

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**SENATE BILL 1464**

Short Title: Management of Wildlife Resources.

(Public)

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Sponsors: Senators Swindell; and Brown.

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Referred to: Agriculture/Environment/Natural Resources.

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March 26, 2007

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 (2) From a defined class upon such a rational basis open to all within the  
28 class as to prevent constitutional infirmity with respect to  
29

1 requirements of equal protection of the laws or prohibitions against  
2 granting exclusive privileges or emoluments.

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

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

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

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

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

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

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

- 37 (1) An agent, or an employee thereof, of any registered manufacturer,  
38 distributor, or dispenser of any controlled substance if such agent is  
39 acting in the usual course of his business or employment;
- 40 (2) The State courier service operated by the Department of  
41 Administration, a common or contract carrier, or a public  
42 warehouseman, or an employee thereof, whose possession of any  
43 controlled substance is in the usual course of his business or  
44 employment;

- 1 (3) An ultimate user or a person in possession of any controlled substance  
2 pursuant to a lawful order of a practitioner;  
3 (4) Repealed by Session Laws 1977, c. 891, s. 4.  
4 (5) Any law-enforcement officer acting within the course and scope of  
5 official duties, or any person employed in an official capacity by, or  
6 acting as an agent of, any law-enforcement agency or other agency  
7 charged with enforcing the provisions of this Article when acting  
8 within the course and scope of official duties; ~~and~~  
9 (6) A practitioner, as defined in G.S. 90-87(22)a., who is required to be  
10 licensed in North Carolina by his respective licensing ~~board~~; board;  
11 and  
12 (7) An employee of the Wildlife Resources Commission whose possession  
13 of the substance is for the purpose of managing wildlife resources."

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

15 **"§ 113-291.1. Manner of taking wild animals and wild birds.**

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

- 19 (1) With a rifle, except that rifles may not be used in taking wild turkeys.  
20 (2) With a shotgun not larger than number 10 gauge.  
21 (3) With a bow and arrow of a type prescribed in the rules of the Wildlife  
22 Resources Commission.  
23 (4) With the use of dogs.  
24 (5) By means of falconry.

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

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

- 34 (1) From or with the use of any vehicle; vessel, other than one manually  
35 propelled; airplane; or other conveyance except that the use of vehicles  
36 and vessels is authorized:  
37 a. As hunting stands, subject to the following limitations. No wild  
38 animal or wild bird may be taken from any vessel under sail,  
39 under power, or with the engine running or while still in motion  
40 from such propulsion. No wild animal or wild bird may be  
41 taken from any vehicle if it is in motion, the engine is running,  
42 or the passenger area of the vehicle is occupied. The prohibition  
43 of occupying the passenger area of a vehicle does not apply to a  
44 disabled individual whose mobility is restricted.

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

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

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

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

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

- 38 (1) Firearm equipped with a silencer or any device designed to silence,  
39 muffle, or minimize the report of the firearm. The firearm is  
40 considered equipped with the silencer or device whether it is attached  
41 to the firearm or separate but reasonably accessible for attachment  
42 during the taking of the wildlife.  
43 (2) Weapon of mass death and destruction as defined in G.S. 14-288.8.

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

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

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

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

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

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

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

40 Before adopting this rule, the Wildlife Resources Commission must propose it at a  
41 public hearing in the area to be closed and seek the reactions of the local inhabitants.  
42 The rule must exempt necessary shining of lights by landholders, motorists engaged in  
43 normal travel on the highway, and campers and others legitimately in the area, who are  
44 not attempting to attract wildlife. This subsection does not limit the right of hunters to

1 take raccoon and opossum with dogs lawfully at night with a light under the terms of  
2 subsection (e).

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

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

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

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

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

43 (i) The intentional destruction or substantial impairment of wildlife nesting or  
44 breeding areas or other purposeful acts to render them unfit is unlawful. These

1 prohibitions include cutting down den trees, shooting into nests of wild animals or birds,  
2 and despoliation of dens, nests, or rookeries.

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

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

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

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

10 **"§ 113-291.2. Seasons and bag limits on wild animals and birds; including animals  
11 and birds taken in bag; possession and transportation of wildlife after  
12 taking.**

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

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

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

42 (a1) When the Executive Director of the Wildlife Resources Commission receives  
43 a petition from the State Health Director declaring a rabies emergency for a particular  
44 county or district pursuant to G.S. 130A-201, the Executive Director of the Wildlife

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

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

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

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

43 The above subdivisions apply to an individual hunter under 16 years of age covered  
44 by the license issued to his parent or guardian, if he is using that license, or by the



1 license of an adult accompanying him. An individual who has lawfully taken game as a  
2 landholder without a license may possess and transport the dead game, taken within  
3 applicable bag, possession, and season limits, to his residence. He may indefinitely  
4 retain possession of such game, within aggregate possession limits for the species in  
5 question, in his residence.

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

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

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

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

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

1 in the wildlife cooperator tagging book supplied with the special ~~antlerless~~ deer tags.  
2 tags or by telephone or Internet. This tagging book and any unused tags shall be  
3 returned to the Commission within 15 days of the close of the season. Antlerless or  
4 antlered deer taken under this program and tagged with the special ~~antlerless~~ tags  
5 provided shall not count as part of the daily bag, possession, and season limits of the  
6 person taking the deer."

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

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

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

16 "**§ 113-291.11. Feeding of alligators prohibited.**

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

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