

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS35298-LL-190 (03/13)

Short Title: Management of Wildlife Resources.

(Public)

Sponsors: Senator Swindell.

Referred to:

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE LAW RELATING TO THE MANAGEMENT OF
2 WILDLIFE RESOURCES BY AUTHORIZING THE WILDLIFE RESOURCES
3 COMMISSION TO RESPOND TO DISEASE THREATS; ALLOWING THE
4 TAKING OF COYOTE AT NIGHT WITH THE USE OF ARTIFICIAL LIGHTS
5 AND THE TRACKING AND DISPATCH OF WOUNDED DEER AFTER
6 LEGAL HUNTING HOURS; ALLOWING THE TAKING OF BEAVER WITH
7 BOW AND ARROW; TRANSFERRING THE DEER MANAGEMENT
8 ASSISTANCE PROGRAM TO THE WILDLIFE RESOURCES COMMISSION;
9 PROVIDING FOR THE SAFETY OF BOW HUNTERS DURING FIREARMS
10 SEASON; AND PROHIBITING THE FEEDING OF ALLIGATORS.

11 The General Assembly of North Carolina enacts:

12 **SECTION 1.** G.S. 113-306 reads as rewritten:

13 **"§ 113-306. Administrative authority of Wildlife Resources Commission;**
14 **disposition of license funds; delegation of powers; injunctive relief; relief;**
15 **emergency rules.**

16 (a) In the overall best interests of the conservation of wildlife resources, the
17 Wildlife Resources Commission may lease or purchase lands, equipment, and other
18 property; accept gifts and grants on behalf of the State; establish wildlife refuges,
19 management areas, and boating and fishing access areas, either alone or in cooperation
20 with others; provide matching funds for entering into projects with some other
21 governmental agency or with some scientific, educational, or charitable foundation or
22 institution; condemn lands in accordance with the provisions of Chapter 40A of the
23 General Statutes and other governing provisions of law; and sell, lease, or give away
24 property acquired by it. Provided, that any private person selected to receive gifts or
25 benefits by the Wildlife Resources Commission be selected:

26 (1) With regard to the overall public interest that may result; and
27

1 (2) From a defined class upon such a rational basis open to all within the
2 class as to prevent constitutional infirmity with respect to
3 requirements of equal protection of the laws or prohibitions against
4 granting exclusive privileges or emoluments.

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

9 (c) The Wildlife Resources Commission may, within the terms of policies set by
10 rule, delegate to the Executive Director all administrative powers granted to it.

11 (d) The Wildlife Resources Commission is hereby authorized and directed to
12 develop a plan and policy of wildlife management for all lands owned by the State of
13 North Carolina which are suitable for this purpose. The Division of State Property and
14 Construction of the Department of Administration shall determine which lands are
15 suitable for the purpose of wildlife management. Nothing in the wildlife management
16 plan shall prohibit, restrict, or require the change in use of State property which is
17 presently being used or will in the future be used to carry out the goals and objectives of
18 the State agency utilizing such land. Each plan of wildlife management developed by
19 the Wildlife Resources Commission shall consider the question of public hunting; and
20 whenever and wherever possible and consistent with the primary land use of the
21 controlling agency, public hunting shall be allowed under cooperative agreement with
22 the Wildlife Resources Commission. Any dispute over the question of public hunting
23 shall be resolved by the Division of State Property and Construction.

24 (e) Subject to any policy directives adopted by the members of the Wildlife
25 Resources Commission, the Executive Director in his discretion may institute an action
26 in the name of the Wildlife Resources Commission in the appropriate court for
27 injunctive relief to prevent irreparable injury to wildlife resources or to prevent or
28 regulate any activity within the jurisdiction of the Wildlife Resources Commission
29 which constitutes a public nuisance or presents a threat to public health or safety.

30 (f) The Wildlife Resources Commission may develop emergency rules consistent
31 with the provisions of Chapter 150B of the General Statutes, the Administrative
32 Procedure Act, when after consultation with the Wildlife Resources Commission, the
33 State Veterinarian, and the Governor, the Executive Director finds that the
34 implementation of emergency rules is necessary to respond to a wildlife disease or
35 circumstance that threatens irreparable injury to wildlife resources."

36 **SECTION 2.** G.S. 90-101(c) reads as rewritten:

37 "(c) The following persons shall not be required to register and may lawfully
38 possess controlled substances under the provisions of this Article:

39 (1) An agent, or an employee thereof, of any registered manufacturer,
40 distributor, or dispenser of any controlled substance if such agent is
41 acting in the usual course of his business or employment;

42 (2) The State courier service operated by the Department of
43 Administration, a common or contract carrier, or a public
44 warehouseman, or an employee thereof, whose possession of any

1 controlled substance is in the usual course of his business or
2 employment;

3 (3) An ultimate user or a person in possession of any controlled substance
4 pursuant to a lawful order of a practitioner;

5 (4) Repealed by Session Laws 1977, c. 891, s. 4.

6 (5) Any law-enforcement officer acting within the course and scope of
7 official duties, or any person employed in an official capacity by, or
8 acting as an agent of, any law-enforcement agency or other agency
9 charged with enforcing the provisions of this Article when acting
10 within the course and scope of official duties; ~~and~~

11 (6) A practitioner, as defined in G.S. 90-87(22)a., who is required to be
12 licensed in North Carolina by his respective licensing ~~board~~; board;
13 and

14 (7) An employee of the Wildlife Resources Commission whose possession
15 of the substance is for the purpose of managing wildlife resources."

16 **SECTION 3.** G.S. 113-291.1 reads as rewritten:

17 **"§ 113-291.1. Manner of taking wild animals and wild birds.**

18 (a) Except as otherwise provided, game may only be taken between a half hour
19 before sunrise and a half hour after sunset and only by one or a combination of the
20 following methods:

21 (1) With a rifle, except that rifles may not be used in taking wild turkeys.

22 (2) With a shotgun not larger than number 10 gauge.

23 (3) With a bow and arrow of a type prescribed in the rules of the Wildlife
24 Resources Commission.

25 (4) With the use of dogs.

26 (5) By means of falconry.

27 Fur-bearing animals may be taken at any time during open trapping season with traps
28 authorized under G.S. 113-291.6 and as otherwise authorized pursuant to this
29 subsection, and rabbits may be box-trapped in accordance with rules of the Wildlife
30 Resources Commission. The Wildlife Resources Commission may adopt rules
31 prescribing the manner of taking wild birds and wild animals not classified as game.
32 Use of pistols in taking wildlife is governed by subsection (g). The Wildlife Resources
33 Commission may prescribe the manner of taking wild animals and wild birds on game
34 lands and public hunting grounds.

35 (b) No wild animals or wild birds may be taken:

36 (1) From or with the use of any vehicle; vessel, other than one manually
37 propelled; airplane; or other conveyance except that the use of vehicles
38 and vessels is authorized:

39 a. As hunting stands, subject to the following limitations. No wild
40 animal or wild bird may be taken from any vessel under sail,
41 under power, or with the engine running or while still in motion
42 from such propulsion. No wild animal or wild bird may be
43 taken from any vehicle if it is in motion, the engine is running,
44 or the passenger area of the vehicle is occupied. The prohibition

1 of occupying the passenger area of a vehicle does not apply to a
2 disabled individual whose mobility is restricted.

3 b. For transportation incidental to the taking.

- 4 (2) With the use or aid of any artificial light, net, trap, snare, electronic or
5 recorded animal or bird call, or fire, except as may be otherwise
6 provided by ~~statute~~ statute; provided, however, that crows and coyotes
7 may be taken with the aid of electronic calling ~~devices~~ devices, and
8 coyote may be taken at night with the aid or use of artificial light by a
9 hunter carrying written permission of the landowner or lessee on the
10 hunter's person while hunting. No wild birds may be taken with the use
11 or aid of salt, grain, fruit, or other bait. No black bear or wild boar may
12 be taken with the use or aid of any salt, salt lick, grain, fruit, honey,
13 sugar-based material, animal parts or products, or other bait, and no
14 wild turkey may be taken from an area in which bait has been placed
15 until the expiration of 10 days after the bait has been consumed or
16 otherwise removed. The taking of wild animals and wild birds with
17 poisons, drugs, explosives, and electricity is governed by
18 G.S. 113-261, G.S. 113-262, and Article 22A of this Subchapter.

19 Upon finding that the placement of processed food products in
20 areas frequented by black bears is detrimental to the health of
21 individual black bears or is attracting and holding black bears in an
22 area to the extent that the natural pattern of movement and distribution
23 of black bears is disrupted and bears' vulnerability to mortality factors,
24 including hunting, is increased to a level that causes concern for the
25 population, the Wildlife Resources Commission may adopt rules to
26 regulate, restrict, or prohibit the placement of those products and
27 prescribe time limits during which hunting is prohibited in areas where
28 those products have been placed.

29 Any person who is convicted of unlawfully taking bear or wild
30 boar with the use or aid of any type of bait as provided by this
31 subsection or by rules adopted pursuant to this subsection is
32 punishable as provided by G.S. 113-294(c1).

33 (b1) Notwithstanding any other provision of law, if a hunter wounds a deer during
34 legal hunting hours, the hunter may use a flashlight and a single dog on a leash to
35 pursue and retrieve the wounded deer or may take the wounded deer using a weapon
36 legal for that season. The pursuit, retrieval, and dispatch of a wounded deer may occur
37 after legal shooting hours if necessary.

38 (c) It is a Class 1 misdemeanor for any person taking wildlife to have in his
39 possession any:

- 40 (1) Firearm equipped with a silencer or any device designed to silence,
41 muffle, or minimize the report of the firearm. The firearm is
42 considered equipped with the silencer or device whether it is attached
43 to the firearm or separate but reasonably accessible for attachment
44 during the taking of the wildlife.

1 (2) Weapon of mass death and destruction as defined in G.S. 14-288.8.

2 The Wildlife Resources Commission may prohibit individuals training dogs or
3 taking particular species from carrying axes, saws, tree-climbing equipment, and other
4 implements that may facilitate the unlawful taking of wildlife, except tree-climbing
5 equipment may be carried and used by persons lawfully taking raccoons and opossums
6 during open season.

7 (d) In accordance with governing rules of the Wildlife Resources Commission
8 imposing further restrictions that may be necessary, hunters may conduct field trials
9 with dogs in areas and at times authorized with the use of approved weapons and
10 ammunition. The Wildlife Resources Commission may authorize organized retriever
11 field trials, utilizing domestically raised waterfowl and game birds, to be held under its
12 permit.

13 (d1) Except in areas closed to protect sensitive wildlife populations, and subject to
14 conditions and restrictions contained in rules of the Wildlife Resources Commission,
15 hunters may train dogs during the closed season:

- 16 (1) With the use of weapons and ammunition approved by the Wildlife
17 Resources Commission;
18 (2) If reasonable control is exercised to prevent the dogs from running
19 unsupervised at large and from killing wild animals and wild birds;
20 (3) On land owned or leased by the dog trainer or upon which the person
21 has written permission to train dogs; and
22 (4) Using domestically raised waterfowl and game birds, provided the
23 birds are marked and sources are documented as required by the
24 Wildlife Resources Commission.

25 (e) Raccoons and opossum may be taken at night with dogs during seasons set by
26 rules of the Wildlife Resources Commission with the use of artificial lights of a type
27 designed or commonly used to aid in taking raccoon and opossum. No conveyance may
28 be used in taking any raccoon or opossum at night, but incidental transportation of
29 hunters and dogs to and from the site of hunting is permitted. The Wildlife Resources
30 Commission may by rule prescribe restrictions respecting the taking of frogs, or other
31 creatures not classified as wildlife which may be found in areas frequented by game,
32 with the use of an artificial light, and may regulate the shining of lights at night in areas
33 frequented by deer as provided in subsection (e1).

34 (e1) After hearing sufficient evidence and finding as a fact that an area frequented
35 by deer is subject to substantial unlawful night deer hunting or that residents in the area
36 have been greatly inconvenienced by persons shining lights on deer, the Wildlife
37 Resources Commission may by rule prohibit the intentional sweeping of that area with
38 lights, or the intentional shining of lights on deer, during the period either:

- 39 (1) From 11:00 p.m. until one-half hour before sunrise; or
40 (2) From one-half hour after sunset until one-half hour before sunrise.

41 Before adopting this rule, the Wildlife Resources Commission must propose it at a
42 public hearing in the area to be closed and seek the reactions of the local inhabitants.
43 The rule must exempt necessary shining of lights by landholders, motorists engaged in
44 normal travel on the highway, and campers and others legitimately in the area, who are

1 not attempting to attract wildlife. This subsection does not limit the right of hunters to
2 take raccoon and opossum with dogs lawfully at night with a light under the terms of
3 subsection (e).

4 (e2) If the Wildlife Resources Commission has enacted a rule under the authority
5 of subsection (e1) prohibiting the shining of lights from 11:00 p.m. until one-half hour
6 before sunrise in any county or area of a county, the Wildlife Resources Commission is
7 authorized, without holding an additional public hearing, to extend the applicability of
8 that rule to the period one-half hour after sunset to one-half hour before sunrise upon
9 receipt of a resolution from the board of commissioners of the county requesting
10 extension of the period.

11 (f) To keep North Carolina provisions respecting migratory birds in substantial
12 conformity with applicable federal law and rules, the Wildlife Resources Commission
13 may by rule expand or modify provisions of this Article if necessary to achieve such
14 ~~conformity.~~ conformity, including allowing the use of electronic calls. In particular, the
15 Commission may prohibit the use of rifles, unplugged shotguns, live decoys, and
16 sinkboxes in the taking of migratory game birds; vary shooting hours; adopt specific
17 distances, not less than 300 yards, hunters must maintain from areas that have been
18 baited, and fix the number of days afterwards during which it is still unlawful to take
19 migratory game birds in the area; and adopt similar provisions with regard to the use of
20 live decoys. In the absence of rules of the Wildlife Resources Commission to the
21 contrary, the rules of the United States Department of the Interior prohibiting the use of
22 rifles, unplugged shotguns, toxic shot and sinkboxes in taking migratory game birds in
23 North Carolina shall apply, and any violation of such federal rules is unlawful.

24 (g) If a season is open permitting such method of taking for the species in
25 question, a hunter may take ~~rabbits, squirrels, opossum, raccoons,~~ game animals,
26 fur-bearing animals, and nongame animals and birds open to hunting with a pistol ~~of .22~~
27 ~~caliber~~ with a barrel not less than ~~five and one half~~ three inches in length. In addition, a
28 hunter or trapper lawfully taking a wild animal or wild bird by another lawful method
29 may use a knife, pistol, or other swift method of killing the animal or bird taken. The
30 Wildlife Resources Commission may, however, restrict or prohibit the carrying of
31 firearms during special seasons or in special areas reserved for the taking of wildlife
32 with primitive weapons or other restricted methods.

33 (g1) The Wildlife Resources Commission may by rule prescribe the types of
34 handguns and handgun ammunition that may be used in taking big game animals other
35 than wild turkey. During the regular gun seasons for taking ~~bear, deer and wild boar~~
36 game animals, these animals may be taken with types of handguns and handgun
37 ammunition that shall be approved for such use by the rules of the Wildlife Resources
38 Commission. The Commission shall not provide any special season for the exclusive
39 use of handguns in taking wildlife.

40 (h) In the interests of enhancing the enjoyment of sportsmen, and if consistent
41 with conservation objectives, the Wildlife Resources Commission may by rule relax
42 requirements of this section on controlled shooting preserves and in other highly
43 controlled situations.

1 (i) The intentional destruction or substantial impairment of wildlife nesting or
2 breeding areas or other purposeful acts to render them unfit is unlawful. These
3 prohibitions include cutting down den trees, shooting into nests of wild animals or birds,
4 and despoliation of dens, nests, or rookeries.

5 (j) It is unlawful to take deer swimming or in water above the knees of the deer."

6 **SECTION 4.** G.S. 113-291.9(a) reads as rewritten:

7 "(a) Notwithstanding any other law, there is an open season for taking beaver with
8 firearms or bow and arrow during any open season for the taking of wild animals,
9 provided that permission has been obtained from the owner or lessee of the land on
10 which the beaver is being taken."

11 **SECTION 5.** G.S. 113-291.2 reads as rewritten:

12 **"§ 113-291.2. Seasons and bag limits on wild animals and birds; including animals**
13 **and birds taken in bag; possession and transportation of wildlife after**
14 **taking.**

15 (a) In accordance with the supply of wildlife and other factors it determines to be
16 of public importance, the Wildlife Resources Commission may fix seasons and bag
17 limits upon the wild animals and wild birds authorized to be taken that it deems
18 necessary or desirable in the interests of the conservation of wildlife resources. The
19 authority to fix seasons includes the closing of seasons completely when necessary and
20 fixing the hours of hunting. The authority to fix bag limits includes the setting of season
21 and possession limits. Different seasons and bag limits may be set in differing areas;
22 early or extended seasons and different or unlimited bag limits may be authorized on
23 controlled shooting preserves, game lands, and public hunting grounds; and special or
24 extended seasons may be fixed for those engaging in falconry, using primitive weapons,
25 or taking wildlife under other special conditions.

26 Unless modified by rules of the Wildlife Resources Commission, the seasons,
27 shooting hours, bag limits, and possession limits fixed by the United States Department
28 of Interior or any successor agency for migratory game birds in North Carolina must be
29 followed, and a violation of the applicable federal rules is hereby made unlawful. When
30 the applicable federal rules require that the State limit participation in seasons and/or
31 bag limits for migratory game birds, the Wildlife Resources Commission may schedule
32 managed hunts for migratory game birds. Participants in such hunts shall be selected at
33 random by computer, and each applicant 16 years of age or older shall have the required
34 general hunting license and the waterfowl hunting license prior to the drawing for the
35 managed hunt. Each applicant under 16 years of age shall either have the required
36 general hunting license and the waterfowl hunting license or shall apply as a member of
37 a party that includes a properly licensed adult. All applications for managed waterfowl
38 hunts shall be screened prior to the drawing for compliance with these requirements. A
39 nonrefundable fee of ten dollars (\$10.00) shall be required of each applicant to defray
40 the cost of processing the applications.

41 ~~Where there is a muzzle-loading firearm season for deer, with a bag limit of five or~~
42 ~~more, one antlerless deer may be taken. Dogs may not be used for hunting deer during~~
43 ~~such season.~~

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

22 (b) Any individual hunter or trapper who in taking a wild animal or bird has
23 wounded or otherwise disabled it must make a reasonable effort to capture and kill the
24 animal or bird. All animals and birds taken that can be retrieved must be retrieved and
25 counted with respect to any applicable bag limits governing the individual taking the
26 animal or bird.

27 (c) An individual who has lawfully taken game within applicable bag,
28 possession, and season limits may, except as limited by rules adopted pursuant to
29 subsection (c1) of this section, after the game is dead, possess and personally transport it
30 for his own use by virtue of his hunting license, and without any additional permit,
31 subject to tagging and reporting requirements that may apply to the fox and big game, as
32 follows:

- 33 (1) In an area in which the season is open for the species, the game may be
34 possessed and transported without restriction.
- 35 (2) The individual may possess and transport the game lawfully taken on a
36 trip:
- 37 a. To his residence;
- 38 b. To a preservation or processing facility that keeps adequate
39 records as prescribed in G.S. 113-291.3(b)(3) or a licensed
40 taxidermist;
- 41 c. From a place authorized in subparagraph b to his residence.
- 42 (3) The individual may possess the game indefinitely at his residence, and
43 may there accumulate lawfully-acquired game up to the greater of:
- 44 a. The applicable possession limit for each species; or

1 b. One half of the applicable season limit for each species.

2 The above subdivisions apply to an individual hunter under 16 years of age covered
3 by the license issued to his parent or guardian, if he is using that license, or by the
4 license of an adult accompanying him. An individual who has lawfully taken game as a
5 landholder without a license may possess and transport the dead game, taken within
6 applicable bag, possession, and season limits, to his residence. He may indefinitely
7 retain possession of such game, within aggregate possession limits for the species in
8 question, in his residence.

9 (c1) In the event that the Executive Director finds that game carcasses or parts of
10 game carcasses are known or suspected to carry an infectious or contagious disease that
11 poses an imminent threat to the health or habitat of wildlife species, the Wildlife
12 Resources Commission shall adopt rules to regulate the importation, transportation, or
13 possession of those carcasses or parts of carcasses that, according to wildlife disease
14 experts, may transmit such a disease.

15 (d) Except in the situations specifically provided for above, the Wildlife
16 Resources Commission may by rule impose reporting, permit, and tagging requirements
17 that may be necessary upon persons:

- 18 (1) Possessing dead wildlife taken in open season after the close of that
19 season.
- 20 (2) Transporting dead wildlife from an area having an open season to an
21 area with a closed season.
- 22 (3) Transporting dead wildlife lawfully taken in another state into this
23 State.
- 24 (4) Possessing dead wildlife after such transportation.

25 The Wildlife Resources Commission in its discretion may substitute written declarations
26 to be filed with agents of the Commission for permit and tagging requirements.

27 (e) Upon application of any landholder or agent of a landholder accompanied by
28 a fee of fifty dollars (\$50.00), the Executive Director ~~may require a survey of the deer~~
29 ~~population on the land of such landholder. If as a result of the survey it is determined~~
30 ~~that there is an overpopulation of deer in relation to the carrying capacity of the land,~~
31 ~~that the herd is substantially dependent on such land for its food and cover, and that the~~
32 ~~imbalance in the deer population is not readily correctable by an either sex deer season~~
33 ~~of reasonable length, the Executive Director may issue to such landholder or agent a~~
34 special license and a number of special antlerless or antlered deer tags that in the
35 judgment of the Executive Director is sufficient to correct or alleviate the population
36 imbalance. accommodate the landholder or the landholder's agent's deer population
37 management objectives or correct any deer population imbalance that may occur on the
38 property. Subject to applicable hunting license requirements, the special deer tags may
39 be used by any person or persons selected by the landholder or his agent as authority to
40 take antlerless deer, including male deer with "buttons" or spikes not readily visible, or
41 antlered deer on the tract of land concerned during any established deer hunting season.
42 ~~Each antlerless deer killed~~ The Executive Director or designee may stipulate on the
43 license that special deer tags for antlered deer, if applicable, may only be valid for deer
44 that meet certain minimum harvest criteria. The Executive Director or designee may

1 also define on the license valid hunt dates that fall outside of the general deer hunting
2 season. Harvested antlerless or antlered deer for which special tags are issued shall be
3 affixed immediately with a special ~~antlerless~~-deer tag and shall be reported immediately
4 in the wildlife cooperator tagging book supplied with the special ~~antlerless~~ deer tags.
5 tags or by telephone or Internet. This tagging book and any unused tags shall be
6 returned to the Commission within 15 days of the close of the season. Antlerless or
7 antlered deer taken under this program and tagged with the special ~~antlerless~~ tags
8 provided shall not count as part of the daily bag, possession, and season limits of the
9 person taking the deer."

10 **SECTION 6.** G.S. 113-291.8(a) reads as rewritten:

11 "(a) Any person hunting game animals other than foxes, bobcats, raccoons, and
12 opossum, or hunting upland game birds other than wild turkeys, with the use of
13 firearms, must wear a cap or hat on his head made of hunter orange material or an outer
14 garment of hunter orange visible from all sides. Any person hunting deer during a
15 firearms season shall wear hunter orange. Hunter orange material is a material that is a
16 daylight fluorescent orange color."

17 **SECTION 7.** Article 22 of Chapter 113 of the General Statutes is amended
18 by adding a new section to read:

19 "**§ 113-291.11. Feeding of alligators prohibited.**

20 It is unlawful to intentionally feed alligators outside of captivity."

21 **SECTION 8.** The act becomes effective October 1, 2007, and applies to acts
22 committed on or after that date.