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HOUSE BILL NO. 2012

House Amendments in [] - January 19, 2007

A *BILL to amend the Code of Virginia by adding in Subtitle I of Title 10.1 a chapter numbered 10.3, consisting of a section numbered 10.1-1027, relating to wild horses.*

Patron Prior to Engrossment—Delegate Suit

Referred to Committee on Agriculture, Chesapeake and Natural Resources

[WHEREAS, on the barrier islands of Virginia and North Carolina, there exists a herd of wild horses that are the last known herd of Spanish mustangs existing in a natural state and whose presence predates English settlement in North America; and

WHEREAS, in 1929, a reporter for *National Geographic* magazine noted that more than 5,000 wild horses roamed the coasts of Virginia and North Carolina; and

WHEREAS, a portion of the Outer Banks north of Corolla and south of the Virginia state line has been designated as a wild horse sanctuary; and

WHEREAS, horses leaving the wild horse sanctuary risk entering Virginia and being killed on the roadways and entering populated areas near Virginia Beach; and

WHEREAS, the Commonwealth must protect the presence of this important cultural and historical resource in Virginia, which is an emblem of our national heritage; and

WHEREAS, there is a need for funds for the construction of fences to contain the horses safely in the wild horse sanctuary, for assisting community groups willing to return horses to the sanctuary from populated areas in Virginia, and for paying for the medical care needed by horses injured on Virginia roadways; now, therefore,]

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Subtitle I of Title 10.1 a chapter numbered 10.3, consisting of a section numbered 10.1-1027, as follows:

CHAPTER 10.3.**WILD SPANISH MUSTANGS FUND.**

§ 10.1-1027. *Wild Spanish Mustangs Fund established; administration; purpose.*

There is hereby established in the state treasury a special nonreverting fund to be known as the Wild Spanish Mustangs Fund, hereafter referred to as the Fund. The Fund shall consist of such moneys as may be appropriated by the General Assembly and such other moneys as may be made available from any other source, public or private. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund, but shall remain in the Fund. The Fund shall be administered by the Department of Conservation and Recreation. Any expenditure from the Fund shall be subject to the recommendations of the Park Manager at False Cape State Park, with advice and consultation from the City of Virginia Beach, local legislators, and interested community members. The Fund shall be used for the general purpose of protecting the herd of wild Spanish mustangs on the barrier islands of Virginia. Allocations may include, but are not limited to, the erection and maintenance of fences to restrict the entrance of wild horses into Virginia, the transporting of any wild horses that do reach Virginia back to North Carolina, and [the payment of veterinary expenses incurred by horses injured on Virginia roadways. other measures to protect these horses and promote their retention in North Carolina, as determined by the Department of Conservation and Recreation.]

ENGROSSED

HB2012E