COMMITTEE REPORT

February 20, 2013

**S. 244**

Introduced by Senators McGill, Cleary and Campsen

L. Printed 2/20/13--H.

Read the first time February 20, 2013.

**THE GEORGETOWN DELEGATION**

To whom was referred a Bill (S. 244) to repeal Section 50-11-940 of the 1976 Code, relating to the designation of certain property of the Belle W. Baruch Foundation in Georgetown County as a bird, etc., respectfully

**REPORT:**

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

CARL L. ANDERSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Department of Natural Resources

The department reports that this bill would have no impact on agency operations, but may result in the sale of additional hunting licenses.

University of South Carolina

The university, which operates a zoological research center on the property, reports that this bill is not expected to have any impact on the agency’s current activities.

Clemson University

Clemson, which operates a forestry program on the Baruch property, reports that this bill is not expected to have any negative impact on the university’s current activities.

**SPECIAL NOTES:**

The Board of Economic Advisors is the appropriate entity to address any revenue impact associated with this or any other bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO REPEAL SECTION 50-11-940 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF CERTAIN PROPERTY OF THE BELLE W. BARUCH FOUNDATION IN GEORGETOWN COUNTY AS A BIRD AND GAME REFUGE, AND TO REPEAL SECTION 50-11-941, REQUIRING SECTION 50-11-940 TO NOT BE CONSTRUED IN CONFLICT WITH THE LAST WILL AND TESTAMENT OF BELLE W. BARUCH.

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

SECTION 1. The General Assembly finds that:

(1) Pursuant to a request by the trustees of the Belle W. Baruch Foundation, the General Assembly passed Act 1016 of 1974 that declared the 17,000 acres of the Belle W. Baruch Foundation property in Georgetown County a bird and game sanctuary and prohibited the hunting of any birds or game on the property.

(2) Act 1016 of 1974, codified as Section 50‑11‑940 of the 1976 Code, has been amended on several occasions, most recently to allow the hunting of deer, hogs, coyotes, or raccoons by “an employee or agent” of the Belle W. Baruch Foundation.

(3) The Belle W. Baruch Foundation, which at the time of enactment of Act 1016, was a New York foundation, requested that the property be declared a bird and game sanctuary in order to discourage poaching of birds and game on the property, due to the proliferation of poaching resulting from a limited presence of staff of the Belle W. Baruch Foundation and wildlife law enforcement officials on and around the property.

(4) The Belle W. Baruch Foundation is now a South Carolina foundation that employs nine people who work on and manage its property in Georgetown County, and the property is adequately patrolled and protected by staff of the Belle W. Baruch Foundation and law enforcement.

(5) The trustees of the Belle W. Baruch Foundation have undertaken a study of the wildlife management goals for the property and have determined:

(a) the designation of the property as a bird and game refuge is no longer necessary for or helpful to the management of the property;

(b) the restrictions on hunting contained in Section 50‑11‑940 result in increased liability to the Belle W. Baruch Foundation in its efforts to manage populations of deer, hogs, coyotes, and raccoons on the property, by requiring that anyone hunting these animals be “an employee or agent” of the Belle W. Baruch Foundation;

(c) the restrictions contained in Section 50‑11‑940 prevent the Trustees of the Belle W. Baruch Foundation from utilizing hunting leases and paid hunts as both a management tool and a source of revenue for the Belle W. Baruch Foundation, resulting in the loss of hundreds of thousands of dollars of potential revenue to the Belle W. Baruch Foundation, the inability to create jobs in the area of the property for these purposes, and a missed opportunity for the property to be an integral part of the tourism base for the Georgetown and Grand Strand areas; and

(d) the Trustees of the Belle W. Baruch Foundation have by unanimous resolution requested that the designation of the property as a bird and game refuge be removed.

SECTION 2. Sections 50‑11‑940 and 50‑11‑941 of the 1976 Code are repealed.

SECTION 3. This act takes effect upon approval by the Governor.

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