**South Carolina General Assembly**

119th Session, 2011-2012

**A112, R119, H3873**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Vick

Document Path: l:\council\bills\dka\3108sd11.docx

Introduced in the House on March 8, 2011

Introduced in the Senate on April 28, 2011

Passed by the General Assembly on January 10, 2012

Governor's Action: February 1, 2012, Signed

Summary: Herring season

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/8/2011 House Introduced and read first time ([House Journal‑page 56](file:///h%3A%5Chj%20archive%5C2011%5C03-08-11.docx))

 3/8/2011 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 56](file:///h%3A%5Chj%20archive%5C2011%5C03-08-11.docx))

 4/13/2011 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 9](file:///h%3A%5Chj%20archive%5C2011%5C04-13-11.docx))

 4/19/2011 Scrivener's error corrected

 4/26/2011 House Read second time ([House Journal‑page 78](file:///h%3A%5Chj%20archive%5C2011%5C04-26-11.docx))

 4/26/2011 House Roll call Yeas‑108 Nays‑0 ([House Journal‑page 78](file:///h%3A%5Chj%20archive%5C2011%5C04-26-11.docx))

 4/27/2011 House Read third time and sent to Senate ([House Journal‑page 11](file:///h%3A%5Chj%20archive%5C2011%5C04-27-11.docx))

 4/28/2011 Senate Introduced and read first time ([Senate Journal‑page 12](file:///h%3A%5Csj%20archive%5C2011%5C04-28-11.docx))

 4/28/2011 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 12](file:///h%3A%5Csj%20archive%5C2011%5C04-28-11.docx))

 5/18/2011 Senate Committee report: Favorable **Fish, Game and Forestry** ([Senate Journal‑page 7](file:///h%3A%5Csj%20archive%5C2011%5C05-18-11.docx))

 6/1/2011 Senate Read second time ([Senate Journal‑page 38](file:///h%3A%5Csj%20archive%5C2011%5C06-01-11.docx))

 6/1/2011 Senate Roll call Ayes‑36 Nays‑1 ([Senate Journal‑page 38](file:///h%3A%5Csj%20archive%5C2011%5C06-01-11.docx))

 1/10/2012 Senate Read third time and enrolled ([Senate Journal‑page 46](file:///h%3A%5Csj%20archive%5C2012%5C01-10-12.docx))

 1/26/2012 Ratified R 119

 2/1/2012 Signed By Governor

 2/8/2012 Effective date 02/01/12

 2/10/2012 Act No. 112

**VERSIONS OF THIS BILL**

[3/8/2011](file:///p%3A%5Cpprever%5C2011-12%5C3873_20110308.docx)

[4/13/2011](file:///p%3A%5Cpprever%5C2011-12%5C3873_20110413.docx)

[4/19/2011](file:///p%3A%5Cpprever%5C2011-12%5C3873_20110419.docx)

[5/18/2011](file:///p%3A%5Cpprever%5C2011-12%5C3873_20110518.docx)

(A112, R119, H3873)

**AN ACT TO AMEND SECTION 50‑5‑1507, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ZONES, SEASONS, TIMES, CATCH AND SIZE LIMITS, METHODS, AND EQUIPMENT FOR TAKING HERRING, SO AS TO REVISE THE SEASONS, TIMES, AND SIZE AND TAKE LIMITS FOR HERRING, AND THE METHODS AND EQUIPMENT WHICH APPLY AND TO PROVIDE FOR THE AREAS IN WHICH CERTAIN OF THESE PROVISIONS APPLY.**

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

**Herring restrictions and provisions**

SECTION 1. Section 50‑5‑1507 of the 1976 Code is amended to read:

 “Section 50‑5‑1507. In addition to other provisions of law, the following provisions govern seasons, times, methods, equipment, size limits, and take limits in commercial fishing for herring in the waters of this State:

 (a) Black River, Little Pee Dee River, Lynches River, Sampit River, and the Waccamaw River from its northern ocean outlet at Little River to Winyah Bay, and Winyah Bay:

 Season: No open season.

 (b) Great Pee Dee River:

 (1) Season: February 15 through April 15;

 (2) Times: 7:00 a.m. Wednesday to 7:00 p.m. Saturday, local time;

 (3) Methods and equipment: Any lawful method and equipment;

 (4) Size and take limits: No limits.

 (c) Santee River below Wilson Dam including the Rediversion Canal below St. Stephen Dam, North Santee River and Bay, South Santee River, and all tributaries and distributaries as follows:

 (i) Santee River below the cable and buoys marking the seaward boundary of the Wilson Dam Sanctuary designated by the department seaward to Wilson Dam Boat Landing:

 (1) Season: February 15 through April 30, for herring only;

 (2) Times: Sunrise Monday to sunset Thursday, as locally published;

 (3) Methods and equipment: Cast net and seine net. A seine may not exceed one hundred yards in total length. The mesh of the seine must not be less than one‑half inch square. All fish except those used for live bait must be containerized in one bushel units before landing;

 (4) Size and take limits: Ten U.S. bushels each boat each day including lawful incidental catch; harvest must not be transferred between boats; and an additional boat must not be used to increase a person’s daily take.

 (ii) Rediversion Canal:

 (1) Season: March 1 through April 30;

 (2) Times: 7:00 p.m. to 12:00 p.m. EST, or 8:00 p.m. to 12:00 p.m. DST;

 (3) Methods and equipment: Circular drop nets with a maximum six‑foot diameter, lift nets, and cast nets allowed; other equipment prohibited; nets must be operated by hand; trawling prohibited; culling prohibited; all fish, except those used for live bait, must be containerized in units of one hundred pounds maximum weight before landing; all fishing is prohibited within one hundred feet of the fish lift exit channel at St. Stephen Powerhouse, except with hook and line from March 1 through April 15;

 (4) Size and take limits: Ten U.S. bushels each boat each day including lawful incidental catch; harvest must not be transferred between boats; and an additional boat must not be used to increase a person’s daily take.

 (iii) Santee River seaward of Wilson Boat Landing:

 Season: No open season.

 (d) Charleston Harbor System including Wando River and Cooper River seaward to the U.S. Highway 17 bridges, Charleston Harbor, Ashley River, and all tributaries and distributaries as follows:

 (i) Tailrace Canal from CSX Railroad Bridge to the Jefferies Power Plant Sanctuary line:

 (1) Season: March 1 through April 30;

 (2) Times: Sunrise as locally published to 10:00 p.m.;

 (3) Methods and equipment: Circular drop nets with a maximum six‑foot diameter, lift nets, and cast nets allowed; other equipment prohibited; nets must be operated by hand; trawling prohibited; culling prohibited; all fish, except those used for live bait, must be containerized in units of one hundred pounds maximum weight before landing;

 (4) Size and take limits: Ten U.S. bushels each boat each day; harvest must not be transferred between boats and an additional boat must not be used to increase a person’s daily take.

 (ii) Cooper River from CSX Railroad to U.S. Highway 17 bridges:

 Season: No open season.

 (iii) Charleston Harbor system excluding Tailrace Canal and Cooper River seaward to U.S. Highway 17 bridges:

 (1) Season: February 15 through April 15;

 (2) Times: No restrictions;

 (3) Methods and equipment: Any lawful method and equipment;

 (4) Size and take limits: No limits.

 (e) Lake Moultrie, Lake Marion, Diversion Canal, Intake Canal of Rediversion Canal, and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net, lift net, and hook and line;

 (4) Size and take limits: Two hundred fifty pounds each boat each day combined catch of shad and herring and other lawful incidental catch.

 (f) Lake Jocassee and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Hook and line;

 (4) Size and take limits: No limits.

 (g) Lake Keowee and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.

 (h) Lake Hartwell and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.

 (i) Lake Richard B. Russell and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.

 (j) Lake J. Strom Thurmond and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.

 (k) Savannah River and all tributaries and distributaries as follows:

 Seaward of the Augusta Diversion Dam

 Season: No open season.

 (l) Lake Secession, Stevens Creek Reservoir, and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.

 (m) Lake Greenwood, Lake Murray, Saluda River between Buzzards Roost (Lake Greenwood Dam) and S.C. Highway 121, and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.

 (n) Catawba River impoundments, including Lake Wylie and Lake Wateree, and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.

 (o) Lake Monticello and all tributaries and distributaries as follows:

 (1) Season: No closed season;

 (2) Times: No restrictions;

 (3) Methods and equipment: Cast net and hook and line;

 (4) Size and take limits: No limits.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 26th day of January, 2012.

Approved the 1st day of February, 2012.

\_\_\_\_\_\_\_\_\_\_