

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 832
Committee Substitute Favorable 5/2/95

Short Title: Clarify Critical Habitat.

(Public)

Sponsors:

Referred to:

April 11, 1995

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE MEANING OF CRITICAL HABITAT AND TO LIMIT
3 THE DESIGNATION OF CRITICAL HABITAT BY THE WILDLIFE
4 RESOURCES COMMISSION.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 113-331 is amended by adding a new subdivision to read:

7 "(3a) 'Critical habitat' means an area designated by the Secretary of the United
8 States Department of the Interior pursuant to 16 U.S.C. § 1533."

9 Sec. 2. G.S. 113-333(3) reads as rewritten:

10 "(3) To coordinate development and implementation of conservation
11 programs for endangered and threatened species of wild animals and for
12 species of special ~~concern~~; concern, provided that the Commission shall
13 not designate critical habitats on privately owned property, nor shall the
14 conservation programs adopted by the Commission be written so as to
15 impose restrictions upon, or limit the use of, private property by any
16 landholder."

17 Sec. 3. G.S. 113-336(5) reads as rewritten:

18 "(5) To recommend critical habitat areas for protection or acquisition on
19 property managed by the Wildlife Resources Commission, and to

1 recommend voluntary acquisition of critical habitats on privately owned
2 property, to recommend adoption of protective measures on lands
3 owned or controlled by the Commission which lie within critical
4 habitats, and to recommend voluntary protective measure agreements
5 with landholders whose property lies within critical habitats;".
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Sec. 4. This act is effective upon ratification.