

MINUTES OF MEETING OF WILDLIFE RESOURCES COMMISSION IN COLUMBIA MARCH 23, 1960

Present were Commissioners Warren, Cox, Johnson and Cantey, Directors Webb and Lunz, Dan McKeithan, Jack Carroll, Mr. Fuller, Mr. Schley, Mr. Welch and Mr. Brown.

Chairman Warren brought up a letter from Commissioner Johnson containing suggestions for improvement in the Department program, and suggested that other Commissioners and Department heads might well make some other suggestions.

Mr. Johnson stated he was not necessarily pushing any particular recommendation but merely thought they were all worthy of study and consideration. Among these, he said, were the establishment of off-shore reefs, acquisition of public shooting lands, building of access areas, planting of rights-of-way. He also said that the Commissioners were not always kept informed regarding work being accomplished by the various divisions.

Dr. Lunz said that in regard to placing auto bodies for artificial reefs they would have to be placed at 10 fathoms and along most of the coast this would place them 15 to 18 miles off-shore. Also, he said, some beach resorts were afraid the autos might be washed ashore by hurricanes, and there are plenty of natural reefs.

Director Webb said that in regard to acquiring and developing public shooting areas, arrangements had been made with several companies for tracts of land and other arrangements are pending.

Other suggestions--the planting of rights-of-way and the distribution of seed for game planting--were discussed.

The Commission agreed that Division heads should make regular reports to the Commission on what was being done and what is being planned.

Mr. Cox reported on boat testing being carried on for wardens' boats and said that a great many of them would not pass floatability tests.



There was some discussion and it was agreed that Mr. Welch, after his tests of boats are completed, should recommend to the Commission the disposition to be made of the boats which do not meet the requirements of the Department.

Chairman Warren said that he had received a request from E. P. Richardson of Charleston, a former fisheries inspector, for a hearing. Mr. Warren reviewed the facts in the case, stating that Mr. Richardson had not been dismissed but had merely not been re-employed after June 30, 1959. He pointed out that Director Lutz had written Mr. Richardson that he would not be employed after that date and that Dr. Lutz had been given the authority by the Commission not to re-employ anyone he did not desire.

A motion was made, seconded and passed that Mr. Warren write Mr. Richardson that the Commission "did not consider it proper to reconsider the situation regarding the action of the Director of the Division of Commercial Fisheries in not continuing to employ you (Mr. Richardson) after July 1, 1959."

Mr. Webb said that the pending General Appropriation Bill contained a proviso that any discharged employee should be granted a hearing but that he believed this would be eliminated from the bill, adding that it would not apply to the present case.

The Secretary was instructed to file with the Secretary of State a rule and regulation that: "Section 28-937, Code of Laws of South Carolina, 1952, shall not apply to persons, firms or corporations selling shad strictly at retail."

Mr. Cox then made certain recommendations on the matter of tax evasion and other irregularities in connection with oyster leases, this having been requested by the Commission at its February 10 meeting. He stated that some leasees do not report any harvest, nor do they pay any tax in some instance, and that in other instances taxes are paid but no reports on harvest filed.



He added that there was no doubt many inaccurate returns were being made, and that some of the plats received from leasees are worthless. He suggested that the Commission establish some standard of measure of distance per inch in plats it will accept.

He recommended that in cases of contested leases the inquiry extend to shell planting by the leasees; the average acre production or harvest; the subletting of areas; the delays incident to reports; the number of persons receiving a livelihood from the operation; and "in instances where there are no contests but it appears that the laws are not being observed and the State is not receiving that which should be paid, the leasees be called in to explain," the provisions of the Code being ample for these purposes.

On motion of Mr. Johnson, the recommendations of Mr. Cox were approved.

Dr. Lunz said the present 1 1-2-cent per bushel tax on oysters was causing too much paper work by the Division and also worked a hardship on the oyster men keeping records. He suggested that this tax be abolished and to replace it a flat \$2 per acre fee be added to oyster leases. He said this would bring in about the same amount of money and that practically all the oyster men favored it.

The Commission approved a suggestion that Dr. Lunz contact the Ways and Means Committee with the view of getting the necessary legislation introduced.

Mr. Cox reported on an oyster lease hearing--Flowers, et al vs. Waterfront Realty Company, et al.--and recommended that Mr. Flowers be granted the lease. Mr. Johnson moved that this be approved and his motion was adopted, and the Secretary was instructed to write Dr. Lunz informing him of the action.

A motion of Mr. Johnson was also adopted referring two other hearings to Mr. Cox--Flowers vs. Thevenot and Thevenot vs. Flowers.

The reappointment and appointment of several non-pay wardens were approved.



Mr. Webb stated that the 25-year lease on the Tonnie Tucker hatchery in Anderson county was expiring and he recommended that it be closed if this could be done without repercussions. It was decided to take no definite action.

The Commission approved a suggestion that the title of Gordon Brown be changed from Education Assistant to Chief of Education.

*Eddie Finley*

