1 of the following year.

**EFFECTIVE DATE:** This act would become effective October 1, 2022, and apply to applications for licenses on or after that date.

**BACKGROUND:** In November 2018, North Carolina voters approved an amendment to the North Carolina Constitution stating that it is the "right of the people to hunt, fish, and harvest wildlife is a valued part of the State's heritage and shall be forever preserved for the public good." The amendment further provided that the right of the people to hunt, fish, and harvest wildlife is subject only to laws enacted by the General Assembly to (i) promote wildlife conservation and management and (ii) preserve the future of hunting and fishing. The amendment also provided that it did not modify any provision of law relating to trespass, property rights, or eminent domain. At this time, no appellate court decisions have been issued to interpret this Section of the Constitution.

*Nick Giddings and Greg Roney of the Legislative Analysis Division substantially contributed to this summary.*

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Director



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