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HOUSE BILL NO. 978

Offered January 9, 2002

Prefiled January 9, 2002

A BILL to amend and reenact § 28.2-302.8 of the Code of Virginia, relating to master guide fishing licenses.

Patron—Pollard

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That § 28.2-302.8 of the Code of Virginia is amended and reenacted as follows:**

§ 28.2-302.8. Headboat or charterboat; rental boats.

A. The Commission may establish the sale of a fishing guide license *and master guide license*. If established, such fishing guide license *or master guide license* shall be required for each charterboat and headboat captain.

1. *Master guide licenses may be purchased and used for the following circumstances only:*

a. *Boat owners with more than one boat may purchase a single master guide license to cover up to ten additional boats, as long as each boat is registered on the license and appropriate fees paid;*

b. *The boat owner is not a U.S. Coast Guard-licensed captain, but hires a U.S. Coast Guard-licensed captain to operate the boat for recreational fishing charters; or*

c. *More than one U.S. Coast Guard-licensed captain owns the boat operated for recreational fishing charters.*

2. *The holder of any master guide licenses used for recreational fishing is responsible for any violations of this chapter committed by the captain while operating the boat as a charter boat for the purpose of recreational fishing.*

3. *The Commission is responsible for setting the fees for the master guide license, including the fees for additional boats being registered under one master guide license.*

B. *The number of fishing guide and master guide licenses shall be limited to a total of 500. The initial allotment of licenses to be issued shall include all licenses purchased on or before October 4, 2001, plus an additional ten percent of that amount. An additional number of licenses, up to ten percent of the total number of licenses issued the previous year, may be sold each subsequent year, up to a maximum of 500.*

~~The Commission may limit the sale of such licenses when deemed necessary by the Commission for effective fisheries management.~~

C. 1. *The application for either the fishing guide or the master guide license shall include a copy of the applicant's current U.S. Coast Guard license permitting him to carry passengers for hire. The fee for the license shall not exceed \$100. The Commission may reduce the fee charged for the saltwater recreational fishing license under subsection B by an amount equal to the fee for the fishing guide or master guide license.*

2. *New applicants for a master guide license must also complete an apprenticeship program under a captain holding a current Virginia master guide license. The applicant must have completed at least 200 days of training within three consecutive years, or 150 days of training within two consecutive years. This training time may be completed under one or more captains. However, the applicant will not receive credit for any time apprenticed under a captain who does not hold a current Virginia master guide license.*

~~B~~ D. *The owner of a headboat or charterboat annually shall purchase a recreational fishing license which covers his customers and the captain and mate of the vessel to meet the requirements set forth in § 28.2-302.1. The annual cost of the license shall be \$150 for uninspected vessels licensed by the United States Coast Guard to carry six fishing passengers or fewer and, for boats United States Coast Guard certified to carry a number of fishing passengers greater than six, \$150 plus \$4four dollars for each passenger over six for which the boat is designed.*

~~C~~ E. *The owner of a boat rental service shall purchase a recreational fishing license which covers his customers to meet the requirements set forth in § 28.2-302.1. The annual cost of the license shall be \$7.50 per boat with a maximum fee of \$500, whichever is less.*

F. If for any reason a person is relieved of his U.S. Coast Guard captain's license, then that person will automatically forfeit his Virginia fishing guide or master guide license and any claim to such license.

~~D~~ G. *Charterboat and headboat operators shall report such data as are deemed necessary by the*

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HB978

59 Commission for the effective fisheries management as a condition of issuance of the license.
60 ~~E~~ *H.* All funds collected pursuant to this section shall be paid into the state treasury to the credit of
61 the Virginia Saltwater Recreational Fishing Development Fund, as established by § 28.2-302.3.