

1997 SESSION

INTRODUCED

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HOUSE BILL NO. 937

Offered January 22, 1996

A *BILL to amend and reenact § 28.2-520 of the Code of Virginia, relating to use of hydraulic dredges; penalty.*

Patron—Bloxom

Referred to Committee on Chesapeake and Its Tributaries

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; penalty.

A. It shall be unlawful for any person to take or catch hard-shell clams through the use of a hydraulic dredge. The Commission and the Virginia Institute of Marine Science may use hydraulic dredges to take and catch hard-shell clams on an experimental basis. *The Commission may issue permits to aquaculture operations for the use of hydraulic dredges to take and catch hard-shell clams. The Commission may also issue a permit to an owner in fee simple of submerged lands for the use of a hydraulic dredge on his land for reharvesting of hard-shell clams.* However, a permit to take and catch hard-shell clams through the use of hydraulic dredges shall not be issued to any other person.

B. Any person who takes or catches hard-shell clams using a hydraulic dredge *without the proper permit* is guilty of a Class 1 misdemeanor.

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