

# 2001 SESSION

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## SENATE BILL NO. 784

Offered January 10, 2001

Prefiled September 11, 2000

*A BILL to amend and reenact § 28.2-106 of the Code of Virginia, relating to Virginia Marine Patrol officers; powers.*

Patron—Stolle

Referred to Committee on Agriculture, Conservation and Natural Resources

### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 28.2-106 of the Code of Virginia is amended and reenacted as follows:**

§ 28.2-106. Virginia Marine Patrol; law-enforcement responsibilities; qualifications; oath.

A. The law-enforcement division of the Commission shall be designated as the Virginia Marine Patrol. It shall exercise such powers and duties as the General Assembly may confer upon it by law and as provided in regulations adopted pursuant to law, including but not limited to:

1. Patrolling the tidal waters and shoreline of the Chesapeake Bay, its tidal tributaries, and territorial sea;

2. Enforcing marine fishery and habitat conservation laws and regulations;

3. Enforcing health laws pertaining to the harvesting of seafood from condemned areas;

4. Enforcing or assisting other agencies in enforcing laws pertaining to the removal of obstructions and abandoned vessels from the water, to boating operation and navigation, and to larceny on the water;

5. Providing for water-borne safety; and

6. Conducting search and rescue activities.

B. Officers of the Virginia Marine Patrol shall have the same powers as (i) *sheriffs and other law-enforcement officers to enforce all of the criminal laws of the Commonwealth*, and (ii) regular game wardens appointed pursuant to Chapter 2 (§ 29.1-200 et seq.) of Title 29.1.

C. A person shall be (i) at least twenty-one years old and (ii) a high school graduate or equivalent to qualify for appointment as an officer.

D. Each officer shall qualify before the clerk of the circuit court of the county or city in which he resides, or in which his district may be, by taking the oaths prescribed by law.

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