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HOUSE BILL NO. 1811

Offered January 14, 2015

Prefiled January 13, 2015

A BILL to amend and reenact § 28.2-520 of the Code of Virginia, relating to authorizing the use of a handheld hydraulic device for harvesting cultured clams.

Patrons—Bloxom; Senator: Lewis

Referred to Committee on Agriculture, Chesapeake and Natural Resources

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 dredges prohibited; exceptions; penalty.

A. It shall be unlawful for any person, unless he has been issued a permit by the Commission pursuant to subsection B, to (i) take or catch clams through the use of a hydraulic dredge or (ii) have on board his boat a hydraulic dredge designed for harvesting seafood.

B. The Commission may issue a permit authorizing the possession and use of a (i) hydraulic dredge for the purpose of (a) transiting state waters or (b) conducting legitimate aquaculture research and (ii) *handheld hydraulically operated device for harvesting cultured clams from leased grounds.*

C. Notwithstanding the provisions of clause (ii) of subsection A, a person may have on board his boat a hydraulic dredge designed for harvesting seafood when traveling to or from docks for maintenance or repair of the boat or equipment, or when off-loading catches made in federal waters.

D. The Commission and the Virginia Institute of Marine Science may possess and use hydraulic dredges to take and catch shellfish on an experimental basis.

E. Any person who violates this section is guilty of a Class 1 misdemeanor.

INTRODUCED

HB1811