

# 2015 SESSION

INTRODUCED

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## SENATE BILL NO. 1101

Offered January 14, 2015

Prefiled January 13, 2015

A *BILL to amend and reenact § 28.2-607 of the Code of Virginia, relating to use of polyvinyl chloride pipes to mark oyster planting grounds.*

Patron—McWaters

Referred to Committee on Agriculture, Conservation and Natural Resources

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

#### 1. That § 28.2-607 of the Code of Virginia is amended and reenacted as follows:

##### § 28.2-607. Survey and marking of ground; penalty.

A. If a protest is not filed in the Commission office within ~~sixty~~ 60 days after posting of the notice of application, the Commissioner shall select a surveyor to survey the grounds and make a plat in duplicate. The surveyor shall forward the plat of survey to the Commissioner. If no protest to the application or surveying of ground is made within ~~thirty~~ 30 days after the plat of survey is recorded in the Commissioner's office, the ground applied for shall be assigned provided that:

1. The application and assignment complies with all applicable provisions of law and, in the judgment of the Commissioner, the assignment is in the public interest.

2. All fees, costs, and the annual rent have been paid for the lease of the ground. The ground shall be marked at the expense of the applicant.

B. The grounds shall be marked in accordance with Commission regulations for marking oyster grounds. *Stakes or buoys made of metal or polyvinyl chloride (PVC) are prohibited.*

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