

# VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

## CHAPTER 719

*An Act to amend the Code of Virginia by adding in Chapter 2 of Title 28.2 an article numbered 8, consisting of sections numbered 28.2-245, 28.2-246, and 28.2-247, relating to the establishment of the Fishery Resource Grant Fund.*

[H 1634]

Approved March 28, 1999

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 2 of Title 28.2 an article numbered 8, consisting of sections numbered 28.2-245, 28.2-246, and 28.2-247, as follows:**

*Article 8.*

*Fishery Resource Grant Program.*

*§ 28.2-245. Fishery Resource Grant Fund established; purpose; Consortium to award grants.*

*A. There is hereby established within the state treasury a special permanent, nonreverting fund, to be known as the Fishery Resource Grant Fund, which shall hereafter be known as the "Fund." The Fund shall be established on the books of the Comptroller. The Fund shall consist of sums appropriated to it by the General Assembly as provided for under § 23-9.9:1 and such other moneys as may be made available from any other source, public or private, including any federal grants solicited or received for the specific purposes of the Fund, and all interest and income from investment of the Fund. Any sums 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. Moneys in the Fund shall be used solely for Fishery Resource Grants. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Chairman of the Graduate Marine Science Consortium at the University of Virginia.*

*B. The purpose of the Fishery Resource Grant Fund is to protect and enhance the Commonwealth's coastal fishery resources through the awarding of grants in the following areas:*

- 1. New fisheries equipment or gear;*
- 2. Environmental pilot studies on issues including water quality and fisheries habitat;*
- 3. Aquaculture or mariculture of marine-dependent species; and*
- 4. Seafood technology.*

*C. The Consortium shall advertise the availability of grant funds and shall solicit, receive, and review grant applications. Grants shall be awarded by the Consortium after consideration of the recommendations of the Fishery Resource Grant Advisory Board. The decisions regarding who receives the grant awards shall be the responsibility of the Consortium. In awarding grants for the aquaculture or mariculture of marine dependent species the Consortium shall consider the amount of private investment that has been made for the aquaculture or mariculture of a species, and shall not award grants for the aquaculture or mariculture of a species in which significant private investment has been made, unless such grant is for new technology.*

*D. The Consortium may establish a peer review panel to assist in determining the relative merits of each proposal.*

*E. Any general funds for the Fishery Resource Grant Program shall be appropriated to the Consortium, which shall be reimbursed for the reasonable costs incurred in administering and monitoring the grant program. If funds remain at the end of a grant cycle, the Consortium may carry forward such funds to the next funding cycle.*

*§ 28.2-246. Fishery Resource Grant Advisory Board established; membership; duties.*

*A. The Fishery Resource Grant Advisory Board shall be composed of seven members to be selected in the following manner: four members shall be appointed by the Graduate Marine Science Consortium from nominations made by commercial watermen's associations, one member shall be appointed by the Graduate Marine Science Consortium from nominations made by the aquaculture association, one member shall be appointed by the Commissioner of the Marine Resources Commission, and one member shall be appointed by the Director of the Virginia Institute of Marine Science.*

*B. The Advisory Board shall (i) in cooperation with commercial fishermen and the Consortium, establish, by July 1 of each year, the priority areas in which grants shall be awarded and (ii) review each application and make its recommendation to the Consortium.*

*§ 28.2-247. Graduate Marine Science Consortium to submit report.*

*At the end of each grant cycle, the Graduate Marine Science Consortium shall submit a report to the House Committee on Chesapeake and Its Tributaries; the House Committee on Appropriations; the Senate Committee on Agriculture, Conservation and Natural Resources; the Senate Committee on Finance; the Marine Resources Commission; and the Virginia Department of Agriculture and Consumer*

*Services describing the projects funded and moneys expended.*