

1995 SESSION

INTRODUCED

LD8192364

HOUSE BILL NO. 1004

Offered January 25, 1994

A *BILL to amend the Code of Virginia by adding a section numbered 28.2-228.1, relating to commercial landings license; penalty.*

Patrons—Morgan, Bloxom, Cooper, Copeland and Murphy

Referred to Committee on Chesapeake and Its Tributaries

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 28.2-228.1 as follows:

§ 28.2-228.1. Commercial landings license; fee and oath; revocation.

A. Any person who is not registered as a commercial fisherman pursuant to § 28.2-241 shall first obtain a commercial landings license before landing or off-loading in the Commonwealth from any vessel, for the purpose of sale, barter, or trade, any marine fish, crabs or any other seafood harvested outside the tidal waters of the Commonwealth. A commercial landings license shall not be required for any vessel owned or operated by a person holding a valid registration as a commercial fisherman.

B. The fee for a commercial landings license shall be \$150 annually. All fees collected from the issuance of commercial landings licenses shall be credited to the Virginia Marine Products Fund as provided under § 3.1-684.63.

C. An applicant for a commercial landings license shall state under oath his true name and address and the name and number of the vessel or vessels being licensed, and that he will not violate any of the laws of this Commonwealth governing the taking and catching of seafood.

D. A commercial landings license shall not be transferable, and shall be valid only for the vessel for which it was issued.

E. All catches of seafood shall be reported by persons holding a commercial landings license in the manner and form prescribed by the Commission.

F. Whenever a court finds that a defendant has violated any of the provisions of this section, the court shall assess a civil penalty of \$500. All civil penalties assessed pursuant to this section shall be paid into the Virginia Marine Products Fund.

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