

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 482
SENATE BILL 433

AN ACT TO PROVIDE LIFETIME LICENSES FOR HUNTING AND FISHING AND TO
CREATE AND MAINTAIN A WILDLIFE ENDOWMENT FUND WITH THE
PROCEEDS.

The General Assembly of North Carolina enacts:

Section 1. Article 24 of Chapter 143 of the General Statutes of North Carolina is amended to add a new section 143-250.1 as follows:

"§ 143-250.1. Wildlife Endowment Fund. — (a) Recognizing the inestimable importance to the State and its people of conserving the wildlife resources of North Carolina, and for the purpose of providing the opportunity for citizens and residents of the State to invest in the future of its wildlife resources, there is created the North Carolina Wildlife Endowment Fund, the income and principal of which shall be used only for the purpose of supporting wildlife conservation programs of the State in accordance with this section. This fund shall also be known as the Eddie Bridges Fund.

(b) There is created the Board of Trustees of the Wildlife Endowment Fund of the Wildlife Resources Commission, with full authority over the administration of the Wildlife Endowment Fund, whose ex officio chairman, vice-chairman, and members shall be the chairman, vice-chairman, and members of the Wildlife Resources Commission. The State Treasurer shall be the custodian of the Wildlife Endowment Fund and shall invest its assets in accordance with the provisions of G.S. 147-69.2 and G.S. 147-69.3.

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

- (1) the proceeds of any gifts, grants and contributions to the State which are specifically designated for inclusion in the fund;
- (2) the proceeds from the sale of lifetime sportsman combination licenses issued in accordance with G.S. 113-270.2(c)(1a), G.S. 113-271(d)(1c) and G.S. 113-272(d)(1a2);
- (3) the proceeds from the sale of lifetime hunting and lifetime fishing licenses in accordance with G.S. 113-270.2(c)(3a) and G.S. 113-271(d)(2b);
- (4) the proceeds of lifetime subscriptions to the magazine Wildlife in North Carolina at such rates as may be established from time to time by the Wildlife Resources Commission;
- (5) any amount in excess of the statutory fee for a particular lifetime license or lifetime subscription shall become an asset of the fund and shall qualify as a tax exempt donation to the State;
- (6) such other sources as may be specified by law.

(d) The Wildlife Endowment Fund is declared to constitute a special trust derived from a contractual relationship between the State and the members of the public whose investments contribute to the fund. In recognition of such special trust, the following limitations and restrictions are placed on expenditures from the funds:

- (1) Any limitations or restrictions specified by the donors on the uses of the income derived from gifts, grants and voluntary contributions shall be respected but shall not be binding.

(2) No expenditures or disbursements from the income from the proceeds derived from the sale of types I and Y lifetime sportsman combination licenses specified in G.S. 113-270.2(c)(1a), G.S. 113-271(d)(1c) and G.S. 113-272(d)(1a2) shall be made for any purpose until the respective holders of such licenses attain the age of 16 years. The State Treasurer, as custodian of the fund, shall determine actuarially from time to time the amount of income within the fund which remains encumbered by and which is free of this restriction. For such purpose, the Executive Director shall cause deposits of proceeds from type I licenses to be distinguished and deposits of proceeds from type Y licenses to be accompanied by information as to the ages of the license recipients.

(3) No expenditure or disbursement shall be made from the principal of the Wildlife Endowment Fund except as otherwise provided by law.

(4) The income received and accruing from the investments of the Wildlife Endowment Fund must be spent only in furthering the conservation of wildlife resources and the efficient operation of the North Carolina Wildlife Resources Commission in accomplishing the purposes of the agency as set forth in G.S. 143-239.

(e) The board of trustees of the Wildlife Endowment Fund may accumulate the investment income of the fund until the income, in the sole judgment of the trustees, can provide a significant supplement to the budget of the Wildlife Resources Commission. After that time the trustees, in their sole discretion and authority, may direct expenditures from the income of the fund for the purposes set out in division (4) of subsection (d).

(f) Expenditure of the income derived from the Wildlife Endowment Fund shall be made through the State budget accounts of the Wildlife Resources Commission in accordance with the provisions of the Executive Budget Act. The Wildlife Endowment Fund is subject to the oversight of the State Auditor pursuant to G.S. 147-58.

(g) The Wildlife Endowment Fund and the income therefrom shall not take the place of State appropriations or agency receipts placed in the Wildlife Resources Fund, or any part thereof, but any portion of the income of the Wildlife Endowment Fund available for the purpose set out in division (4) of subsection (d) shall be used to supplement other income of and appropriations to the Wildlife Resources Commission to the end that the Commission may improve and increase its services and become more useful to a greater number of people.

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

Sec. 2. The third paragraph of G.S. 143-250 is amended to delete the opening phrase "On and after July 1, 1947," and to insert in lieu thereof "Except as otherwise specifically provided by law,".

Sec. 3. Subsection (b) of G.S. 113-306 is amended to read as follows:

"(b) Except as otherwise specifically provided by law, all money credited to, held by, or to be received by the Wildlife Resources Commission from the sale of licenses authorized by this Subchapter must be consolidated and placed in the Wildlife Resources Fund."

Sec. 4. Subsection (c) of G.S. 113-270.2 is amended as follows:

(1) By inserting a new subdivision (1a) to read as follows:

"(la) Lifetime sportsman combination licenses. These licenses are valid only for use by individual holders and are of the following types depending on the holders' ages on the dates of issue:

- a. Type I available only to an individual under one year of age — \$100.00.
- b. Type Y available only to an individual under 12 years of age — \$200.00.
- c. Type A available to a resident individual of any age — \$300.00."

(2) By inserting a new subdivision (3a) to read as follows:

"(3a) Lifetime resident State hunting license — \$150.00. This license is valid only for use by an individual resident of the State."

Sec. 5. Subsection (d) of G.S. 113-271 is amended as follows:

(1) By inserting a new subdivision (lc) to read as follows:

"(lc) Lifetime sportsman combination licenses. These licenses are valid only for use by individual holders and are of the following types depending on the holders' ages on the dates of issue:

- a. Type I available only to an individual under one year of age — \$100.00.
- b. Type Y available only to an individual under 12 years of age — \$200.00.
- c. Type A available to a resident individual of any age — \$300.00."

(2) By inserting a new subdivision (2b) to read as follows:

"(2b) Lifetime resident State fishing license — \$150.00. This license is valid only for use by an individual resident of the State."

Sec. 6. Subsection (d) of G.S. 113-272 is amended by inserting a new subdivision (la2) to read as follows:

"(la2) Lifetime sportsman combination licenses. These licenses are valid only for use by individual holders and are of the following types depending on the holders' ages on the dates of issue:

- a. Type I available only to an individual under one year of age — \$100.00.
- b. Type Y available only to an individual under 12 years of age — \$200.00.
- c. Type A available to a resident individual of any age — \$300.00."

Sec. 7. The first line of G.S. 113-270.3(d) is amended to add the words "lifetime or" after the word "valid" and before the word "resident".

Sec. 8. G.S. 113-272.3 is amended as follows:

(1) By inserting in the caption a semicolon following the word "nets" and adding the following clause in the caption:

"lifetime licenses issued from Wildlife Resources Commission headquarters".

(2) By inserting a new subsection (c) to read as follows:

"(c) Lifetime licenses are issued from the Wildlife Resources Commission headquarters. Each application for a Type I or Type Y lifetime sportsman combination license must be accompanied by a certified copy of the birth certificate of the individual to be named as the license holder."

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of May, 1981.