

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE DRS35175-LLf-110 (03/13)

Short Title: Black Bear Management.

(Public)

Sponsors: Senator Brown (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A BLACK BEAR MANAGEMENT STAMP THAT MUST BE  
3 PROCURED BEFORE TAKING BEAR WITHIN THE STATE AND TO AMEND THE  
4 LAW RESTRICTING THE TAKING OF BLACK BEAR WITH BAIT.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 113-270.3 reads as rewritten:

7 "§ 113-270.3. **Special activity licenses; stamps; big game kill reports.**

8 (a) In addition to any hunting, trapping, or fishing license that may be required pursuant  
9 to G.S. 113-270.1B(a), individuals engaging in specially regulated activities must have the  
10 appropriate special activity license and stamp prescribed in this section before engaging in the  
11 regulated activity.

12 (b) The special activity licenses and stamp issued by the Wildlife Resources  
13 Commission are as follows:

14 (1) Resident Big Game Hunting License – \$10.00. This license shall be issued  
15 only to an individual resident of the State and entitles the holder to take big  
16 game by all lawful methods and during all open seasons.

17 (1a) Nonresident Bear Hunting License – ~~\$125.00~~ \$225.00. This license is valid  
18 for use only by an individual within the State and must be procured before  
19 taking any bear within the State. Notwithstanding any other provision of  
20 law, a nonresident individual may not take any bear within the State without  
21 procuring this license; provided, that those persons who have a nonresident  
22 lifetime sportsman combination license purchased prior to May 24, 1994,  
23 shall not have to purchase this license.

24 (1b) Bear Management Stamp – \$10.00. This electronically generated stamp must  
25 be procured before taking any bear within the State. Notwithstanding any  
26 other provision of law, a resident or nonresident individual may not take any  
27 bear within the State without procuring this stamp; provided, that those  
28 persons who have purchased a lifetime license established by  
29 G.S. 113-270.1D(b), 113-270.2(c)(2) or 113-351(c)(3) prior to July 1, 2014,  
30 and those persons exempt from the license requirements as set forth in  
31 G.S. 113-276(c) and G.S. 113-276(n) shall obtain this stamp free of charge.

32 ...."

33 SECTION 2. G.S. 113-291.1(b) reads as rewritten:

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



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- 1 (1) From or with the use of any vehicle; vessel, other than one manually  
 2 propelled; airplane; or other conveyance except that the use of vehicles and  
 3 vessels is authorized:  
 4 a. As hunting stands, subject to the following limitations. No wild  
 5 animal or wild bird may be taken from any vessel under sail, under  
 6 power, or with the engine running or while still in motion from such  
 7 propulsion. No wild animal or wild bird may be taken from any  
 8 vehicle if it is in motion, the engine is running, or the passenger area  
 9 of the vehicle is occupied. The prohibition of occupying the  
 10 passenger area of a vehicle does not apply to a disabled individual  
 11 whose mobility is restricted.  
 12 b. For transportation incidental to the taking.  
 13 (2) With the use or aid of any artificial light, net, trap, snare, electronic or  
 14 recorded animal or bird call, or fire, except as may be otherwise provided by  
 15 statute[;] provided, however, that the Wildlife Resources Commission may  
 16 adopt rules prescribing seasons and the manner of taking of wild animals and  
 17 wild birds with the use of artificial light and electronic calls. No wild birds  
 18 may be taken with the use or aid of salt, grain, fruit, or other bait. No black  
 19 bear may be taken with the use or aid of any salt, salt lick, grain, fruit,  
 20 honey, sugar-based material, animal parts or products, or other bait, ~~and no~~  
 21 except as provided by the rules of the Wildlife Resources Commission. No  
 22 wild turkey may be taken from an area in which bait has been placed until  
 23 the expiration of 10 days after the bait has been consumed or otherwise  
 24 removed. The taking of wild animals and wild birds with poisons, drugs,  
 25 explosives, and electricity is governed by G.S. 113-261, G.S. 113-262, and  
 26 Article 22A of this Subchapter.

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

36 Any person who is convicted of unlawfully taking bear with the use or  
 37 aid of any type of bait as provided by this subsection or by rules adopted  
 38 pursuant to this subsection is punishable as provided by G.S. 113-294(c1)."

39 **SECTION 3.** Chapter 828 of the 1981 Session Laws is repealed.

40 **SECTION 4.** G.S. 113-276 reads as rewritten:

41 "**§ 113-276. Exemptions and exceptions to license and permit requirements.**

42 (a), (b) Repealed by Session Laws 1979, c. 830, s. 1.

43 (c) Except as otherwise provided in this Subchapter, every landholder, his spouse, and  
 44 dependents under 18 years of age residing with him may take wildlife upon the land held by the  
 45 landholder without any license required by G.S. 113-270.1B or G.S. 113-270.3(a), except that  
 46 such persons are not exempt from the bear management stamp established in  
 47 G.S. 113-270.3(b)(1b) and the falconry license described in G.S. 113-270.3(b)(4).

48 ...

49 (n) The Wildlife Resources Commission may adopt rules to exempt individuals from  
 50 the hunting and fishing license requirements of G.S. 113-270.1B, 113-270.3(b)(1),  
 51 113-270.3(b)(1a), 113-270.3(b)(1b), 113-270.3(b)(2), 113-270.3(b)(3), 113-270.3(b)(5),

1 113-271, 113-272, and 113-272.2(c)(1) who participate in organized hunting and fishing events  
2 for the specified time and place of the event when the purpose of the event is consistent with  
3 the conservation objectives of the Commission. A person exempted from licensing  
4 requirements under this subsection is responsible for complying with any reporting  
5 requirements prescribed by rule of the Wildlife Resources Commission, purchasing any federal  
6 migratory waterfowl stamps as a result of waterfowl hunting activity, and complying with any  
7 other requirements that the holder of a North Carolina license is subject to. Those exempted  
8 persons shall comply with the hunter safety requirements of G.S. 113-270.1A or shall be  
9 accompanied by a properly licensed adult who maintains a proximity to the license exempt  
10 individual which enables the adult to monitor the activities of, and communicate with, the  
11 individual at all times."

12 **SECTION 5.** Sections 1 and 4 of this act become effective July 1, 2014. The  
13 remainder of this act is effective when it becomes law.