Agency Name: Department of Natural Resources

Statutory Authority: 50-5-110, 50‑17‑1020, and 50‑17‑1590

Document Number: 5016

Proposed in State Register Volume and Issue: 44/11

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Fish, Game and Forestry Committee

120 Day Review Expiration Date for Automatic Approval: 05/12/2021

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Status: Final

Subject: Marine Resources Division

History: 5016

By Date Action Description Jt. Res. No. Expiration Date

- 11/27/2020 Proposed Reg Published in SR

- 01/12/2021 Received by Lt. Gov & Speaker 05/12/2021

H 01/12/2021 Referred to Committee

S 01/12/2021 Referred to Committee

S 04/08/2021 Resolution Introduced to Approve 739

- 05/12/2021 Approved by: Expiration Date

- 05/28/2021 Effective Date unless otherwise

provided for in the Regulation

Document No. 5016

**DEPARTMENT OF NATURAL RESOURCES**

CHAPTER 123

Statutory Authority: 1976 Code Sections 50‑5‑110, 50‑17‑1020, and 50‑17‑1590

123‑20. Fishing With a Channel Net.

123‑21. Operation of Crab Pots.

123‑23. Tags on Submerged Traps.

123‑24. Master of a Vessel Licensed by the Division of Commercial Fisheries.

123‑25. Numbering of All Vessels Used for Harvesting Shellfish Commercially in South Carolina.

123.28. License for Selling Shad.

123‑30. Penalties.

123‑31. Dumping of Trash Fish.

123‑32. Affixing Tax Tags to Shad.

123‑35. Turtle Excluder Devices Required in Channel Nets.

**Synopsis:**

Regulations 123‑20, 123‑21, 123‑23, 123‑24, 123‑25, 123‑28, 123‑30, 123‑31, 123‑32, and 123‑35 are no longer necessary due to the language and effect of these regulations being codified in the S.C. Code of Laws. Therefore, SCDNR proposes to repeal Regulations 123‑20, 123‑21, 123‑23, 123‑24, 123‑25, 123‑28, 123‑30, 123‑31, 123‑32, and 123‑35, in their entirety. These changes were approved by the Natural Resources Board on August 20, 2020.

The Notice of Drafting was published in the *State Register* on October 23, 2020.

**Instructions:**

Repeal Regulations 123‑20. (Fishing With a Channel Net), 123‑21. (Operation of Crab Pots), 123‑23. (Tags on Submerged Traps), 123‑24. (Master of a Vessel Licensed by the Division of Commercial Fisheries), 123‑25. (Numbering of All Vessels Used for Harvesting Shellfish Commercially in South Carolina), 123‑28. (License for Selling Shad), 123‑30. (Penalties), 123‑31. (Dumping of Trash Fish), 123‑32. (Affixing Tax Tags to Shad), 123‑35. (Turtle Excluder Devices Required in Channel Nets), as printed below.

**Text:**

123‑20. Repealed.

123‑21. Repealed.

123‑23. Repealed.

123‑24. Repealed.

123‑25. Repealed.

123‑28. Repealed.

123‑30. Repealed.

123‑31. Repealed.

123‑32. Repealed.

123‑35. Repealed.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Rationale:**

Regulations 123‑20, 123‑21, 123‑23, 123‑24, 123‑25, 123‑28, 123‑30, 123‑31, 123‑32, and 123‑35 are no longer necessary due to the language and effect of the regulations being codified in Title 50 of the 1976 Code of Laws, as amended. The regulations should be repealed.