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Indicates New Matter

COMMITTEE REPORT

February 28, 2013

**H. 3571**

Introduced by Reps. Barfield and Hardee

S. Printed 2/28/13--H. [SEC 3/1/13 12:41 PM]

Read the first time February 20, 2013.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3571) to amend Section 50‑13‑665, as amended, relating to bait that may be used with trotlines, set hooks, and jugs, so as to revise the size of hooks, 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 adding the following appropriately numbered SECTION:

/ SECTION \_\_. Section 50‑13‑620 of the 1976 Code, as last amended by Act 114 of 2012, is further amended to read:

“Section 50‑13‑620. (A) A trotline, trap, eel pot, gill net, and hoop net must be marked with a white floating marker not less than a capacity of one quart and not more than a capacity of one gallon and must be made of solid, buoyant material that does not sink if punctured or cracked. A floating marker must be constructed of plastic, PVC spongex, plastic foam, or cork. A hollow buoy or float, including plastic, metal, or glass bottles or jugs, must not be used, except that a manufactured buoy or float specifically designed for use with nongame fishing devices may be hollow if constructed of heavy duty plastic material and approved by the department. ~~A floating marker used the first through the fifteenth inclusive of each month must be colored white only; for the remainder of the month markers must be yellow only and, except for a trotline, there must not be any other color marker attached to the device.~~ The owner’s name and department customer identification number must be legible on each of the white ~~or yellow~~ floating markers. Both commercial and recreational fishermen shall comply with provisions of this title pertaining to the marking and use of a nongame fishing device. A trotline must be marked on both ends. A commercial trotline must be marked at intervals of every fifty hooks. A recreational trotline must be marked at intervals of every twenty‑five hooks. ~~An end marker must conform to the white and yellow marking scheme.~~ Each interval float must be ‘International Orange’ in color.

(B) A tag issued for a nongame device must be attached to the device at all times. A permit and tag receipt must be kept on the person to whom issued while possessing or using a nongame fishing device.

(C) Each set hook must have an identification tag attached to it bearing the owner’s name and department customer identification number.

(D) A device or part of it improperly marked, tagged, or identified is in violation and is contraband.

(E) A violation of this section is a misdemeanor and, upon conviction, is punishable as prescribed in this chapter.” /

Renumber sections to conform.

Amend title to conform.

NELSON L. HARDWICK for Committee.

**A** **BILL**

TO AMEND SECTION 50‑13‑665, AS AMENDED, RELATING TO BAIT THAT MAY BE USED WITH TROTLINES, SET HOOKS, AND JUGS, SO AS TO REVISE THE SIZE OF HOOKS THAT MAY BE USED TO FISH ALONG CERTAIN RIVERS.

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

SECTION 1. Section 50‑13‑665 of the 1976 Code, as last amended by Act 114 of 2012, is further amended to read:

“Section 50‑13‑665. (A) Except as provided in subsections (B) and (C), and the bait listed below, no other bait may be used with trotlines, set hooks, and jugs:

(1) soap;

(2) dough balls;

(3) nongame fish or bream cut into two or more equal parts;

(4) shrimp;

(5) meat scraps which may not include insects, worms, or other invertebrates;

(6) grapes.

(B) Notwithstanding another provision of law, on the Black, Edisto, Great Pee Dee (including the navigable oxbows and sloughs), Little Pee Dee (including the navigable oxbows and sloughs), Lumber, Lynches (including Clarks, Mill, and Muddy Creeks), Sampit, and Waccamaw Rivers, live nongame fish and live bream may be used with single‑barbed set hooks that have a shank‑to‑point gap of ~~one and three‑sixteenths~~ fifteen‑sixteenths inches or greater. However, it is unlawful for a person to have in possession more than the lawful creel limit of bream while fishing with nongame devices on these rivers.

(C) Live nongame fish and live bream may be used on a trotline having not more than twenty hooks that have a shank‑to‑point gap of ~~one and three‑sixteenths~~ fifteen‑sixteenths inches or greater on the Black, Great Pee Dee (including the navigable oxbows and sloughs), Little Pee Dee (including the navigable oxbows and sloughs), Lumber, Lynches (including Clarks, Mill, and Muddy Creeks) and Waccamaw Rivers. However, it is unlawful for a person to have in possession more than the lawful creel limit of bream while fishing with nongame devices on these rivers.

(D) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days.”

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

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