

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-163
HOUSE BILL 411

AN ACT TO REVISE THE LAW RELATING TO THE GAME COMMISSION OF
CURRITUCK COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 8 of Chapter 1436 of the 1957 Session Laws, as rewritten by Section 6 of Chapter 622 of the 1981 Session Laws, reads as rewritten:

"Sec. 8. To obtain a license for either a stationary bush blind or a floating bush blind, the applicant shall apply in writing to the clerk to the Game Commission enclosing:

(a) ~~For a bush blind, \$15.00; and~~

(b) ~~For a float blind, \$20.00.~~

(1) Twenty-five dollars (\$25.00) if the applicant is a resident of North Carolina; or

(2) Two hundred fifty dollars (\$250.00) if the applicant is not a resident of North Carolina.

~~Of the amount remitted, the clerk to the Game Commission shall retain one dollar (\$1.00) as an issuance fee for each license issued. In addition to the application fee, each application shall be accompanied by a nonrefundable processing fee of ten dollars (\$10.00). Applicants shall submit proof of North Carolina residency along with each application.~~

Applicants who are not residents of North Carolina but who were the holders of licensed blinds for the 1996-97 waterfowl season shall be charged as North Carolina residents for all subsequent renewals of that application. However, this exemption terminates if the blind license is not renewed during any subsequent annual renewal period and is not transferable to any different blind location.

Float blinds when licensed shall bear the license number or tag, and the same shall be displayed in a prominent or conspicuous place upon the blind."

Section 2. Subsection (b) of Section 10 of Chapter 1436 of the 1957 Session Laws, as amended by Section 7 of Chapter 622 of the 1981 Session Laws and Section 4 of Chapter 764 of the 1983 Session Laws, reads as rewritten:

"(b) Application must be filed on or before August 1 of each year to insure timely consideration. To obtain a license for a point blind, the applicant shall apply in writing to the clerk to the Game Commission enclosing twenty-five dollars (\$25.00). ~~Of the amount remitted, the clerk to the Game Commission shall retain two dollars (\$2.00) as an issuance fee for each license issued. In addition to the application fee, each~~

application shall be accompanied by a nonrefundable processing fee of ten dollars (\$10.00)."

Section 3. Section 18 of Chapter 1436 of the 1957 Session Laws, as rewritten by Section 9 of Chapter 622 of the 1981 Session Laws, reads as rewritten:

"Sec. 18. The Game Commission of Currituck County is empowered to pay the necessary fees of attorneys, surveyors, and accountants; the costs of printing license forms for hunting blind licenses to be furnished to the clerk to the Game Commission; and other necessary expenses of carrying out the duties imposed by this act. Each member shall be paid a per diem of ten dollars (\$10.00) and travel expenses of fifteen cents (15¢) per mile while engaged in official business of the Game Commission. the Chairman of the Game Commission shall be paid one thousand dollars (\$1,000) per year in addition to per diem and travel for the fulfillment of his duties as chairman, in such installments as the Commission may direct. Each Game Commission member shall be paid five hundred dollars (\$500.00) per year in addition to per diem and travel in such installments as the Game Commission may direct. The clerk to the Game Commission shall receive an annual salary of five hundred dollars (\$500.00) for the performance of his duties for the Game Commission in addition to his fees for issuing licenses.

~~The Game Commission may accumulate an operating reserve of funds to carry out the necessary duties imposed by this act in an amount deemed necessary by the Game Commission, but not to exceed five thousand dollars (\$5,000). At the end of each fiscal year any funds held by the Game Commission in excess of the operating reserve must be paid to the North Carolina Wildlife Commission for deposit in the Wildlife Resources Fund.~~

In addition, the Game Commission may disburse excess funds generated from fees to an organization established as a nonprofit corporation under North Carolina law for the purpose of conservation, habitat enhancement, and waterfowl protection in Currituck County. The board of directors of this corporation shall be appointed by the Currituck County Board of Commissioners and shall include a representative designated by the Wildlife Resources Commission as a nonvoting member.

Prior to the beginning of the Game Commission's fiscal year it shall file a copy of its budget for that year with the North Carolina Wildlife Resources Commission. Within 30 days following receipt of the audit report made after the close of a fiscal year, the Game Commission shall file a copy of the audit report with the Wildlife Commission."

Section 4. Section 24 of Chapter 1436 of the 1957 Session Laws, as rewritten by Section 5 of Chapter 808 of the 1989 Session Laws, reads as rewritten:

"Sec. 24. (a) The Unless modified by the Game Commission pursuant to subsection (d) of this section, in all areas of Currituck County lying east and north of the line described in subsection (c) of this section, the starting time for waterfowl hunting each day, and the quitting time for waterfowl hunting each day prior to November 1 and after January 31 of the hunting season, shall be as set by the North Carolina Wildlife Resources Commission, or as required by the statewide game law. The quitting time for waterfowl hunting each day after from November 1 through January 31 of the hunting season shall be 4:20 p.m. Eastern Standard Time.

(b) Unless modified by the Game Commission pursuant to subsection (d) of this section, in all areas of Currituck County lying west of the line described in subsection (c) of this section, the starting time for waterfowl hunting each day , and the quitting time for waterfowl hunting each day, shall be as set by the North Carolina Wildlife Resources Commission, or as required by the statewide game law.

(c) The line of demarcation between the waterfowl hunting regions referred to in subsections (a) and (b) of this section is as follows:

Beginning at a point located on the boundary line between the State of North Carolina and the Commonwealth of Virginia and which point marks the center of the Atlantic Intracoastal Waterway (AICW) as established by the United States Army Corps of Engineers and thence following the center of the AICW channel in a southerly direction to the point which marks the intersection with the center of the ferry channel for the Currituck-Knotts Island Ferry; thence running in a southeasterly direction to the northeastern point of Churches Island at a point where the right-of-way of NCSR 1142 (the road from Coinjock to Churches Island) would terminate if extended in a northerly direction to the high water mark of the sound; thence following the center line of NCSR 1142 and the northerly extension thereof in a southerly and westerly direction through Churches Island and continuing to a point where the right-of-way intersects the center of U.S. Highway 158 near the bridge crossing the AICW at Coinjock; thence following the center line of U.S. Highway 158 in a southerly direction to the center of the Currituck Sound and the line marking the boundary between Dare County and Currituck County.

(d) Subject to the approval of the Currituck County Board of Commissioners, the Game Commission may modify the times for waterfowl hunting set forth in this section upon specific findings, after duly advertised public hearing, that the modifications will benefit the waterfowl flyway and habitat within Currituck County and will promote safety and conservation of resources. However, the Game Commission may not modify the times for waterfowl hunting to allow hunting during times when waterfowl hunting is otherwise prohibited by the Wildlife Resources Commission in other areas of the State."

Section 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 9th day of June, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives