

2001 SESSION

HOUSE SUBSTITUTE

014020856

HOUSE BILL NO. 2417

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Chesapeake and Its Tributaries
on February 3, 2001)

(Patron Prior to Substitute—Delegate Morgan)

A BILL to amend and reenact § 28.2-520 of the Code of Virginia, relating to the use of hydraulic escalator dredges; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-520 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-520. Use of hydraulic escalator dredges prohibited; penalty.

A. It shall be unlawful for any person to ~~take or catch hard-shell clams through the use of~~ *have on board his boat a hydraulic escalator dredge for the purpose of (i) harvesting shellfish on privately owned grounds, (ii) transiting state waters, or (iii) conducting legitimate aquaculture research unless such person has obtained a permit issued by the Commission. However, a person may have on board a hydraulic escalator dredge solely for the purpose of traveling to docks for maintenance or repair of the boat or equipment. The Commission and the Virginia Institute of Marine Science may use hydraulic escalator dredges to take and catch hard-shell clams shellfish on an experimental basis. However, a permit to take and catch hard-shell clams through the use of hydraulic dredges shall not be issued to any other person.*

B. Any person who ~~takes or catches hard-shell clams using a hydraulic dredge~~ *violates this section is guilty of a Class 1 misdemeanor.*

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