



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

HOUSE BILL 181: Wildlife Resources Comm'n. Amendments.

2021-2022 General Assembly

Committee:	Senate Agriculture, Energy, and Environment.	Date:	August 24, 2021
	If favorable, re-refer to Finance. If favorable, re-refer to Rules and Operations of the Senate		
Introduced by:	Reps. Adams, Yarborough, Wray	Prepared by:	Kyle Evans
Analysis of:	Sixth Edition		Committee Counsel

OVERVIEW: House Bill 181 would make various changes to statutes governing the Wildlife Resources Commission (WRC).

CURRENT LAW AND BILL ANALYSIS:

AUTHORIZE ACQUISITION OR CONSTRUCTION OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE COMMISSION

The Office of State Budget and Management manages the budgeting of capital improvement projects for State agencies. This budgeting process includes a database of existing facilities owned by State agencies, criteria used to evaluate capital improvement needs, six-year capital improvement needs and estimates, and recommendations for capital improvement in the Recommend State Budget. The Board of Governors of the University of North Carolina and the National Guard are exempt from seeking approval for capital improvement expenditures provided certain criteria concerning the use of federal funds are met.

Section 1 would exempt WRC from requiring approval for capital improvement expenditures provided that the project will be funded entirely with agency receipts or federal funds and any operating costs associated with the project will be paid entirely with agency receipts or federal funds.

This section would become effective July 1, 2021.

REVISE REQUIREMENTS FOR HARVEST OF BLACK BEAR

Section 2 would require any hunter who harvests a black bear to submit at least one premolar tooth to WRC no later than January 31 following the applicable prior bear hunting season. The hunter must include with the tooth the hunter's name, mailing address, WRC customer number, and bear harvest authorization number, the harvested bear's sex, and the county of harvest.

Failing to submit a premolar tooth in accordance with this section would be an infraction punishable by a \$35 fine. The Executive Director of WRC would be authorized to revoke the bear e-stamp privileges for any individual guilty of a violation of this section for two consecutive years.

This section would become effective October 1, 2021 and apply to bear hunting seasons beginning on or after that date. WRC may adopt temporary and permanent rules to implement this section.

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REPEAL COMMISSION LAW ENFORCEMENT OFFICER REPORT

Section 35(b) of S.L. 2015-263 requires WRC to report to the Joint Legislative Oversight Committee on Justice and Public Safety regarding complaints against WRC law enforcement officers.

Section 3 would repeal this reporting requirement.

WILDLIFE CONTROL TECHNICIAN CERTIFICATION AMENDMENTS

Section 4 would establish a wildlife control technician certification for employees of wildlife control agents who engage in wildlife damage control or wildlife removal activities for compensation. The certification would have an annual fee of \$25. The certification would not authorize individuals to issue depredation permits and would not be required for licensed trapper taking wild animals during the appropriate established trapping season. The Wildlife Resources Commission may adopt rules to certify and set standards for wildlife control technicians.

This section would become effective October 1, 2021.

VETERANS EXEMPTION FOR MOUNTAIN HERITAGE TROUT WATERS LICENSE

Section 5 would exempt veterans separated under honorable conditions from needing a Mountain Heritage Trout fishing license while fishing in waters designated by WRC as Mountain Heritage Trout waters. To qualify for this exemption, a veteran would be required to always have valid documentation of their service on his or her person during the fishing activity.

This section would become effective October 1, 2021.

WATERFOWL HUNTING PUBLIC PROPERTY

S.L. 2019- 98, which applies only to Roanoke Rapids Lake in Halifax and Northampton Counties, made it unlawful during established waterfowl seasons to leave waterfowl hunting equipment or vessels unattended or unoccupied prior to 4:00AM each day. Violation of this act is a Class 2 misdemeanor punishable by a fine of not less than \$250 in addition to any other punishment prescribed for that offense.

Section 6 would amend S.L. 2019-98 to make it unlawful during established waterfowl seasons to leave or place any waterfowl hunting equipment or vessels between two hours after sunset and 4:00AM. This section would also change the hours during which it is unlawful to leave waterfowl hunting equipment and vessels unattended or unoccupied to between the hours of 4:00AM and two hours after sunset.

This section would apply only to Roanoke Rapids Lake in Halifax and Northampton Counties, and would become effective on October 1, 2021 and apply to offenses committed on or after that date.

PREPARATION FOR CHRONIC WASTING DISEASE

Section 7 would allow WRC to declare a wildlife emergency to respond to an outbreak of chronic wasting disease (CWD) in the State. Upon declaring a wildlife emergency, WRC would be authorized to request needed funding for immediate investigation, containment, and eradication of the outbreak from the Contingency and Emergency Fund to the Council of State following the existing process for requesting an allocation from that fund. WRC would be required to request any available federal funds to address a

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CWD outbreak, and those funds would be used to offset State funds appropriated from the Contingency and Emergency Fund.

This section would become effective July 1, 2021.

HALF-PRICED LIFETIME LICENSES FOR CERTAIN RESIDENTS

Section 8 would provide a 50% discount on the cost of an Adult Resident Lifetime Sportsman License and a Resident Adult Lifetime Unified Sportsman/Coastal Recreation Fishing License for residents of the State who are between the age of 50 and 70 and who are not otherwise eligible for a discounted license fee as an eligible member of a volunteer fire department.

EXTEND ELIGIBILITY FOR REDUCED PRICE LIFETIME HUNTING AND FISHING LICENSES TO RESCUE SQUAD AND EMS

Section 12 of S.L. 2019-204 provided that eligible members of a volunteer fire department that have served for five consecutive years, including the prior year, may be issued any adult resident lifetime license issued and administered by WRC for 50% of the applicable license fee amount.

Section 8A would extend eligibility for reduced price lifetime hunting and fishing licenses to members of a volunteer rescue squad or emergency medical services squad, who have served for five consecutive years, including the prior year.

REDUCE CONTROLLED RABBIT HUNTING PRESERVE OPERATOR LICENSE FEE

WRC is authorized to set standards for and license three types of controlled hunting preserves: one for domestically raised birds, one for foxes and coyotes, and one for rabbits. The fee for each controlled preserve operator license is \$100.

Section 9 would reduce the controlled hunting preserve operator license for rabbits from \$100 to \$25.

UNLAWFUL BAITING CLARIFICATION

It is generally unlawful to use the aid of bait when taking wildlife. Section 11 of S.L.2019-204 made it unlawful to take turkey within 300 yards of an area that has been baited until 10 days after the bait has been removed.

Section 9A would make it unlawful for a person to place bait for the purpose of intentionally interfering with the lawful taking of wildlife. Violation of this section would be a Class 2 misdemeanor for a first offense, and a Class 1 misdemeanor for subsequent offenses.

This section would become effective December 1, 2021, and apply to offenses committed on or after that date.

EFFECTIVE DATE: Except as otherwise provided, this act would become effective when it becomes law.