

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 581
SENATE BILL 616

AN ACT TO PROVIDE FOR SAFE DISTANCES FOR HUNTING MIGRATORY
WILD WATERFOWL IN CARTERET AND PAMLICO COUNTIES.

The General Assembly of North Carolina enacts:

Section 1. Except as provided in Section 2 of this act, it is unlawful to take migratory wild waterfowl within 500 yards of another person's permanently established hunting location.

Sec. 2. This act does not apply to a person taking migratory wild waterfowl:

(1) On property of which he is the landholder or has the landholder's permission to hunt; or

(2) Within the riparian water area of property of which he is the landholder or has the landholder's permission to hunt; or

(3) If he comes within 500 yards of another person's permanently established hunting location only after legally shooting at migratory wild waterfowl and while in active pursuit of a visible, crippled bird.

Sec. 3. The definitions of Subchapter IV of Chapter 113 of the General Statutes apply in interpreting this act. A "permanently established hunting location" is a blind, float, raft, mat, or other buoyant craft or any other location, position, or device that is permanently established for hunting migratory wild waterfowl at a specific site by:

(1) The landholder of the property; or

(2) The riparian landholder, if the site is on or in water and hunting rights in that water are not controlled by someone other than the riparian landholder; or

(3) A person who has written permission to establish the permanent site from a landholder who would qualify under subdivisions (1) or (2).

Sec. 4. Any person who violates this act is guilty of a misdemeanor. A first offense is punishable by a fine of not less than ten dollars (\$10.00) nor more than two hundred fifty dollars (\$250.00), imprisonment not to exceed five months, or both. A second offense is a misdemeanor punishable by mandatory revocation of the violator's hunting licenses and cancellation of all his hunting privileges for one year and by fine, imprisonment or both in the discretion of the court. The court must notify the North Carolina Wildlife Resources Commission of such revocation of licenses and cancellation of privileges.

Sec. 5. This act applies only to the counties of Carteret and Pamlico.

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 15th day of June, 1981.