

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 302

Committee Substitute Favorable 4/30/97

Senate Agriculture, Environment, and Natural Resources Committee Substitute Adopted  
7/29/97

Short Title: Wildlife/Rabies Emergency.

(Public)

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Sponsors:

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Referred to:

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February 24, 1997

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A PROCEDURE TO AUTHORIZE THE TAKING OF  
CERTAIN WILDLIFE IN COUNTIES OR DISTRICTS WHERE AN OUTBREAK  
OF RABIES HAS OCCURRED.

The General Assembly of North Carolina enacts:

Section 1. Part 6 of Article 6 of Chapter 130A of the General Statutes is amended by adding a new section to read:

**"§ 130A-201. Rabies emergency.**

A local health director in whose county or district rabies is found in the wild animal population as evidenced by a positive diagnosis of rabies in the past year in any wild animal, except a bat, may petition the State Health Director to declare a rabies emergency in the county or district. In determining whether a rabies emergency exists, the State Health Director shall consult with the Public Health Veterinarian and the State Agriculture Veterinarian and may consult with any other source of veterinary expertise the State Health Director deems advisable. Upon finding that a rabies emergency exists in a county or district, the State Health Director shall petition the Executive Director of the Wildlife Resources Commission to develop a plan pursuant to G.S. 113-291.2(a1)

1           to reduce the threat of rabies exposure to humans and domestic animals by  
2 foxes, raccoons, skunks, or bobcats in the county or district. Upon determination by the  
3 State Health Director that the rabies emergency no longer exists for a county or district,  
4 the State Health Director shall immediately notify the Executive Director of the Wildlife  
5 Resources Commission."

6           Section 2. G.S. 113-291.2 is amended by adding the following new subsection  
7 to read:

8           "(a1) When the Executive Director of the Wildlife Resources Commission receives a  
9 petition from the State Health Director declaring a rabies emergency for a particular  
10 county or district pursuant to G.S. 130A-201, the Executive Director of the Wildlife  
11 Resources Commission shall develop a plan to reduce the threat of rabies exposure to  
12 humans and domestic animals by foxes, raccoons, skunks, or bobcats in the county or  
13 district. The plan shall be based upon the best veterinary and wildlife management  
14 information and techniques available. The plan may involve a suspension or  
15 liberalization of any regulatory restriction on the taking of foxes, raccoons, skunks, or  
16 bobcats, except that the use of poisons, other than those used with dart guns, shall not be  
17 permitted under any circumstance. If the plan involves a suspension or liberalization of  
18 any regulatory restriction on the taking of foxes, raccoons, skunks, or bobcats, the  
19 Executive Director of the Wildlife Resources Commission shall prepare and adopt  
20 temporary rules setting out the suspension or liberalization pursuant to G.S. 150B-  
21 21.1(a)(1). The Executive Director shall publicize the plan and the temporary rules in the  
22 major news outlets that serve the county or district to inform the public of the actions  
23 being taken and the reasons for them. Upon notification by the State Health Director that  
24 the rabies emergency no longer exists, the Executive Director of the Wildlife Resources  
25 Commission shall cancel the plan and repeal any rules adopted to implement the plan.  
26 The Executive Director of the Wildlife Resources Commission shall publicize the  
27 cancellation of the plan and the repeal of any rules in the major news outlets that serve  
28 the county or district."

29           Section 3. This act is effective when it becomes law.