~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 9, 2010

**H. 3913**

Introduced by Rep. Vick

S. Printed 3/9/10--H.

Read the first time April 21, 2009.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3913) to amend the Code of Laws of South Carolina, 1976, by adding Section 50‑5‑1556 so as to establish seasonal creel and size limits for striped bass, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 15, Chapter 5, Title 50 of the 1976 Code is amended by adding:

“Section 50‑5‑1556. (A) In the inshore waters, except for that portion of the Savannah River from the saltwater‑freshwater dividing line downstream to the mouth of the Savannah River defined by a line from Jones Island, S.C. (also known as Oysterbed Island) point at N. 32º 02’18” (N 32.03833o), W. 80º 53’ 21” (W 80.88917o); across Cockspur Island, Georgia, point at N. 32º 01’58” (N 32.03278o), W. 80º 52’ 56” (W 80.88222 o) to Lazaretto Creek, Georgia, point at N 32º 01’ 2” (N 32.01722) W. 80º 52’51” (W80.88083o), and the territorial sea from June first through September thirtieth it is unlawful to possess any striped bass (rockfish). Any striped bass taken must be returned immediately to the waters from where it came.

(B) In the inshore waters, except for that portion of the Savannah River from the saltwater‑freshwater dividing line downstream to the mouth of the Savannah River defined by a line from Jones Island, S.C. (also known as Oysterbed Island) point at N. 32º 02’18” (N 32.03833o), W. 80º 53’ 21” (W 80.88917o); across Cockspur Island, Georgia, point at N. 32º 01’58” (N 32.03278o), W. 80º 52’ 56” (W 80.88222 o) to Lazaretto Creek, Georgia, point at N 32º 01’ 2” (N 32.01722) W. 80º 52’51” (W80.88083o), and the territorial sea from October first through May thirty‑first it is unlawful to:

(1) take or possess more than three striped bass per day;

(2) take any striped bass less than twenty‑six inches in length; or

(3) land any striped bass without the head and tail fin intact.”

SECTION 2. Section 50‑13‑221 of the 1976 Code, as added by Act 237 of 2008, is amended to read:

“Section 50‑13‑221. (A) In the ~~Lower Santee River and Cooper River systems~~ following freshwater bodies: the Ashepoo River; Ashley River; Back River in Jasper County and the Back River in Berkeley County; Black River; Black Mingo Creek; Bull Creek and Little Bull Creek; Combahee River; Cooper River system; Coosawhatchie River; Cuckholds Creek; Edisto River; Horseshoe Creek; Lumber River; Lynches River; Great Pee Dee and Little Pee Dee Rivers; Pocotaligo in Beaufort, Jasper, and Hampton Counties; Salkehatchie and Little Salkehatchie Rivers; Sampit River; Lower Santee River system; Tulifinny; Thoroughfare Creek; and Waccamaw River from June first to September thirtieth, it is unlawful to take or to possess any striped bass. Any striped bass taken must be returned immediately to the waters from ~~whence~~ where it came.

(B) In the ~~Lower Santee River and Cooper River systems~~ following freshwater bodies: the Ashepoo River; Ashley River; Back River in Jasper County and the Back River in Berkeley County; Black River; Black Mingo Creek; Bull Creek and Little Bull Creek; Combahee River; Cooper River system; Coosawhatchie River; Cuckholds Creek; Edisto River; Horseshoe Creek; Lumber River; Lynches River; Great Pee Dee and Little Pee Dee Rivers; Pocotaligo in Beaufort, Jasper, and Hampton Counties; Salkehatchie and Little Salkehatchie Rivers; Sampit River; Lower Santee River system; Tulifinny; Thoroughfare Creek; and Waccamaw River from October first through May thirty‑first, it is unlawful to take or possess more than three striped bass per day.

(C) In the ~~Lower Santee River and Cooper River systems~~ following freshwater bodies: the Ashepoo River; Ashley River; Back River in Jasper County and the Back River in Berkeley County; Black River; Black Mingo Creek; Bull Creek and Little Bull Creek; Combahee River; Cooper River system; Coosawhatchie River; Cuckholds Creek; Edisto River; Horseshoe Creek; Lumber River; Lynches River; Great Pee Dee and Little Pee Dee Rivers; Pocotaligo in Beaufort, Jasper, and Hampton Counties; Salkehatchie and Little Salkehatchie Rivers; Sampit River; Lower Santee River system; Tulifinny; Thoroughfare Creek; and Waccamaw River from October first through May thirty‑first, it is unlawful to take or possess a striped bass less than twenty‑six inches in total length.

(D) Striped bass must be landed with head and tail fin intact.

(E) The Department of Natural Resources for the Lower Santee and Cooper River systems shall make recommendations, after study, on any needed modification to the restrictions in this section before January 1, 2015.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JEFF D. DUNCAN for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑5‑1556 SO AS TO ESTABLISH SEASONAL CREEL AND SIZE LIMITS FOR STRIPED BASS IN THE INSHORE WATERS AND THE TERRITORIAL SEA; AND TO AMEND SECTION 50‑13‑221, RELATING TO STRIPED BASS IN THE LOWER SANTEE AND COOPER RIVERS, SO AS TO ESTABLISH SEASONAL CREEL AND SIZE LIMITS FOR STRIPED BASS IN CERTAIN FRESHWATER BODIES.

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

SECTION 1. Article 15, Chapter 5, Title 50 of the 1976 Code is amended by adding:

“Section 50‑5‑1556. (A) In the inshore waters and the territorial sea from June first through September thirtieth it is unlawful to possess any striped bass (rockfish). Any striped bass taken must be returned immediately to the waters from where it came.

(B) In the inshore waters and the territorial sea from October first through May thirty‑first it is unlawful to:

(1) take or possess more than three striped bass per day;

(2) take any striped bass less than twenty‑six inches in length; or

(3) land any striped bass without the head and tail fin intact.

(C) The Department of Natural Resources shall make recommendations, after study, on any needed modification to this section before January 1, 2015.”

SECTION 2. Section 50‑13‑221 of the 1976 Code, as added by Act 237 of 2008, is amended to read:

“Section 50‑13‑221. (A) In the ~~Lower Santee River and Cooper River systems~~ following freshwater bodies: the Ashepoo River; Ashley River; Back River in Jasper County and the Back River in Berkeley County; Black River; Black Mingo Creek; Bull Creek and Little Bull Creek; Combahee River; Cooper River system; Coosawhatchie River; Cuckholds Creek; Edisto River; Horseshoe Creek; Lumber River; Lynches River; Great Pee Dee and Little Pee Dee Rivers; Pocotaligo in Beaufort, Jasper, and Hampton Counties; Salkehatchie and Little Salkehatchie Rivers; Sampit River; Lower Santee River system; Tullifinny; Thoroughfare Creek; and Waccamaw River from June first to September thirtieth, it is unlawful to possess any striped bass. Any striped bass taken must be returned immediately to the waters from ~~whence~~ where it came.

(B) In the ~~Lower Santee River and Cooper River systems~~ following freshwater bodies: the Ashepoo River; Ashley River; Back River in Jasper County and the Back River in Berkeley County; Black River; Black Mingo Creek; Bull Creek and Little Bull Creek; Combahee River; Cooper River system; Coosawhatchie River; Cuckholds Creek; Edisto River; Horseshoe Creek; Lumber River; Lynches River; Great Pee Dee and Little Pee Dee Rivers; Pocotaligo in Beaufort, Jasper, and Hampton Counties; Salkehatchie and Little Salkehatchie Rivers; Sampit River; Lower Santee River system; Tullifinny; Thoroughfare Creek; and Waccamaw River from October first through May thirty‑first, it is unlawful to take or possess more than three striped bass per day.

(C) In the ~~Lower Santee River and Cooper River systems~~ following freshwater bodies: the Ashepoo River; Ashley River; Back River in Jasper County and the Back River in Berkeley County; Black River; Black Mingo Creek; Bull Creek and Little Bull Creek; Combahee River; Cooper River system; Coosawhatchie River; Cuckholds Creek; Edisto River; Horseshoe Creek; Lumber River; Lynches River; Great Pee Dee and Little Pee Dee Rivers; Pocotaligo in Beaufort, Jasper, and Hampton Counties; Salkehatchie and Little Salkehatchie Rivers; Sampit River; Lower Santee River system; Savannah River; Tullifinny; Thoroughfare Creek; and Waccamaw River from October first through May thirty‑first, it is unlawful to take or possess a striped bass less than twenty‑six inches in total length.

(D) Striped bass must be landed with head and tail fin intact.

(E) The Department of Natural Resources shall make recommendations, after study, on any needed modification to the restrictions in this section before January 1, 2015.”

SECTION 3. This act takes effect upon approval by the Governor.

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