**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3053**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hixon and Forrest

Document Path: l:\council\bills\agm\19820cz21.docx

Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: DNR, authority to contract for timber harvest

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 51](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 51](file:///h:\hj\20210112.docx))

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3053_20201209.docx)

**A** **BILL**

TO AMEND SECTION 50‑3‑510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ AUTHORITY TO CONTRACT FOR THE HARVEST OF TIMBER ON LANDS HELD BY THE DEPARTMENT, SO AS TO REQUIRE THE DEPARTMENT TO NOTIFY THE STATE FORESTER AT LEAST THIRTY DAYS PRIOR TO THE BIDDING OF TIMBER SALES; TO AMEND SECTION 50‑5‑25, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES UNDER THE MARINE RESOURCES ACT, SO AS TO NO LONGER REQUIRE THE DEPARTMENT TO DEPOSIT FUNDS FROM THE SALE OF EXPERIMENTAL MARICULTURE PRODUCTS INTO A CERTAIN FUND; TO AMEND SECTION 50‑9‑960, RELATING TO THE MARINE RESOURCES FUND, SO AS TO ENCOURAGE DEVELOPMENT OF THE MARICULTURE INDUSTRY AND TO REQUIRE THE DEPOSIT OF REVENUE FROM SALES OF EXPERIMENTAL MARICULTURE PRODUCTS PRODUCED BY THE DEPARTMENT OF NATURAL RESOURCES TO THE MARINE RESOURCES FUND; TO AMEND SECTION 50‑13‑1415, RELATING TO THE IMPORTATION, POSSESSION, OR PLACING OF WATER HYACINTH AND HYDRILLA IN THE WATERS OF THIS STATE, SO AS TO PROHIBIT THE POSSESSION, SALE, OR PLACEMENT OF CERTAIN AQUATIC PLANT PESTS; TO AMEND SECTION 50‑21‑860, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO UPDATE THE REFERENCE TO THE SECTION ESTABLISHING THE FRESHWATER‑SALTWATER DIVIDING LINE; AND TO AMEND SECTION 50‑23‑11, AS AMENDED, RELATING TO WATERCRAFT DEALER DEMONSTRATION NUMBERS, SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR THE DEMONSTRATION NUMBER WHEN THE DEALER ALLOWS FOR THE OPERATION OF THE WATERCRAFT.

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

SECTION 1. Section 50‑3‑510 of the 1976 Code is amended to read:

“Section 50‑3‑510. The department may, subject to the provisions of this article, contract for the harvest of timber on any lands held by the department. No contract for such cutting and sale may be entered into and no timber may be cut or sold unless the board votes that the cutting and sale of the timber is for the best interests of the department and the improvement of its lands, by reason of thinning the timber, harvesting the over‑age trees and improving general forestry conditions. Before selling or cutting the timber the department ~~shall~~ may coordinate with the State Forester to have the timber cruised and an estimate of the value made. ~~If the State Forester finds that the sale is not in keeping with good forestry practices or will adversely affect the remainder of the timber, the sale must not be made.~~ The department shall notify the State Forester at least thirty days prior to bidding of timber sales. The State Forester shall notify the department prior to the bid date if he finds that the sale is not in keeping with good forestry practices or will adversely affect the remainder of the timber. If the State Forester objects on these grounds, the sale may not be made.”

SECTION 2. Section 50‑5‑25(D) of the 1976 Code is amended to read:

“~~(D)~~ ~~Proceeds from sales of experimental mariculture products produced by the department shall be deposited in the state general fund to the credit of the Mariculture Research and Development Fund of the department to further encourage and promote development of the mariculture industry of this State by supporting operational research and development projects of the division and transfer of information to the mariculture industry. Funds deposited in the Mariculture Research and Development Fund shall be carried forward annually and used for the same purpose.~~”

SECTION 3. Section 50‑9‑960(A) of the 1976 Code is amended to read:

“(A) The Marine Resources Fund is created for the purpose of supporting the department and its effort to conserve marine fisheries and to further encourage and promote development of the mariculture industry of this State by supporting operational research and development projects of the Marine Resources Division and transfer of information to the mariculture industry. The assets of the fund are derived from the following sources:

(1) revenue from the sale of saltwater licenses, permits, stamps, and tags;

(2) revenue generated from the sale of posters, prints, and related articles;

(3) revenue generated from the sale of property procured with proceeds from the fund and its predecessor funds;

(4) revenue transmitted to the department from the Department of Motor Vehicles for specialty license plates;

(5) restricted interest income, contributions, and donations;

(6) indirect cost recoveries where the department matched a grant using the fund; ~~and~~

(7) any other source of revenue recognized by the United States Fish and Wildlife Service, where the disposition of such revenue to any other fund could be interpreted as a loss of control or misdirection of funds by the department; and

(8) revenue from sales of experimental mariculture products produced by the department.”

SECTION 4. Section 50‑13‑1415 of the 1976 Code is amended to read:

“Section 50‑13‑1415. No person shall possess, sell, offer for sale, import, bring, or cause to be brought or imported into this State, or release or place into any waters of this State any of the following plants:

(1) Water Hyacinth;

(2) Hydrilla provided, however, that the department may issue special import permits to qualified persons for research purposes only; and

(3) the aquatic plant pests listed in Regulation 27‑135 or a successor regulation.

The department shall prescribe the methods, control, and restrictions which are to be adhered to by any person or his agent to whom a special permit under the provisions of this section is issued. The department is authorized to promulgate such regulations as may be necessary to effectuate the provisions of this section and the department, by regulation, is specifically authorized to prohibit additional species of plants from being imported, possessed, or sold in this State when, in the discretion of the department, such species of plants are potentially dangerous.”

SECTION 5. Section 50‑21‑860(A) of the 1976 Code is amended to read:

“(A) It is unlawful for a person to operate an airboat on the public waters of this State from the freshwater‑saltwater dividing line, established by Section ~~50‑17‑30~~ 50‑5‑80, seaward.”

SECTION 6. Section 50‑23‑11(B) of the 1976 Code is amended to read:

“(B) The demonstration numbers must not be permanently attached to the vessel but must be displayed on board at all times. Marine dealers who sell watercraft are allowed nine demonstration numbers. Marine dealers who only service watercraft or outboard motors are allowed one demonstration number.

If a dealer allows the operation of a watercraft with demonstration numbers, the dealer shall execute a form identifying the date and time, the specific watercraft, the dealer’s permit number, the demonstration number, the purpose for which the watercraft is being operated and if for a prospective sale, the form must include the name of the prospective buyer, the date, the specific watercraft, the dealer’s permit number, and the demonstration number. The form ~~and the dealer demonstration number~~ must be on board during operation. The dealer demonstration number must be displayed but ~~need~~ must not be permanently attached. Operations with dealer demonstration numbers are limited to seventy‑two consecutive hours. This form is not required of owners, employees, or corporate officers who carry dealer identification and who are authorized to use demonstration numbers as provided herein.”

SECTION 7. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, 1895, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of the Department of Natural Resources as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 8. This act takes effect upon approval by the Governor.

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