COMMITTEE REPORT

February 27, 2013

**H. 3615**

Introduced by Reps. Goldfinch and Hardwick

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Read the first time February 26, 2013.

**THE COMMITTEE ON**

**INVITATIONS AND MEMORIAL RESOLUTIONS**

To whom was referred a Concurrent Resolution (H. 3615) to memorialize the United States Congress to enact legislation that gives the state of South Carolina authority to manage its stock of Black Sea Bass (Centropristis Striata) in both, etc., respectfully

**REPORT:**

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

LISTON D. BARFIELD for Committee.

**A** **CONCURRENT RESOLUTION**

TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION THAT GIVES THE STATE OF SOUTH CAROLINA AUTHORITY TO MANAGE ITS STOCK OF BLACK SEA BASS (CENTROPRISTIS STRIATA) IN BOTH STATE AND FEDERAL WATERS.

Whereas, the Public Trust Doctrine is a legal principal derived from English Common Law which has been affirmed repeatedly by state and federal courts interpreting the essence of the doctrine to mean that the waters of the state are a public resource owned by and available to all citizens equally for the purposes of navigation, conducting commerce, fishing, recreation, and similar uses; and

Whereas, the amendment to Article I of the Constitution of South Carolina, 1895, prepared under the terms of Joint Resolution 3483 of 2009, having been submitted to the qualified electors at the General Election of 2010 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, added Section 25 which reads, “the traditions of hunting and fishing are valuable parts of the State’s heritage, important for conservation, and a protected means of managing nonthreatened wildlife. The citizens of this State have the right to hunt, fish, and harvest wildlife traditionally pursued, subject to laws and regulations promoting sound wildlife conservation and management as prescribed by the General Assembly. Nothing in this section shall be construed to abrogate any private property rights, existing state laws or regulations, or the state’s sovereignty over its natural resources”; and

Whereas, with regard to the management of the State’s Black Sea Bass (Centropristis Striata) population, South Carolina’s Department of Natural Resources along with the State’s commercial and recreational fishermen are prime examples of responsible resource stewards, as they place an extremely high value on the quality and existence of our nation’s coastal waters and freshwater resources. The Department of Natural Resources, as well as commercial and recreational fishermen respect this species’ marine and freshwater habitats because they know that in order for these ecosystems to sustain healthy populations of this species, these must be protected and carefully managed; and

Whereas, allowing the State of South Carolina to manage the State’s Black Sea Bass (Centropristis Striata) population would provide the best protection for this population so that it may remain a natural resource for current and future generations. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the General Assembly memorialize Congress to enact legislation that gives the State of South Carolina authority to manage its stock of Black Sea Bass (Centopristis Striata) in both state and federal waters.

Be it further resolved that a copy of this resolution be forwarded to the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the South Carolina Congressional Delegation.

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