**South Carolina General Assembly**

118th Session, 2009-2010

**A140, R147, S1043**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Cleary

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Introduced in the Senate on January 13, 2010

Introduced in the House on February 16, 2010

Last Amended on February 4, 2010

Passed by the General Assembly on March 12, 2010

Governor's Action: March 31, 2010, Signed

Summary: Flounder

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-13-10.docx)‑5

1/13/2010 Senate Referred to Committee on **Fish, Game and Forestry** [SJ](file:///h:\SJ%20Archive\2010\01-13-10.docx)‑5

2/3/2010 Senate Committee report: Favorable **Fish, Game and Forestry** [SJ](file:///h:\SJ%20Archive\2010\02-03-10.docx)‑33

2/4/2010 Senate Amended [SJ](file:///h:\SJ%20Archive\2010\02-04-10.docx)‑11

2/4/2010 Senate Read second time [SJ](file:///h:\SJ%20Archive\2010\02-04-10.docx)‑11

2/5/2010 Scrivener's error corrected

2/9/2010 Senate Read third time and sent to House [SJ](file:///h:\SJ%20Archive\2010\02-09-10.docx)‑18

2/16/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-16-10.docx)‑9

2/16/2010 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h:\HJ%20Archive\2010\02-16-10.docx)‑10

3/10/2010 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h:\HJ%20Archive\2010\03-10-10.docx)‑2

3/11/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\03-11-10.docx)‑8

3/11/2010 House Unanimous consent for third reading on next legislative day [HJ](file:///h:\HJ%20Archive\2010\03-11-10.docx)‑8

3/12/2010 House Read third time and enrolled [HJ](file:///h:\HJ%20Archive\2010\03-12-10.docx)‑3

3/25/2010 Ratified R 147

3/31/2010 Signed By Governor

4/12/2010 Effective date 03/31/10

4/13/2010 Act No. 140

**VERSIONS OF THIS BILL**

[1/13/2010](file:///p:\pprever\2009-10\1043_20100113.docx)

[2/3/2010](file:///p:\pprever\2009-10\1043_20100203.docx)

[2/4/2010](file:///p:\pprever\2009-10\1043_20100204.docx)

[2/5/2010](file:///p:\pprever\2009-10\1043_20100205.docx)

[3/10/2010](file:///p:\pprever\2009-10\1043_20100310.docx)

(A140, R147, S1043)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑5‑17 TO ESTABLISH THE FLOUNDER POPULATION STUDY PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF NATURAL RESOURCES TO CLARIFY THE LOCATION IN WHICH THE PROGRAM WILL OPERATE, TO CLARIFY THAT PROHIBITED ARTIFICIAL ILLUMINATION IS GENERATED BY MOTOR FUEL POWERED GENERATORS, AND TO PROVIDE THAT THE PROGRAM WILL END ON JUNE 30, 2014; TO REPEAL THE PROVISIONS OF THIS SECTION SIX YEARS AFTER THE EFFECTIVE DATE; AND TO REPEAL SECTION 50‑5‑2017 RELATING TO THE FLOUNDER POPULATION STUDY PROGRAM AND CATCH LIMITS.**

Be it enacted by the General Assembly of the State of South Carolina:

**Flounder Population Study Program**

SECTION 1. Article 1, Chapter 5, Title 50 of the 1976 Code is amended by adding:

“Section 50‑5‑17. (A) There is established the Flounder Population Study Program to be administered by the Department of Natural Resources. The program shall study the effects of flounder catch limits and the prohibition of artificial illumination produced by motor fuel powered generators on flounder (Paralichthys species), located in the waters of Pawleys Inlet north to the northern terminus of Main Creek at Garden City Beach. For purposes of this resolution, ‘gigging’ means using a prong, spear, or similar device, including a bow and arrow to spear a fish.

(B) During the term of the program in the area defined in subsection (A):

(1) the lawful flounder gigging and fishing catch limit is ten per day for any individual, not to exceed twenty flounder in any one day on any boat;

(2) it is unlawful to use any type of artificial illumination produced by motor fuel powered generators while gigging or fishing for flounder from a boat or while wading in the water.

(C) The program shall run for five years, beginning January 1, 2010, and ending June 30, 2014.

(D) For purposes of this section, ‘motor fuel’ has the same meaning as defined in Section 12‑28‑110(39).”

**Repealer**

SECTION 2. SECTION 2 of Act 2 of 2007 is amended to read:

“SECTION 2. The provisions of this act are repealed six years from the effective date of the act.”

**Repealer**

SECTION 3. Section 50‑5‑2017 of the 1976 Code, as added by Act 47 of 2009, is repealed.

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 25th day of March, 2010.

Approved the 31st day of March, 2010.

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