

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 591

Short Title: Wildlife License Restructuring.

(Public)

Sponsors: Senator Albertson.

Referred to: Agriculture, Marine Resources and Wildlife.

March 29, 1993

A BILL TO BE ENTITLED

AN ACT TO RESTRUCTURE THE HUNTING AND FISHING LICENSE SCHEDULE TO MORE CLEARLY DEFINE LICENSE REQUIREMENTS, TO PROVIDE FOR TWELVE-MONTH HUNTING AND FISHING LICENSES, TO ESTABLISH SHORT-TERM AND SEASON NONRESIDENT LICENSES FOR HUNTING GAME, AND TO PROVIDE FOR A FREE FISHING DAY.

The General Assembly of North Carolina enacts:

Section 1. Article 21 of Chapter 113 of the General Statutes is amended by adding three new sections to read:

"§ 113-270.1B. License required to hunt, fish, or trap.

(a) Except as otherwise specifically provided by law, no person may hunt, fish, trap, or participate in any other activity regulated by the Wildlife Resources Commission for which a license is provided by law without having first procured a current and valid license authorizing the activity.

(b) Except as indicated otherwise, all licenses are annual licenses valid from the date of issue for a period of 12 months.

"§ 113-270.1C. Combination hunting and fishing licenses.

(a) The combination hunting and fishing licenses set forth in subsection (b) of this section entitle the holder to take, except on game lands, all wild birds and wild animals, other than big game and waterfowl, by all lawful methods and in all open seasons, and to fish with hook and line in all inland and joint fishing waters, except public mountain trout waters.

(b) Combination hunting and fishing licenses issued by the Wildlife Resources Commission are:

- 1 (1) Resident Annual Combination Hunting and Fishing License –
2 \$20.00. This license shall be issued only to an individual resident of
3 the State.
- 4 (2) Disabled Veteran Lifetime Combination Hunting and Fishing
5 License – \$7.50. This license shall be issued only to an individual
6 resident of the State who is a fifty percent (50%) or more disabled
7 war veteran as determined by the Veterans Administration and
8 remains valid for the lifetime of the individual so long as the
9 individual remains fifty percent (50%) or more disabled.
- 10 (3) Totally Disabled Resident Lifetime Combination Hunting and
11 Fishing License – \$7.50. This license shall be issued only to an
12 individual resident of the State who is totally disabled and is valid
13 for the lifetime of the individual so long as the individual remains
14 totally disabled. For purposes of this section, 'totally disabled'
15 means physically incapable of being gainfully employed.

16 **"§ 113-270.1D. Sportsman licenses.**

17 (a) Annual Sportsman License – \$40.00. This license shall be issued only to an
18 individual resident of the State and entitles the holder to take all wild animals and wild
19 birds, other than waterfowl, by all lawful methods in all open seasons, including the use
20 of game lands, and to fish with hook and line for all fish in all inland and joint fishing
21 waters, including public mountain trout waters.

22 (b) Lifetime Sportsman Licenses. Lifetime sportsman licenses are valid for the
23 lifetime of the holders and entitle the holders to take all wild animals and wild birds by
24 all lawful methods in all open seasons, including the use of game lands, and to fish with
25 hook and line for all fish in all inland and joint fishing waters, including public
26 mountain trout waters. Lifetime sportsman licenses issued by the Wildlife Resources
27 Commission are:

- 28 (1) Infant Lifetime Sportsman License – \$200.00. This license shall be
29 issued only to an individual under one year of age.
- 30 (2) Youth Lifetime Sportsman License – \$350.00. This license shall be
31 issued only to an individual under 12 years of age.
- 32 (3) Adult Resident Lifetime Sportsman License – \$500.00. This license
33 shall be issued only to an individual resident of the State.
- 34 (4) Nonresident Lifetime Sportsman License – \$1,000. This license
35 shall be issued only to an individual nonresident of the State.
- 36 (5) Age 70 Resident Lifetime Sportsman License – \$10.00. This license
37 shall be issued only to an individual resident of the State who is at
38 least 70 years of age."

39 Sec. 2. G.S. 113-270.2 reads as rewritten:

40 **"§ 113-270.2. Hunting licenses.**

41 (a) ~~Except as otherwise specifically provided by law, no one may take wild~~
42 ~~animals or wild birds without having first procured a current and valid hunting license.~~
43 The hunting licenses set forth in subdivisions (1), (2), (3), (5), and (6) of subsection (c)
44 of this section entitle the holder to take, except on game lands, wild birds and wild

1 animals, other than big game and waterfowl, by all lawful methods and in all open
 2 seasons. The comprehensive hunting licenses of subdivisions (2) and (5) of subsection
 3 (c) of this section further entitle the holder to take big game and to use game lands.

4 ~~(a1) Except as provided by G.S. 113-270.1A(d), on or after July 1, 1991, a person,~~
 5 ~~regardless of age, may not procure a hunting license or hunt in this State, without~~
 6 ~~producing a certificate of competency pursuant to G.S. 113-270.1A or a hunting license~~
 7 ~~issued prior to July 1, 1991, or making out an affidavit that he had such a license.~~

8 ~~(b) Except when indicated otherwise, all hunting licenses are annual licenses~~
 9 ~~beginning July 1 each year running until the following June 30.~~

10 (c) The hunting licenses issued by the Wildlife Resources Commission are as
 11 follows:

12 ~~(1) Resident Sportsman Combination License — \$40.00. This license is~~
 13 ~~valid only for use by an individual resident of the State.~~

14 ~~(1a) Lifetime Sportsman Combination Licenses. — These licenses are~~
 15 ~~valid only for use by individual holders and are of the following~~
 16 ~~types depending on the holders' ages on the dates of issue:~~

17 a. ~~Type I available only to an individual under one year of age —~~
 18 ~~\$200.00.~~

19 b. ~~Type Y available only to an individual under 12 years of age —~~
 20 ~~\$350.00.~~

21 e. ~~Type A available to a resident individual of any age — \$500.00.~~

22 d. ~~Type N available to a nonresident individual of any age —~~
 23 ~~\$1,000.~~

24 ~~(2) Resident Combination Hunting Fishing License — \$20.00. This~~
 25 ~~license is valid only for use by an individual resident of the State.~~

26 ~~(3)(1) Resident State Hunting License — \$15.00. This license is valid only~~
 27 ~~for use by shall be issued only to an individual resident of the State.~~

28 ~~(3a)(2) Lifetime Resident Comprehensive Hunting License — \$250.00. This~~
 29 ~~license is valid only for use by shall be issued only to an individual~~
 30 ~~resident of the State. State and is valid for the lifetime of the holder.~~

31 ~~(4)(3) Resident County Hunting License — \$10.00. This license is valid for~~
 32 ~~use by shall be issued only to an individual resident of the State and~~
 33 ~~is valid only in the county of residence of the license holder. within~~
 34 ~~the county in which he resides.~~

35 ~~(5)(4) Controlled Hunting Preserve Hunting License — \$15.00. This license~~
 36 ~~is valid only for use by shall be issued only to an individual resident or~~
 37 ~~nonresident to take only foxes and domestically raised game birds,~~
 38 ~~other than wild turkey, only hunting within a controlled hunting~~
 39 ~~preserve licensed and operated in accordance with this Subchapter.~~
 40 ~~G.S. 113-273(g) and implementing rules of the Wildlife Resources~~
 41 ~~Commission.~~

42 ~~(6) Nonresident Sportsman Combination License — \$130.00. This~~
 43 ~~license is valid for use by an individual within the State.~~

44 ~~(7) Repealed by Session Laws 1987, c. 156, s. 1.~~

- 1 (8) ~~Nonresident Six Day Hunting License—\$40.00. This license is valid~~
2 ~~only for use on six consecutive hunting days by an individual within~~
3 ~~the State. Consecutive hunting days do not include Sundays except~~
4 ~~on military reservations where Sunday hunting is permitted.~~
5 (8a) (5) Resident Annual Comprehensive Hunting License – \$30.00. This
6 ~~license is valid only for use by~~ shall be issued only to an individual
7 ~~resident of the State.~~
8 (8b) ~~Nonresident Comprehensive Hunting License—\$80.00. This license~~
9 ~~is valid for use by an individual within the State.~~
10 (9) ~~Disabled Veteran Lifetime Combination Hunting Fishing License—~~
11 ~~\$7.50. This license is valid only for use by an individual resident of~~
12 ~~the State who is a fifty percent (50%) or more disabled war veteran~~
13 ~~as determined by the Veterans Administration. The license is valid~~
14 ~~for the life of the individual so long as he remains fifty percent~~
15 ~~(50%) or more disabled.~~
16 (10) ~~[Reserved.]~~
17 (11) ~~Age 70 Lifetime Sportsman Combination License—\$10.00. This~~
18 ~~license is valid only for use by an individual resident of the State~~
19 ~~who has attained the age of 70 years. The license is valid for the life~~
20 ~~of the individual.~~
21 (12) ~~Totally Disabled Resident Combination Hunting Fishing License—~~
22 ~~\$7.50. This license is valid only for use by an individual resident of~~
23 ~~the State who is totally disabled (physically incapable of being~~
24 ~~gainfully employed). This license is valid for the life of the~~
25 ~~individual so long as he remains totally disabled.~~
26 (6) Nonresident State Hunting License. This license shall be issued only
27 to a nonresident. The nonresident State hunting licenses issued by the
28 Wildlife Resources Commission are:
29 a. Season License – \$40.00.
30 b. Six-Day License – \$25.00. This license is valid for the six
31 consecutive dates indicated on the license.
32 (d) One dollar (\$1.00) of the proceeds received from the sale of each nonresident
33 ~~sportsman combination license, each nonresident comprehensive hunting license, and~~
34 ~~each nonresident six-day hunting license must~~ hunting license sold pursuant to
35 subdivision (6) of subsection (c) of this section shall be set aside by the Wildlife
36 Resources Commission and contributed to a proper agency or agencies in the United
37 States for expenditure in Canada for the ~~propagation, restoration and management~~
38 ~~management, and control of migratory waterfowl."~~

39 Sec. 3. G.S. 113-270.3 reads as rewritten:

40 "**§ 113-270.3. Special activity licenses; big game kill reports.**

41 (a) In addition to any hunting, trapping, or fishing license that may be ~~required,~~
42 required pursuant to G.S. 113-270.1B(a), individuals engaging in specially regulated
43 activities must have the appropriate special activity license prescribed in this section

1 before engaging in the regulated activity. ~~Special activity licenses are annual licenses~~
2 ~~issued beginning July 1 each year running until the following June 30.~~

3 (b) The special activity licenses issued by the Wildlife Resources Commission
4 are as follows:

5 (1) Resident Big Game Hunting License – \$10.00. This license ~~is valid~~
6 ~~only for use by~~ shall be issued only to an individual resident of the
7 State and must be procured before taking any big game within the State.
8 entitles the holder to take big game by all lawful methods and during
9 all open seasons.

10 (2) ~~Repealed by Session Laws 1991, c. 671, s. 1.~~

11 (3) ~~Primitive Weapons Hunting License – \$10.00. This license is valid~~
12 ~~for use only by an individual resident of the State and must be~~
13 ~~procured before taking any wild animals or birds with a primitive~~
14 ~~weapon during any special season for hunting with primitive~~
15 ~~weapons established by the Wildlife Resources Commission. During~~
16 ~~the regular season, a primitive weapon may be used without any~~
17 ~~special license unless its use is prohibited. For the purposes of this~~
18 ~~section a "primitive weapon" includes a bow and arrow, muzzle-~~
19 ~~loading firearm, and any other primitive weapon specified in the~~
20 ~~rules of the Wildlife Resources Commission.~~

21 (2) Nonresident Big Game Hunting License. This license shall be
22 issued only to an individual nonresident of the State and entitles the
23 holder to take big game by all lawful methods and during all open
24 seasons. The nonresident big game hunting licenses issued by the
25 Wildlife Resources Commission are:

26 a. Season License – \$40.00.

27 b. Six-Day License – \$25.00. This license is only valid for the six
28 consecutive dates indicated on the license.

29 (4)(3) Game Land License – \$15.00. This license is valid for use only by
30 shall be issued only to an individual resident or nonresident of the
31 State and entitles the holder to hunt and trap on game lands managed
32 by the Wildlife Resources Commission. The Wildlife Resources
33 Commission may, pursuant to G.S. 113-264(a), designate in its rules
34 other activities on game lands that require purchase of this license
35 and may charge additional fees for use of specially developed
36 facilities. must be procured before hunting or trapping on game lands or
37 fishing in managed waters on game lands. Managed waters include public
38 mountain trout waters and other public waters, or private ponds, lying
39 wholly or partly on game lands and designated as managed waters by the
40 Wildlife Resources Commission. Possession of this license does not
41 exempt its holder from payment of any applicable special use fees that
42 may be prescribed by the Wildlife Resources Commission under the
43 authority of G.S. 113-264(a), such as fees for field trials on game lands.

1 ~~(5)~~(4) Falconry License – \$10.00. This license ~~is valid for use by~~ shall be
2 issued only to an individual resident or nonresident of ~~within the~~
3 State and must be procured before:

4 a. Taking, importing, transporting, or possessing a raptor; or

5 b. Taking wildlife by means of falconry.

6 The Wildlife Resources Commission may issue classes of falconry
7 licenses necessary to participate in the federal/State permit system,
8 require necessary examinations before issuing licenses or permits to
9 engage in various authorized activities related to possession and
10 maintenance of raptors and the sport of falconry, and regulate licenses
11 as required by governing federal law and rules. To defray the costs of
12 administering required examinations, the Wildlife Resources
13 Commission may charge reasonable fees upon giving them. To meet
14 minimum federal standards plus other State standards in the interests
15 of conservation of wildlife resources, the Wildlife Resources
16 Commission may impose all necessary controls, including those set
17 out in the sections pertaining to collection licenses and captivity
18 licenses, and may issue permits and require reports, but no collection
19 license or captivity license is needed in addition to the falconry
20 license.

21 ~~(6)~~(5) Migratory Waterfowl Hunting License – \$5.00. This license ~~is valid~~
22 ~~for use by~~ shall be issued only to an individual resident or
23 nonresident of ~~within the~~ State and entitles the holder to take ~~must be~~
24 ~~procured before taking any~~ migratory waterfowl in accordance with
25 applicable laws and regulations. ~~within the State.~~ The Wildlife
26 Resources Commission may implement this license requirement
27 through the sale of an official waterfowl stamp which may be a
28 facsimile, in an appropriate size, of the waterfowl conservation print
29 authorized by G.S. 113-270.2B. An amount not less than one-half of
30 the annual proceeds from the sale of this license shall be used by the
31 Commission for cooperative waterfowl habitat improvement projects
32 through contracts with local waterfowl interests, with the remainder
33 of the proceeds to be used by the Commission in its statewide
34 programs for the conservation of waterfowl.

35 (c) Any individual who kills any species of big game must report the kill to the
36 Wildlife Resources Commission. ~~The commission~~ Commission may by rule prescribe
37 the method of making the report, prescribe its contents, and require positive
38 identification of the carcass of the kill, by tagging or otherwise. The Wildlife Resources
39 Commission may administratively provide for the annual issuance of big game tags or
40 other identification for big game authorized by this section to holders of lifetime
41 sportsman licenses and lifetime comprehensive hunting licenses.

42 ~~(d) Any individual who possesses a current and valid lifetime or resident or~~
43 ~~nonresident sportsman combination license may at lawful times and places engage in~~
44 ~~any specially regulated activity without any of the licenses required by subdivisions (1)~~

1 through (4) of subsection (b). Any individual who possesses a current and valid lifetime
2 sportsman combination license may engage in hunting migratory waterfowl without the
3 license required by subdivision (b)(6) of this section. The Wildlife Resources
4 Commission may administratively provide for the annual issuance of big game tags, or
5 other identification for big game authorized by subsection (c), to holders of lifetime
6 sportsman combination licenses.

7 Any individual who possesses any of the lifetime sportsman licenses established by
8 G.S. 113-270.1D(b) may engage in specially regulated activities without the licenses
9 required by subdivisions (1), (2), (3), and (5) of subsection (b) of this section. Any
10 individual possessing an annual sportsman license established by G.S. 113-270.1D(a) or
11 a lifetime or annual comprehensive hunting license established by G.S. 113-270.2(b)(1)
12 or (2) may engage in specially regulated activities without the licenses required by
13 subdivisions (1) and (3) of subsection (b) of this section.

14 (c) ~~Any individual who possesses a current and valid resident or nonresident~~
15 ~~comprehensive fishing license may at lawful times and places fish in managed waters~~
16 ~~on game lands without the game land license required by subdivision (4) of subsection~~
17 ~~(b).~~

18 When the Wildlife Resources Commission establishes a primitive weapons season
19 pursuant to G.S. 113-291.2(a), all of the combination hunting and fishing licenses
20 established in G.S. 113-270.1C, sportsman licenses established in G.S. 113-270.1D, and
21 hunting licenses established in G.S. 113-270.2(b)(1), (2), (3), (5), and (6) entitle the
22 holder to participate. For purposes of this section, 'primitive weapons' include bow and
23 arrow, muzzle-loading firearm, and any other primitive weapon specified in the rules of
24 the Wildlife Resources Commission."

25 Sec. 4. G.S. 113-271 reads as rewritten:

26 "**§ 113-271. Hook-and-line licenses in inland fishing waters.**

27 (a) ~~Except as otherwise provided in this Article, no one may fish by means of~~
28 ~~hook and line in inland fishing waters without having first procured a current and valid~~
29 ~~hook and line fishing license. All the hook-and-line fishing licenses set forth in~~
30 ~~subsection (b) of this section entitle the holder to fish with hook and line in the inland~~
31 ~~and joint waters of the State, but not in public mountain trout waters. The licenses set~~
32 ~~forth in subdivisions (1), (3), (7), and (9) of subsection (b) of this section further entitle~~
33 ~~the holder to fish with hook and line in public mountain trout waters.~~

34 (b) ~~Except when indicated otherwise, all hook-and-line fishing licenses are~~
35 ~~annual licenses. Annual fishing licenses are issued beginning July 1 each running until~~
36 ~~the following June 30.~~

37 (c) ~~Repealed by Session Laws 1979, c. 830, s. 1.~~

38 (d) The hook-and-line fishing licenses issued by the Wildlife Resources
39 Commission are as follows:

40 (1) ~~Repealed by Session Laws 1979, c. 830, s. 1.~~

41 (1a) ~~Resident Sportsman Combination License—\$40.00. This license is~~
42 ~~valid only for use by an individual resident of the State.~~

43 (1b) ~~Resident comprehensive fishing licenses valid only for use by~~
44 ~~individual residents of the State.~~

- 1 a. One day—\$10.00.
2 b, c. Repealed by Session Laws 1987, c. 156, s. 8.
3 d. Annual—\$25.00.
- 4 (1) Resident Annual Comprehensive Fishing License – \$20.00. This
5 license shall be issued only to an individual resident of the State.
6 (1e) ~~Lifetime Sportsman Combination Licenses—These licenses are~~
7 ~~valid only for use by individual holders and are of the following~~
8 ~~types depending on the holders' ages on the dates of issue.~~
9 a. ~~Type I available only to an individual under one year of age—~~
10 ~~\$200.00.~~
11 b. ~~Type Y available only to an individual under 12 years of age—~~
12 ~~\$350.00.~~
13 c. ~~Type A available to a resident individual of any age—\$500.00.~~
14 d. ~~Type N available to a nonresident individual of any age—~~
15 ~~\$1,000.~~
- 16 (2) ~~Resident Combination Hunting Fishing License—\$20.00. This~~
17 ~~license is valid only for use by an individual resident of the State.~~
18 (2a)(2) Resident State Fishing License – \$15.00. This license is valid
19 only for use by shall be issued only to an individual resident of
20 the State.
- 21 (2b)(3) Lifetime Resident Comprehensive Fishing License – \$250.00.
22 This license is valid only for use by shall be issued only to an
23 individual resident of the State. State and is valid for the
24 lifetime of the holder.
- 25 (3)(4) Resident County Fishing License – \$10.00. This
26 license is valid only for use by shall be issued only to an
27 individual resident of the State and is valid only within the
28 county in which he resides. of residence of the license holder.
- 29 (4) ~~Resident one day State fishing license valid only for use by an~~
30 ~~individual resident of the State during the day indicated:—\$5.00.~~
31 a. c. ~~Repealed by Session Laws 1987, c. 156, s. 8.~~
- 32 (4a) ~~Nonresident Sportsman Combination License—\$130.00. This~~
33 ~~license is valid for use by an individual within the State.~~
- 34 (4b) ~~Nonresident comprehensive fishing licenses valid for use by an~~
35 ~~individual within the State only during the day, consecutive days, or~~
36 ~~year indicated:~~
37 a. ~~One day—\$15.00.~~
38 b. ~~Three days—\$25.00.~~
39 c. ~~Repealed by Session Laws 1987, c. 156, s. 8.~~
40 d. ~~Annual—\$50.00.~~
- 41 (5) Nonresident State Fishing License – \$30.00. This license is valid for
42 use by shall be issued only to an individual within the State.

- 1 ~~(6)~~ ~~Nonresident variable short term State fishing licenses which are~~
2 ~~valid only for use by an individual within the State during the day or~~
3 ~~consecutive days indicated at the following rates:~~
4 ~~a. One day—\$10.00.~~
5 ~~b. Three days—\$15.00.~~
6 ~~e. Repealed by Session Laws 1987, c. 156, s. 8.~~
7 (6) Short-Term Fishing Licenses. Short-term fishing licenses are valid
8 only for the date or consecutive dates indicated on the licenses. Short-
9 term fishing licenses issued by the Wildlife Resources Commission
10 are:
11 a. Resident one day – \$5.00. This license shall be issued only to a
12 resident of the State.
13 b. Nonresident one day – \$10.00. This license shall be issued only
14 to a nonresident of the State.
15 c. Nonresident three day – \$15.00. This license shall be issued
16 only to a nonresident of the State.
17 (7) Lifetime Fishing License for the Legally Blind – No charge. This
18 license ~~is valid only for use by~~ shall be issued only to an individual
19 resident of the State who has been certified by the Department of
20 Human Resources as a person whose vision with glasses is
21 insufficient for use in ordinary occupations for which sight is
22 essential. This license is valid for the life of the individual so long as
23 he remains legally blind.
24 ~~(8)~~ ~~Disabled Veteran Lifetime Combination Hunting Fishing License—~~
25 ~~\$7.50. This license is valid only for use by an individual resident of~~
26 ~~the State who is a fifty percent (50%) or more disabled war veteran~~
27 ~~as determined by the Veterans Administration. The license is valid~~
28 ~~for the life of the individual so long as he remains fifty percent~~
29 ~~(50%) or more disabled.~~
30 ~~(9)~~ ~~[Reserved.]~~
31 ~~(10)~~ ~~Age 70 Lifetime Sportsman Combination License—\$10.00. This~~
32 ~~license is valid only for use by an individual resident of the State~~
33 ~~who has attained the age of 70 years. The license is valid for the life~~
34 ~~of the individual.~~
35 ~~(11)~~ ~~Totally Disabled Resident Combination Hunting Fishing License—~~
36 ~~\$7.50. This license is valid only for use of an individual resident of~~
37 ~~the State who is totally disabled (physically incapable of being~~
38 ~~gainfully employed). This license is valid for the life of the~~
39 ~~individual so long as he remains totally disabled.~~
40 ~~(12)~~ (8) Rest Home Resident Fishing License – No charge. This license is
41 ~~valid only for use of~~ shall be issued only to an individual resident of
42 the State who resides in a domiciliary home as defined in G.S.
43 131D-2(a)(3) or G.S. 131E-101(4). This license is valid for the life

1 of the individual so long as he remains a resident of a domiciliary
 2 home.
 3 ~~(e) (9)~~ Special Guest Fishing License – \$50.00. This license shall be issued
 4 only to the owner or lessee of private property bordering inland or
 5 joint fishing waters, including public mountain trout waters, and
 6 entitles persons to fish from the shore or any pier or dock originating
 7 from the property without any additional fishing license. A special
 8 guest fishing license, to be sold for an annual fee of fifty dollars (\$50.00)
 9 upon application to the Wildlife Resources Commission in the form which
 10 they may require, may be purchased by the owner or lessee of private
 11 property bordering inland or joint fishing waters entitling persons to fish
 12 from such waterfront property and any pier or dock originating on such
 13 property without any additional inland fishing license. This license is
 14 applicable only to private property and private docks and piers and is
 15 not valid for any public property, pier, or dock nor for any private
 16 property, pier, or dock operated for any commercial purpose
 17 whatsoever. The guest fishing license shall not be in force unless
 18 displayed on the premises of the property and only entitles fishing
 19 without additional license to persons fishing from the licensed
 20 property and then only when fishing within the private property
 21 lines lines of the site of posting. The guest fishing license is not
 22 transferable as to person or location. These provisions shall not apply
 23 to residents of the Cherokee Indian Reservation."

24 Sec. 5. G.S. 113-272 reads as rewritten:

25 **"§ 113-272. Special trout licenses. license.**

26 (a) In addition to such hook-and-line fishing license as may be required in G.S.
 27 ~~113-271, G.S. 113-270.1B,~~ no one may fish in public mountain trout waters without
 28 having first procured a current and valid special trout license. When public mountain
 29 trout waters occur on game lands, this license entitles the holder to use game lands only
 30 for the purpose of access to public mountain trout waters to fish with hook and line.

31 ~~(b) Except as otherwise indicated, special trout licenses or annual licenses issued~~
 32 ~~beginning July 1 each year running until the following June 30.~~

33 (c) Public mountain trout waters are those waters so designated by the Wildlife
 34 Resources Commission which are managed and regulated to sustain a mountain trout
 35 fishery.

36 (d) ~~The special trout licenses issued by the Wildlife Resources Commission are~~
 37 ~~as follows:~~

38 (1) ~~Repealed by Session Laws 1979, c. 830, s. 1.~~

39 (1a) ~~Resident Sportsman Combination License—\$40.00. This license is~~
 40 ~~valid in public mountain trout waters for use only by an individual~~
 41 ~~resident of the State.~~

42 (1a1) ~~Resident comprehensive fishing licenses valid for use in public~~
 43 ~~mountain trout waters only by an individual resident of the State:~~

44 a. ~~One day—\$10.00.~~

- 1 ~~b.-c. Repealed by Session Laws 1987, c. 156, s. 10.~~
- 2 ~~d. Annual—\$25.00.~~
- 3 ~~(1a2) Lifetime Sportsman Combination Licenses—These licenses are~~
- 4 ~~valid only for use by individual holders and are of the following~~
- 5 ~~types depending on the holders' ages on the dates of issue:~~
- 6 ~~a. Types I available only to an individual under one year of age—~~
- 7 ~~\$200.00.~~
- 8 ~~b.- Types Y available only to an individual under 12 years of age—~~
- 9 ~~\$350.00.~~
- 10 ~~e.- Type A available to a resident individual of any age—\$500.00.~~
- 11 ~~d.- Type N available to a nonresident individual of any age—~~
- 12 ~~\$1,000.~~
- 13 ~~(1b)- Resident Special Trout License – \$10.00. This license is valid only for~~
- 14 ~~use by shall be issued only to an individual resident or nonresident of~~
- 15 ~~the State and entitles the holder to fish with hook and line in public~~
- 16 ~~mountain trout waters.~~
- 17 ~~(1b1) Lifetime Resident Comprehensive fishing license—\$250.00.~~
- 18 ~~(1c)- Nonresident Sportsman Combination License—\$130.00. This is~~
- 19 ~~valid for use by an individual within the State in public mountain~~
- 20 ~~trout waters.~~
- 21 ~~(1d) Nonresident Comprehensive Fishing Licenses valid for use in public~~
- 22 ~~mountain trout waters only by an individual within the State during~~
- 23 ~~the day, consecutive days, or year indicated:~~
- 24 ~~a. One day—\$15.00.~~
- 25 ~~b.- Three days—\$25.00.~~
- 26 ~~e.- Repealed by Session Laws 1987, c. 156, s. 10.~~
- 27 ~~d.- Annual—\$50.00.~~
- 28 ~~(2)- Repealed by Session Laws 1987, c. 156, s. 10.~~
- 29 ~~(3)- Lifetime Fishing License for the Legally Blind—No charge. This is~~
- 30 ~~valid in public mountain trout waters for use only by an individual~~
- 31 ~~resident of the State. It is issued upon the terms set out in G.S. 113-~~
- 32 ~~271(d)(8).~~

33 (e) Any individual who possesses the annual sportsman license established by

34 G.S. 113-270.1D(a) or any of the lifetime sportsman licenses established by G.S. 113-

35 270.1D(b) may fish with hook and line in public mountain trout waters without the

36 license required by this section."

37 Sec. 6. G.S. 113-276 is amended by adding a new subsection to read:

38 "(m) Notwithstanding any other provision of law, the fourth day of July of each

39 year is declared a free fishing day to promote the sport of fishing and no hook-and-line

40 fishing license is required to fish in any of the public waters of the State on this day. All

41 other laws and rules pertaining to hook-and-line fishing still apply."

42 Sec. 7. G.S. 113-275(b1) reads as rewritten:

43 "(b1) No ~~resident~~ hunting or fishing license issued to a qualified applicant under the

44 provisions of G.S. 113-270.1C, 113-270.1D, 113-270.2, 113-270.3, 113-271, or 113-

1 272 becomes invalid for use during the term for which it is issued by reason of a
2 removal of the residence of the licensee to another state. This provision applies ~~both to~~
3 resident and nonresident licenses and to renewable and lifetime licenses."

4 Sec. 8. G.S. 113-276(c) reads as rewritten:

5 "(c) Except as otherwise provided in this Subchapter, every landholder, his
6 spouse, and dependents under 18 years of age residing with him may take wildlife upon
7 the land held by the landholder without any license required by G.S. 113-270.1B and
8 G.S. 113-270.3(a), except that such persons are not exempt from the falconry license
9 described in G.S. 113-270.3(b)(4). ~~G.S. 113-270.2, 113-270.3(b) except for subdivision (5),~~
10 ~~113-270.5, 113-271, or 113-272.~~"

11 Sec. 9. G.S. 113-276(d) reads as rewritten:

12 "(d) Except as otherwise provided in this Subchapter, individuals under 16 years
13 of age are exempt from the ~~hunting, trapping, and fishing~~ hunting and trapping license
14 requirements of G.S. 113-270.1B(a) and G.S. 113-270.3(a), except the falconry license
15 described in G.S. 113-270.3(b)(4), and the fishing license requirement of G.S. 113-272,
16 if: ~~G.S. 113-270.2, 113-270.3(b) except for subdivision (5), 113-270.5, and 113-272 if:~~

- 17 (1) He is accompanied by a responsible adult who is in compliance with
18 applicable license requirements; or
- 19 (2) He is carrying a current and valid license appropriate to the activity
20 which has been issued to one of his parents or to his guardian.

21 Individuals under 16 years of age are exempt from the fishing license requirements of
22 G.S. 113-270.1B and G.S. 113-271."

23 Sec. 10. G.S. 143-250.1(c) reads as rewritten:

24 "(c) The assets of the Wildlife Endowment Fund shall be derived from the
25 following:

- 26 (1) The proceeds of any gifts, grants and contributions to the State
27 which are specifically designated for inclusion in the fund;
- 28 (2) The proceeds from the sale of lifetime sportsman combination
29 licenses issued pursuant to G.S. 113-270.1D; ~~in accordance with G.S.~~
30 ~~113-270.2(c)(1a), 113-271(d)(1e) and 113-272(d)(1a2);~~
- 31 (3) The proceeds from the sale of lifetime hunting and lifetime fishing
32 licenses pursuant to G.S. 113-270.2(c)(2) and G.S. 113-271(d)(3); ~~in~~
33 ~~accordance with G.S. 113-270.2(c)(3a) and 113-271(d)(2b);~~
- 34 (4) The proceeds of lifetime subscriptions to the magazine Wildlife in
35 North Carolina at such rates as may be established from time to time
36 by the Wildlife Resources Commission;
- 37 (5) Any amount in excess of the statutory fee for a particular lifetime
38 license or lifetime subscription shall become an asset of the fund and
39 shall qualify as a tax exempt donation to the State;
- 40 (6) Such other sources as may be specified by law."

41 Sec. 11. G.S. 143-250.1(d) reads as rewritten:

42 "(d) The Wildlife Endowment Fund is declared to constitute a special trust derived
43 from a contractual relationship between the State and the members of the public whose

1 investments contribute to the fund. In recognition of such special trust, the following
2 limitations and restrictions are placed on expenditures from the funds:

- 3 (1) Any limitations or restrictions specified by the donors on the uses of
4 the income derived from gifts, grants and voluntary contributions
5 shall be respected but shall not be binding.
- 6 (2) No expenditures or disbursements from the income from the
7 proceeds derived from the sale of Infant Lifetime Sportsman or
8 Youth Lifetime Sportsman Licenses pursuant to G.S. 113-
9 270.1D(b)(1) or (2) types I and Y lifetime sportsman combination
10 licenses specified in G.S. 113-270.2(c)(1a), 113-271(d)(1e) and 113-
11 272(d)(1a2) shall be made for any purpose until the respective
12 holders of such licenses attain the age of 16 years. The State
13 Treasurer, as custodian of the fund, shall determine actuarially from
14 time to time the amount of income within the fund which remains
15 encumbered by and which is free of this restriction. For such
16 purpose, the executive director shall cause deposits of proceeds from
17 Infant Lifetime Sportsman Licenses type I licenses to be distinguished
18 and deposits of proceeds from Youth Lifetime Sportsman Licenses
19 type Y licenses to be accompanied by information as to the ages of
20 the license recipients.
- 21 (3) No expenditure or disbursement shall be made from the principal of
22 the Wildlife Endowment Fund except as otherwise provided by law.
- 23 (4) The income received and accruing from the investments of the
24 Wildlife Endowment Fund must be spent only in furthering the
25 conservation of wildlife resources and the efficient operation of the
26 North Carolina Wildlife Resources Commission in accomplishing
27 the purposes of the agency as set forth in G.S. 143-239."

28 Sec. 12. G.S. 143-250.1(h) reads as rewritten:

29 "(h) In the event of a future dissolution of the Wildlife Resources Commission, such
30 State agency as shall succeed to its budgetary authority shall, ex officio, assume the
31 trusteeship of the Wildlife Endowment Fund and shall be bound by all the limitations
32 and restrictions placed by this section on expenditures from the fund. No repeal or
33 modification of this section or of G.S. 143-239 shall alter the fundamental purposes to
34 which the Wildlife Endowment Fund may be applied. No future dissolution of the
35 Wildlife Resources Commission or substitution of any agency in its stead shall
36 invalidate any lifetime license issued in accordance with G.S. 113-270.1D(b), 113-
37 270.2(c)(2), or 113-271(d)(3). G.S. 113-270.2(c)(1a) or (3a), 113-271(d)(1e) or (2b), or 113-
38 272(d)(1a2)."

39 Sec. 13. Section 6 of this act becomes effective July 1, 1993. The remainder
40 of this act becomes effective July 1, 1994.