**A** **BILL**

TO AMEND SECTION 49‑6‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERSHIP ON THE SOUTH CAROLINA AQUATIC PLANT MANAGEMENT COUNCIL, SO AS TO ALTER THE COMPOSITION OF THE COUNCIL; AND TO AMEND SECTION 49‑6‑40, RELATING TO THE AQUATIC PLANT MANAGEMENT PLAN, SO AS TO REQUIRE THE PLAN TO BALANCE AQUATIC PLANT MANAGEMENT WITH THE PRESERVATION OF FISH AND WILDLIFE HABITATS.

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

SECTION 1. Section 49‑6‑30 of the 1976 Code is amended to read:

“Section 49‑6‑30. There is hereby established the South Carolina Aquatic Plant Management Council, hereinafter referred to as the council, which shall be composed of ten members as follows:

1. The council shall include one representative from each of the following agencies, to be appointed by the chief executive officer of each agency:

(a) Water Resources Division of the Department of Natural Resources;

(b) South Carolina Department of Health and Environmental Control;

(c) Wildlife and Freshwater Fish Division of the Department of Natural Resources;

(d) ~~South Carolina Department of Agriculture;~~

~~(e)~~ ~~Coastal Division of the Department of Health and Environmental Control;~~

~~(f)~~ South Carolina Public Service Authority;

~~(g)~~(e) Land Resources and Conservation Districts Division of the Department of Natural Resources;

~~(h)~~(f) South Carolina Department of Parks, Recreation and Tourism;

~~(i)~~(g) Clemson University, ~~Department of Fertilizer and Pesticide Control~~ Department of Forestry and Environmental Conservation.

2. The council shall include one representative from the ~~Governor’s~~ Office of the Governor, to be appointed by the Governor.

3. The council shall include one member appointed by the Chairman of the Senate Fish, Game, and Forestry Committee and one member appointed by the Chairman of the House Agriculture, Natural Resources, and Environmental Affairs Committee.

4. The representative of the Water Resources Division of the Department of Natural Resources shall serve as chairman of the council and shall be a voting member of the council.

The council shall provide interagency coordination and serve as the principal advisory body to the department on all aspects of aquatic plant management and research. The council shall establish management policies, approve all management plans, and advise the department on research priorities.”

SECTION 2. Section 49‑6‑40 of the 1976 Code is amended to read:

“Section 49‑6‑40. The department, with advice and assistance from the council, shall develop an Aquatic Plant Management Plan for the State of South Carolina. The plan shall seek to balance aquatic plant management with the preservation of fish and wildlife habitats. The plan shall describe the procedures for problem site identification and analysis, selection of control methods, operational program development, and implementation of operational strategies. The plan shall also identify problem areas, prescribe management practices, and set management priorities. The plan shall be updated and amended at appropriate intervals as necessary; provided, however, problem site identification by an independent entity and allocation of funding shall be conducted annually. In addition, the department shall establish procedures for public input into the plan and its amendments and priorities. The public review procedures shall be an integral part of the plan development process. When deemed appropriate, the department may seek the advice and counsel of persons and organizations from the private, public, or academic sectors.

The council shall review and approve all plans and amendments. Approval shall consist of a two‑thirds vote of the members present. The department shall have final approval authority over those sections which do not receive two‑thirds approval of the council.”

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

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