

VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

CHAPTER 114

An Act to amend and reenact § 28.2-204.1 of the Code of Virginia, relating to limited sale of gear licenses and permits.

[H 993]

Approved March 13, 1998

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-204.1 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-204.1. Limited sale of gear licenses and permits; regulations.

A. The Commission may limit the number of gear licenses or permits to fish, except those licenses issued pursuant to § 28.2-402, issued for use in a specific fishery. *The Commission may, despite any such limits, issue such gear licenses or permits to fish to any person who has resided for at least five years on an island in the Commonwealth that is at least three miles from the mainland.*

B. The Commission is authorized to promulgate regulations to carry out the provisions of this section. In determining whether to limit the sale of gear licenses or permits to fish, and determining who receives licenses, the Commission shall consider all factors relevant to the Commonwealth's fishery management policy, including but not limited to:

1. Economic and social consequences;
2. Food production;
3. Dependence on the fishery by licensees;
4. Efficiency of gear used in the fishery;
5. Impact on species and fisheries; and
6. Abundance of the resource.