

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 3.2-303 of the Code of Virginia, relating to the Governor's Agriculture*
3 *and Forestry Industries Development Fund; commercially-harvested wild fish and shellfish.*

4 [H 514]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 3.2-303 of the Code of Virginia is amended and reenacted as follows:**8 **§ 3.2-303. Definitions.**

9 A. As used in this chapter, unless the context requires a different meaning:

10 "Agricultural products" means crops, livestock, and livestock products, including field crops, fruits,
11 vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses, poultry, fur-bearing animals, milk,
12 eggs, aquaculture, *commercially-harvested wild fish*, *commercially-harvested wild shellfish*, and furs.

13 "Agriculture and forestry processing/value-added facilities" means any for-profit or nonprofit business
14 that creates value-added agricultural or forestal products.

15 "Forestal products" means saw timber, pulpwood, posts, firewood, Christmas trees, and other tree and
16 wood products for sale or for farm use.

17 "New job" means employment of an indefinite duration, created as the direct result of the private
18 investment, for which the firm pays the wages and standard fringe benefits for its employee, requiring a
19 minimum of either (i) 35 hours of the employee's time a week for the entire normal year of the firm's
20 operations, which "normal year" shall consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal
21 or temporary positions, positions created when a job function is shifted from an existing location in the
22 Commonwealth to the location of the economic development project, positions with suppliers, and
23 multiplier or spin-off jobs shall not qualify as new jobs. The term "new job" shall include positions with
24 contractors provided that all requirements included within the definition of the term are met.

25 "Prevailing average wage" means that amount determined by the Virginia Employment Commission
26 to be the average wage paid workers in the city or county of the Commonwealth where the economic
27 development project is located. The prevailing average wage shall be determined without regard to any
28 fringe benefits.

29 "Private investment" means the private investment required under this chapter.

30 "Value-added agricultural or forestal products" means any agricultural or forestal product that (i) has
31 undergone a change in physical state; (ii) was produced in a manner that enhances the value of the
32 agricultural commodity or product; (iii) is physically segregated in a manner that results in the
33 enhancement of the value of the agricultural or forestal product; (iv) is a source of renewable energy; or
34 (v) is aggregated and marketed as a locally produced agricultural or forestal product.

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