

MINUTES

SOUTH CAROLINA WILDLIFE & MARINE RESOURCES
COMMISSION MEETING
1000 Assembly Street
Columbia, South Carolina
March 20, 1992
10:00 A. M.

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at 10:00 A.M., Friday, March 20, 1992, at the Rembert C. Dennis Building, 1000 Assembly Street, Columbia, South Carolina, Room 335, with Chairman Burnside presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present included: Commissioners Burnside, Compton, Pendarvis, Owen, Leary, Miller, Poston and Graham. Staff members present included: Dr. Timmerman, Dan Dobbins, Dr. Sandifer, Brock Conrad, Sonny Baines, Benny Reeves, Bill Chastain and other various other staff members and guests.

CALL TO ORDER

Chairman Burnside called the meeting to order at 10:00 a.m. and welcomed all guests to the meeting.

Item I - Reading of the Minutes

The Commission adopted a motion to dispense with the reading of the minutes of the February 14, 1992 Commission Meeting and approved them as submitted.

Item II - Presentation - Greenville Striper Kings Club

Chairman Burnside then called on Joe Logan who introduced Gayland Penny, the Fisheries District Biologist, and stated that Mr. Penny had been working on a striped bass project which was being supported by the Greenville Striper Kings Club. Mr. Penny introduced Mr. Rick Sloan, President of the Greenville Striper Kings, who introduced other members of the Club, and presented the Department with a check for \$2,900 to further support striper research.

ITEM III - PRESENTATION TO SENATOR JOHN DRUMMOND

Chairman Burnside then called upon Senator John Drummond and presented him with a plaque commemorating his service as a Commissioner, Dr. Jim Timmerman then presented Senator Drummond with the South Carolina Wildlife and Marine Resources Commission's Meritorious Service Award commending him for his assistance and support.



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ITEM IV - MARINE ADVISORY BOARD REPORT

Chairman Pendarvis reported on the Marine Advisory Board Meeting held on March 13, 1992 and recognized a member of the Marine Advisory Board who was present at the meeting, Ms. Gloria Player. Commissioner Pendarvis stated that the only action by the Board that required Commission action dealt with the shrimping trawl line. He then made a motion that the Commission establish a policy that would allow them to make an annual decision whether to open the area to shrimp trawling between the old, so called radar line, and the federally established three-mile boundary of the State's territorial sea for shrimp trawling. This opening decision to be made after following the established procedure for other shrimp seasons openings, and shrimping in this area, if opened, to be subject to the same regulations in effect for shrimping in other state waters. Chuck Compton seconded the motion and it was opened for discussion.

After a brief discussion and presentation by staff, Commissioner Pendarvis asked for unanimous consent to amend his original motion; Commissioner Compton, having seconded the motion, concurred. Commissioner Pendarvis made the following motion: The official enforcement line will remain the federal enforcement line and all areas inside that line will remain closed to shrimp trawling until opened by the Commission. The Commission may consider opening to trawling the area between the federal line and the radar line under special situations when the shrimp resource would allow such trawling activity.

Following a presentation by other individuals present and a brief discussion, the Commission adopted the motion.

Commissioner Pendarvis then made a motion to authorize the Marine Resources Division's staff to evaluate the health and abundance of the shrimp crop this year and to open the season as provided for in the previous motion and inform the Commission of such. Chuck Compton seconded the motion and the motion passed.

Commissioner Pendarvis then informed the Commission that the next Advisory Board meeting would be May 8.

ITEM V - COMMENTS

Dr. Timmerman distributed a copy of an article written by Pat Robertson of The State Newspaper discussing the animal rights conference that would be held at the Sheraton Hotel in Columbia.



Dr. Timmerman stated that the 1991-92 base budget began with \$20,603,000. Since that time, budget cuts have resulted in a reduction to \$18,781,000 with a total reduction of \$1.8 million from the base state appropriated budget. In addition, we have lost twenty-two positions since the budget cuts began, and it appears that we will lose five additional positions very shortly. Dr. Timmerman then went into a detailed discussion of areas in which the cuts were made, and the Divisions from the positions were lost due to budget reduction. Concerning Law Enforcement, Dr. Timmerman stated that with the budget cuts and other allocations of manpower, we have about forty-five less officers in the field than we did six years ago, and they are being called on to do more and more work every year. He stated that in order to fill the highest priority law enforcement vacancies, it would require one half million dollars in personnel money, and in order to put our law enforcement vehicles on a four to five year rotation, it would take at least three million dollars. He stated that the Law Enforcement Division presently has one hundred twenty-seven vehicles that have one hundred thousand plus miles on them, and he only has enough equipment money to purchase thirty-two vehicles. He stated that the field conservation officers and the field biologist were the core of the Department and he intended to do everything he could to insure that we have adequate staffing and adequate equipment.

Dr. Timmerman distributed a letter from Clyde Eltzroth expressing his appreciation to the Commission for the dedication activities at the last meeting at Ft. Johnson.

Dr. Timmerman reported that a Blue Ribbon Team had done a Management Effectiveness Study on the Department and a survey involving sixty of the Department's employees had been conducted by this team. He stated that the team had been comprised of wildlife and natural resources experts from across the United States and the Study itself had been very positive. He distributed a copy of the preliminary study results to the Commission.

ITEM VI - LEGISLATIVE REPORT

Dan Dobbins distributed copies of the latest Legislative Report and discussed several bills of concern.

Mr. Dobbins distributed copies of H.3582, authored by Representatives Martin and Elliott from Horry County. He explained that the Bill would remove the Department's present exemption for Title 50 offenses being eligible for Pretrial



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Intervention. He stated that the State Commission on Prosecution Coordination, the agency that administers the Pretrial Intervention Program, had supported removing this exemption and had proposed that the Bill be amended to allow the Department to establish a Pretrial Intervention Program internally, which could require various educational activities of offenders as well as provide for the retention of the point system and the payment of fines and forfeitures administratively. He stated that the Criminal Law Subcommittee of the House Judiciary Committee had requested that he bring this proposal before the Commission, since the Commission already has established policy that Title 50 offenses should be exempted from PTI. He stated that the Prosecution Coordination Commission would have a much better handle on administering this program than had been the case in the past, and that it would be necessary to ask SLED to fine tune their record keeping as far as keeping track of Title 50 offenses, but that technically, such a program could work effectively.

Chief Gifford expressed grave concern about such a program, and stated that the present situation was working very well, providing excellent deterrent for subsequent offenders and expressed grave concern about the possible loss of revenue. Director Chastain expressed opposition to such a program, stating that it would require the Department to set up program that would very costly and that if the point system were to remain effect and the fines be required as well, he believed that no one would avail themselves of the program. He stated that he was very much opposed to the concept.

After a brief discussion, Commissioner Miller made the motion that the Commission reiterate its position opposing Title 50 offenses being included in Pretrial Intervention, Commission Owen seconded the motion, and the motion passed.

Mr. Dobbins reported that there had been a lot of activity on the Commission's package Bills from 1991 in House Agriculture, Natural Resources and Environmental Affairs in the recent weeks and that this activity would show up on the next report. He stated that Senator Drummond had introduced many of the Commission Bills in the Senate and that Chairman Emeritus Snow had introduced many of them in the House of Representatives. He stated that they had been concentrating on moving last year's Commission package Bills out before concentrating on the proposal on the proposal for 1992.



Commissioner Compton reiterated that the Bill authored by Senator Pope that would expunge magistrate's records after one year would be very detrimental to the Department as far as point system and second, third and subsequent offense deterrents. Dobbins stated that they had provided an amendment that Senator Pope was going to attempt to place on the Bill when it came back to the Senate with House amendments. He stated that he had the backing of the Chairman of the House Judiciary Committee as well as the Chairman of the Senate Judiciary Committee, and was very hopeful that the amendment would be placed on the Bill in time.

ITEM VII - NEW BUSINESS

A. H.3827 - Motor Vehicle Title For Heritage Land Trust Fund. Commissioner Pendarvis referred to a flyer sheet that was produced by the Department in support of H.3827, a Bill by Representative Barber that would increase the one time non-resident motor vehicle transfer fee to \$95.00, with \$90.00 going into the Heritage Land Trust Fund. He expressed concerned that the Commission had not approved the endorsement of this legislation and expressed the opinion that both the Development Board and the Department of Highways and Public Transportation would fight the Bill vigorously. Tom Kohlsaas explained the document and the information contained therein, stating that Mr. Barber had introduced the Bill on behalf of the Heritage Land Trust Fund and that the Heritage Trust Advisory Board had been aware of and very supportive of that legislation.

Commissioner Compton stated that he represented the Commission on the Heritage Trust Advisory Board and pointed out that the Advisory Board covers all of the Department's constituency, not just hunters and fishermen, but all types of wildlife and natural resources enjoyment. He stated that the Commission had been on record many times in the past supporting funding for habitat acquisition. He stated that Representative Barber's Bill was a logical Bill based on the premise that residents moving in from out-of-state represent a drain on our natural resources and environment. He stated that the Commission should support the Bill and that it would be unnecessary to make a motion to that effect since the Commission has been on record on numerous occasions in the past of espousing the need to raise funds for habitat acquisition.

Commissioner Owen stated that rather than being a deterrent to immigration of people, he felt that the fact that the State was taking measures to protect endangered and unique habitat lands would be a plus for potential residents moving from out-of-state and that they would gladly contribute money toward furthering that cause.

Commissioner Pendarvis stated that he would like to go on record that he does oppose the Bill.



B. Division Reports

1. Administrative Services: There was nothing further to report.
2. Wildlife and Freshwater Fisheries: There was nothing further to report.
3. Law Enforcement and Boating: There was nothing further to report.
4. Conservation Education & Communication: There was nothing further to report.
5. Marine Resources: There was nothing further to report.

C. Advisory Board Reports:

1. Law Enforcement and Boating: Commissioner Miller then gave a brief discussion of the topics discussed at their Advisory Board Meeting, stating there was nothing to be brought before the Commission for action at this time.
2. Marine Resources: There was nothing further to report.

D. Other Remarks:

Dr. Timmerman stated that the Harry Hampton Wildlife Fund was having a luncheon at 11:00 at Seawells Restaurant and the Commission was invited.

Commissioner Compton moved for the Commission to hold an Executive Session to discuss personnel and real estate matters. Commissioner Miller seconded the motion and it was adopted by the Commission. Chairman Burnside noted that at this time the Commission would hold an Executive Session to discuss personnel and real estate matters.

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RETURN TO REGULAR SESSION

Following the Executive Session, the regular meeting was resumed and participants were invited into the meeting.

The Commission adopted a motion to approve the appointments, reappointments, and other items on the list associated with Deputy Wildlife Conservation Officers. The Commission adopted to approve the promotion to Captain in District 4, and to Sergeant in District 6, as well as the Boating Education Lieutenant.



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F. Time and Place of Next Meeting: Chairman Burnside asked staff to explore an appropriate time and place for the next meeting and notify the Commission accordingly.

ITEM IX - ADJOURNMENT

There being no further business to come before the Commission, a motion was adopted to adjourn the meeting.

