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SENATE BILL NO. 1017

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on January 31, 2011)

(Patron Prior to Substitute—Senator Puckett)

A BILL to amend and reenact § 29.1-103 of the Code of Virginia, relating to local government approval for the introduction of new species of game.

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-103 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-103. Powers and duties of the Board.

The Board is responsible for carrying out the purposes and provisions of this title and is authorized to:

1. Appoint the Director of the Department.

2. Acquire by purchase, lease, exchange, gift or otherwise, lands and waters in the Commonwealth and to establish buildings, structures, dams, lakes and ponds on such lands and waters. However, it is the policy of the Commonwealth that there shall be no net loss of those public lands managed by the Department that are available for hunting in Virginia.

3. Conduct operations for the preservation and propagation of game birds, game animals, fish and other wildlife in order to increase, replenish and restock the lands and inland waters of the Commonwealth.

4. Purchase, lease, or otherwise acquire lands and waters for game and fish refuges, preserves or public shooting and fishing, and establish such lands and waters under appropriate regulations.

5. Acquire by purchase, lease, or otherwise, lands and structures for use as public landings, wharves, or docks; to improve such lands and structures; and to control the use of all such public landings, wharves, or docks by regulation.

6. Acquire and introduce any new species of game birds, game animals, or fish on the lands and within the waters of the Commonwealth, *with the authorization and cooperation of the affected local government.*

7. Restock, replenish and increase any depleted native species of game birds, game animals, or fish.

8. Have educational matter pertaining to wildlife published and distributed.

9. Hold exhibits throughout the Commonwealth for the purpose of educating school children, agriculturists and other persons in the preservation and propagation of wildlife in the Commonwealth.

10. Control land owned by and under control of the Commonwealth in Back Bay, its tributaries and the North Landing River from the North Carolina line to North Landing Bridge. The Board shall regulate or prohibit by regulation any drilling, dredging or other operation designed to recover or obtain shells, minerals, or other substances in order to prevent practices and operations which would harm the area for fish and wildlife.

11. Exercise powers it may deem advisable for conserving, protecting, replenishing, propagating and increasing the supply of game birds, game animals, fish and other wildlife of the Commonwealth.

12. Adopt resolutions or regulations conferring upon the Director all such powers, authorities and duties as the Board possesses and deems necessary or proper to carry out the purposes of this title.

13. Administer and manage the Virginia Fish Passage Grant and Revolving Loan Fund pursuant to Article 1.1 (§ 29.1-101.2 et seq.) of Chapter 1 ~~of this title.~~

14. Establish and collect admittance, parking, or other use fees at certain Department-owned facilities as determined by the Board. Any daily fee established by the Board shall not exceed \$3. Any annual fee established by the Board shall not exceed the cost of an annual state resident fishing license pursuant to subdivision A 2 of § 29.1-310, or an annual state resident hunting license pursuant to subdivision 2 of § 29.1-303.

15. Establish and collect a use fee through the issuance of an annual hunting stamp required to be obtained to hunt on private lands managed by the Department through a lease agreement or other similar memorandum of agreement. The annual hunting stamp shall be in addition to the required licenses to hunt, and the cost of such stamp shall be the same as the cost of the annual state resident hunting license in § 29.1-303.

16. Revise, as it deems appropriate, through the promulgation of regulations as prescribed in Article 1 (§ 29.1-500 et seq.) ~~of Chapter 5 of this title,~~ the fees charged for all hunting, fishing and trapping licenses authorized under Articles 1 (§ 29.1-300 et seq.) and 2 (§ 29.1-340 et seq.) of Chapter 3 ~~of this title,~~ notwithstanding any other provision of this title. Beginning July 1, 2004, and no more frequently than once every three years thereafter, such license fees for residents may be increased or decreased no more than \$5. Beginning July 1, 2007, and no more frequently than once every three years thereafter,

60 the Board may increase or decrease license fees for nonresidents, authorized under Article 1 (§ 29.1-300
61 et seq.) of Chapter 3 of this title, no more than \$50.
62 17. Take such regulatory or other action as it may determine to be necessary to enable the
63 Commonwealth to become a party to the Interstate Wildlife Violator Compact, as authorized in Article
64 2.1 (§ 29.1-530.5) of Chapter 5, and to implement the Compact in the Commonwealth. The
65 promulgation of any regulations pursuant to this subdivision shall be as prescribed in Article 1
66 (§ 29.1-500 et seq.) of Chapter 5.