

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SENATE BILL 1303
RATIFIED BILL**

AN ACT TO ESTABLISH A MOUNTAIN HERITAGE TROUT WATERS
THREE-DAY FISHING LICENSE AND TO DIRECT THE WILDLIFE
RESOURCES COMMISSION TO ADOPT RULES TO ESTABLISH AND
IMPLEMENT A MOUNTAIN HERITAGE TROUT WATERS PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-272 reads as rewritten:

"§ 113-272. Special trout license.

(a) License Required. – Except as provided in G.S. 113-270.1D, G.S. 113-270.1C(b), and G.S. 113-271(a), no one may fish in public mountain trout waters without having first procured a current and valid special trout license in addition to a hook-and-line fishing license required in G.S. 113-271. When public mountain trout waters occur on game lands, this license entitles the holder to use game lands only for the purpose of access to public mountain trout waters to fish with hook and line.

(b) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 684, s. 5, effective July 1, 1995.

(c) Definitions. – As used in this section:

(1) City has the same meaning as in G.S. 160A-1.

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

(3) Mountain heritage trout waters are those waters that have been designated as public mountain trout waters by the Wildlife Resources Commission, and that run through or are adjacent to a city that has been designated as a Mountain Heritage Trout City pursuant to G.S. 113-272.3(e).

(d) ~~Special Trout License~~ License: Fee. – \$10.00. This license shall be issued to an individual resident or nonresident of the State and entitles the holder to fish with hook and line in public mountain trout waters."

SECTION 2. G.S. 113-272 reads as rewritten:

"§ 113-272. Special trout license; mountain heritage trout waters 3-day fishing license.

(e) Mountain Heritage Trout Waters 3-Day Fishing License: Fee. – \$5.00. This license shall be issued to an individual resident or nonresident of the State and shall entitle the holder to fish in waters designated by the Wildlife Resources Commission as mountain heritage trout waters for the three consecutive days indicated on the license. An individual who holds a mountain heritage trout waters 3-day fishing license does not need to hold a hook-and-line fishing license issued pursuant to G.S. 113-271 in order to fish in mountain heritage trout waters."

SECTION 3. G.S. 113-272.3 reads as rewritten:

"§ 113-272.3. Special provisions respecting fishing licenses; grabbling; taking bait fish; use of landing nets; lifetime licenses issued from Wildlife Resources Commission headquarters; personalized lifetime sportsman combination licenses; Mountain Heritage Trout Waters Program.

(a) The Wildlife Resources Commission by rule may define the meaning of "hook and line" and "special device" as applied to fishing techniques. Any technique of fishing that may be lawfully authorized which employs neither the use of any special device nor hook and line must be pursued under the appropriate hook-and-line fishing license.

(b) In accordance with established fishing customs and the orderly conservation of wildlife resources, the Wildlife Resources Commission may by rule provide for use of nets or other special devices which it may authorize as an incident to hook-and-line fishing or for procuring bait fish without requiring a special device license. In this instance, however, the individual fishing must meet applicable hook-and-line license requirements.

(c) Lifetime licenses are issued from the Wildlife Resources Commission headquarters. Each application for an Infant Lifetime Sportsman or Youth Lifetime Sportsman License must be accompanied by a certified copy of the birth certificate, adoption order containing the date of birth, or other proof of age satisfactory to the Commission, of the individual to be named as the licensee.

(d) In issuing lifetime licenses, the Wildlife Resources Commission is authorized to adopt rules to establish a personalized series for certain license types and to charge a five dollar (\$5.00) administrative fee, to be deposited in the Wildlife Fund, to defray the cost of issuance of the personalized license.

(e) Mountain Heritage Trout Waters Program. – The Wildlife Resources Commission shall adopt rules to establish and implement a Mountain Heritage Trout Waters Program to promote trout fishing as a heritage tourism activity. The Commission shall develop criteria for participation in the Program by cities and prepare a management plan for mountain heritage trout waters. A city that meets the criteria for participation in the Program shall be designated by the Commission as a Mountain Heritage Trout City."

SECTION 4. Section 2 of this act becomes effective July 1, 2008. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 31st day of July, 2007.

Beverly E. Perdue
President of the Senate

Joe Hackney
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2007