

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 955
Committee Substitute Favorable 4/27/09

Short Title: Expand Membership/Currituck Game Commission. (Local)

Sponsors:

Referred to:

April 1, 2009

A BILL TO BE ENTITLED

1 AN ACT TO EXPAND THE MEMBERSHIP AND CHANGE THE MANNER OF
2 CHOOSING THE MEMBERS OF THE CURRITUCK COUNTY GAME COMMISSION,
3 TO MAKE CHANGES TO THE COMPENSATION PROVIDED TO MEMBERS OF
4 THE COMMISSION AND THE CLERK OF THE COMMISSION, AND TO PROVIDE
5 THAT NO FLOAT BLINDS MAY BE TIED WITHIN THREE HUNDRED YARDS OF
6 A RESIDENCE IN CURRITUCK COUNTY.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Section 5 of Chapter 1436 of the 1957 Session Laws, as amended by
10 Chapter 622 of the 1981 Session Laws and by Section 1 of S.L. 2003-16, reads as rewritten:

11 "Sec. 5. A Game Commission of Currituck County is hereby created which Commission
12 shall consist of ~~five~~ seven members, each of whom shall be thoroughly acquainted with
13 migratory water fowl shooting both ashore and afloat. The Game Commission shall be selected
14 and appointed by the Board of County Commissioners of Currituck County, but no member
15 shall be removed except upon the unanimous vote of all the members of the board of
16 commissioners. ~~One member shall be chosen from each of the four townships of Currituck
17 County and one member~~One member shall be chosen from each of the five county
18 commissioner residency districts, and two members shall be appointed to serve at large. In the
19 event of a vacancy, successors to the members of the Commission shall be similarly appointed.

20 The members of said Game Commission shall be appointed by the board of county
21 commissioners on the first Monday in July, 1957 and thereafter on the first Monday of June of
22 each year as terms expire, and shall hold their offices for terms of two years, or until their
23 successors are appointed and qualified, provided the terms of those appointed on the first
24 Monday of July, 1957, shall expire on the first Monday of June, 1959, and provided that
25 present members serving on date of ratification shall finish their terms.

26 The said Game Commission acting with the North Carolina Wildlife Resources
27 Commission shall have charge of the enforcement of this and all migratory wild fowl game
28 laws in Currituck County, and the said Game commission acting with the North Carolina
29 Wildlife Resources Commission shall have the power and authority to prescribe rules and
30 regulations for the enforcement of such game laws and the protection of wild fowl life in said
31 county, not inconsistent with the provisions of this Act. It is expressly provided that said Game
32 Commission may establish sanctuaries or rest areas in which no wild fowl may be shot, hunted
33 or disturbed."

34 **SECTION 2.** Section 18 of Chapter 1436 of the 1957 Session Laws, as rewritten
35 by Section 9 of Chapter 622 of the 1981 Session Laws and by Section 3 of S.L. 1997-163,
36 reads as rewritten:



1 "Sec. 18. The Game Commission of Currituck County is empowered to pay the necessary
2 fees of attorneys, surveyors, and accountants; the costs of printing license forms for hunting
3 blind licenses to be furnished to the clerk to the Game Commission; and other necessary
4 expenses of carrying out the duties imposed by this act. Each member shall be paid a per diem
5 of ten dollars (\$10.00) and travel expenses of ~~fifteen cents (15¢) per mile~~ the allowable business
6 standard mileage rate as set by the Internal Revenue Service while engaged in official business
7 of the Game Commission. ~~the~~ The Chairman of the Game Commission shall be paid ~~one~~
8 ~~thousand dollars (\$1,000)~~ one thousand five hundred dollars (\$1,500) per year in addition to per
9 diem and travel for the fulfillment of his duties as chairman, in such installments as the
10 Commission may direct. Each Game Commission member shall ~~be paid five hundred dollars~~
11 ~~(\$500.00)~~ receive an annual salary of one thousand dollars (\$1,000) per year in addition to per
12 diem and travel in such installments as the Game Commission may direct. The clerk to the
13 Game Commission shall receive an annual salary of ~~five hundred dollars (\$500.00)~~ one
14 thousand dollars (\$1,000) for the performance of his duties for the Game Commission in
15 addition to his fees for issuing licenses.

16 In addition, the Game Commission may disburse excess funds generated from fees to an
17 organization established as a nonprofit corporation under North Carolina law for the purpose of
18 conservation, habitat enhancement, and waterfowl protection in Currituck County. The board of
19 directors of this corporation shall be appointed by the Currituck County Board of
20 Commissioners and shall include a representative designated by the Wildlife Resources
21 Commission as a nonvoting member.

22 Prior to the beginning of the Game Commission's fiscal year it shall file a copy of its budget
23 for that year with the North Carolina Wildlife Resources Commission. Within 30 days
24 following receipt of the audit report made after the close of a fiscal year, the Game
25 Commission shall file a copy of the audit report with the Wildlife Commission."

26 **SECTION 3.** Section 20 of Chapter 1436 of the 1957 Session Laws, as amended
27 by Section 10 of Chapter 622 of the 1981 Session Laws, reads as rewritten:

28 "Sec. 20. Every blind of any kind shall be located not less than five hundred (500) feet from
29 any blind of any kind. No float blinds shall be tied within 300 yards of any residence.

30 This section shall not apply to blinds closer together than five hundred (500) yards on the
31 effective date of this Act, but shall be applicable to any such blinds as, and when, one of said
32 blinds becomes vacant."

33 **SECTION 4.** This act becomes effective July 1, 2009.