

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 236

Short Title: License Suspension/Baiting/AB.

(Public)

Sponsors: Representative Gulley.

Referred to: Wildlife Resources.

March 4, 1999

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING THE BAITING OF ANIMALS AND
TO MAKE CORRECTIONS IN THE LAW REGARDING THE MANDATORY
SUSPENSION OF HUNTING LICENSES AND PERMITS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113-291.1(b) reads as rewritten:

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

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

a. As hunting stands, subject to the following limitations. No wild animal or wild bird may be taken from any vessel under sail, under power, or with the engine running or while still in motion from such propulsion. No wild animal or wild bird may be taken from any vehicle if it is in motion, the engine is running, or the passenger area of the vehicle is occupied. The prohibition of occupying the passenger area of a vehicle does not apply to a disabled individual whose mobility is restricted.

b. For transportation incidental to the taking.

1 (2) With the use or aid of any artificial light, net, trap, snare, electronic or
2 recorded animal or bird call, or fire, except as may be otherwise
3 provided by statute[;] provided, however, that crows may be taken with
4 the aid of electronic calling devices. No wild birds may be taken with
5 the use or aid of salt, grain, fruit, or other bait, ~~except as may be otherwise~~
6 ~~provided by statute.~~ and no wild birds may be taken from an area in
7 which bait has been placed until the expiration of 10 days after the bait
8 has been consumed or otherwise removed. No bear or wild boar may be
9 taken with the use or aid of any salt, salt lick, grain, fruit, honey, sugar-
10 based material, animal parts or products, or other ~~bait.~~ bait, and no bear
11 or wild turkey may be taken from an area in which bait has been placed
12 until the expiration of 10 days after the bait has been consumed or
13 otherwise removed. The taking of wild animals and wild birds with
14 poisons, drugs, explosives, and electricity is governed by G.S. 113-261,
15 G.S. 113-262, and Article 22A of this Subchapter. Any person who
16 unlawfully takes bear or wild boar with the use or aid of any type of bait
17 is punishable as provided by ~~G.S. 113-294(e).~~ G.S. 113-294(c1)."

18 Section 2. G.S. 113-276.3(d) reads as rewritten:

19 "(d) Any violation of this Subchapter or of any rule adopted by the Wildlife
20 Resources Commission under the authority of this Subchapter which is subject to a
21 penalty greater than the one provided in G.S. 113-135(a)(1) is a suspension offense.
22 Conviction of any of the following suspension offenses results in a suspension for a
23 period of two years:

24 (1) A violation of G.S. 113-294(b).

25 (2) A violation of G.S. 113-294(c).

26 (2a) A violation of G.S. 113-294(c1).

27 (3) A violation of G.S. 113-294(e).

28 (4) ~~A violation of G.S. 113-294(k).~~

29 A conviction of any other suspension offense results in a suspension for a period of one
30 year."

31 Section 3. This act becomes effective October 1, 1999.