

2012 VMRC-related General Assembly Bills

These are the bills being tracked by the Virginia Marine Resources Commission during the 2012 General Assembly Session.

The status of these bills will be updated regularly, but not daily. For the most timely information on the current status of these and other bills, please visit the General Assembly's Legislative Information System at <http://lis.virginia.gov/>

The most appropriate way to express your opinion about these bills, or any other legislation, is through your local delegate and/or senator. For more information about your legislators and how to contact them, please visit the Virginia General Assembly website. You may also contact the Virginia General Assembly's Constituent Viewpoint Comment line toll-free at 1-800-889-0229 (698-1990 in Richmond).

HB 40 Coastal primary sand dunes; standards for use, exemption.

Standards for use of coastal primary sand dunes; exemption. Authorizes the Virginia Beach Wetlands Board to determine which structures or properties are in imminent danger from erosion or storm damage. If such structures or properties are found to be in imminent danger, the property owners will be able to erect or maintain protective bulkheads of a type, size and configuration approved by the Board. This is the same exemption from the Coastal Primary Sand Dunes and Beaches Act that applies to homes located in the Sandbridge Beach Subdivision.

Assigned: **House Agriculture, Chesapeake and Natural Resources**

This bill was reported from this committee 22-0 on Feb. 1 and sent to the House floor

The House passed the bill 98-0 on Feb. 7 and sent it to the Senate.

The bill was assigned to the **Senate Agriculture, Conservation and Natural Resources Committee** on Feb. 8

HB 88 Menhaden harvest; removes cap.

Menhaden harvest cap. Removes the provision that allows an adjustment for underages or overages in the annual harvest cap to be carried over to the next year's cap limit. Currently, if a person harvests less than the 109,020 metric ton limit on taking menhaden, he can add the difference to his cap for next year's harvest. Conversely, if he exceeds the cap in any one year, he must reduce his harvest in the succeeding year by the amount of the overage of the preceding year.

Assigned: **House Agriculture, Chesapeake and Natural Resources**

This bill was referred to the subcommittee on the Chesapeake, where it died on Feb. 2 when the subcommittee members declined to make any sort of motion on the bill

HB 196 Haul seine nets

Haul seine nets. Requires a haul seine net that is longer than 1,000 yards and is anchored at one end to the shore and the other end mechanically drawn, without the aid of a boat or vessel, to have up to 400 feet of two and one-half inch mesh.

Assigned: **House Agriculture, Chesapeake and Natural Resources Committee**

The bill was reported from the Committee 22-0 on Jan. 25

The House passed the bill 99-0 on Jan. 30 and sent it to the Senate.

It was referred to the **Senate Agriculture, Conservation and Natural Resources Committee** on Jan. 31

HB 238 Management of blue crabs

Management of blue crabs. Specifies that the Marine Resources Commission, and not the Department of Game and Inland Fisheries, is empowered to manage the recreational and commercial harvesting of blue crabs in the Albemarle and Currituck watersheds.

Assigned: **House Agriculture, Chesapeake and Natural Resources Committee**

This Committee reported the bill 21-0 on Feb. 8 and sent it to the House floor.

HB 258 Commercial fishing piers

Commercial fishing piers; regulation of net fishing in the vicinity.

Authorizes the Marine Resources Commission to raise the minimum distance permitted for net fishing in the vicinity of a commercial fishing pier from 300 yards to as much as 1,000 yards and to promulgate other regulations.

Assigned: **House Agriculture, Chesapeake and Natural Resources Committee**

This bill was referred to the subcommittee on the Chesapeake.

The subcommittee voted on Jan. 19 to table the bill

HB 440 Vessels making fast to or lying alongside certain bridges.

Vessels making fast to or lying alongside certain bridges. Prohibits promulgation of VDOT regulations that forbid the master or owner of a vessel no more than 25 feet long from making the vessel fast to or lying alongside any bridge in the system of state highways.

Assigned: **House Transportation Committee**

This bill was stricken from the docket by the committee on a voice vote on Jan. 17.

HB 934 Bottomlands conveyed by special grant

Bottomlands conveyed by special grant; trespass; proof. Establishes a presumption in a private civil action for trespass upon bottomlands alleged to have been conveyed by a special grant or compact that such bottomlands are owned by the Commonwealth. This presumption only applies in such an action and does not otherwise affect any person's property rights. The plaintiff may rebut this presumption by establishing his ownership by a preponderance of the evidence.

Patron: Lingamfelter

Assigned: **House Agriculture, Chesapeake and Natural Resources Committee**

The bill was referred to the subcommittee on the Chesapeake, which voted 5-0 on Feb. 2 to table the bill.

HB 1159 Shark fins; bans possession, sale

Possession of shark fins; penalty. Bans the possession, sale, offering for sale, trading, or distribution of shark fins, with certain exceptions for licensees and restaurants.

Assigned: **House Agriculture, Chesapeake and Natural Resources Committee**

The bill was referred to the subcommittee on the Chesapeake, which voted on Jan. 26 to table the bill.

HJ 96 Atlantic States Marine Fisheries Commission; summer flounder harvest

Atlantic States Marine Fisheries Commission; summer flounder harvest.

Requests the Atlantic States Marine Fisheries Commission to allow Virginia's recreational fishermen to harvest summer flounder that are smaller than the current 19-inch minimum size limit.

Patron: Del. Michael Watson

Assigned: House Agriculture, Chesapeake and Natural Resources Committee

This Committee passed the bill 21-0 on Feb. 8 and sent it to the House floor.

SB 18 Atlantic States Marine Fisheries Compact; removes authorization for State's membership.

Fishery compact. Removes authorization for Virginia's membership in the Atlantic States Marine Fisheries Compact. The purpose of the Compact is to promote better utilization of the marine, shell, and anadromous fisheries of the Atlantic seaboard through the development of a joint program for the promotion and protection of such fisheries and by the prevention of the physical waste of the fisheries from any cause. If any state desires to remove itself from the Compact, it must send a six months' notice in writing to the member states of its intention to withdraw from the Compact.

Assigned: Senate Agriculture, Conservation and Natural Resources Committee

The bill was reported from the Committee on Feb. 2, by a 9-6 vote, and re-referred to the Senate Finance Committee, which voted 14-0 to carry over this bill at the patron's request until the 2013 General Assembly Session.

SB 176 Jurisdiction of the Department of Game and Inland Fisheries.

Jurisdiction of the Department of Game and Inland Fisheries. Removes the jurisdiction to enforce fishing and boating laws in the waters of Back Bay, and the inlets and navigable waters in the Tidewater counties and cities.

Assigned: Senate Agriculture, Conservation and Natural Resources Committee

The Committee voted on Feb. 2 to carry over the bill at the patron's request until the 2013 General Assembly Session

SB 466 Menhaden management.

Menhaden management. Authorizes the Marine Resources Commission to adopt regulations necessary to comply with Amendment 2 to the Atlantic States Marine Fisheries Commission Fishery Management Plan for Atlantic Menhaden.

Assigned: Senate Agriculture, Conservation and Natural Resources Committee

The Committee voted on Feb. 2 to carry over the bill at the patron's request until the 2013 General Assembly Session

SB 470 Combined fishing license.

Combined fishing license. Removes references to the specific dollar amounts that each freshwater and saltwater license is sold for and recognizes that the Department of Game and Inland Fisheries and the Marine Resources Commission currently have the authority to independently establish the price of each of agency's license.

Assigned: Senate Agriculture, Conservation and Natural Resources Committee

The Committee voted 15-0 to report the bill on Jan. 26.

The Senate passed the bill 39-0 on Feb. 1 and sent it to the House

SB 550 Public oyster beds on the seaside of the Eastern Shore; adjustment of boundaries

Public oyster beds on the seaside of the Eastern Shore; adjustment of boundaries.

Instructs the Virginia Marine Resources Commission to adjust the boundaries of the public oyster beds on the seaside of the Eastern Shore using the Baylor survey as a basis. The bill requires the Commission to make its procedures public and sets out the criteria that the Commission must address as it considers any adjustment to the boundaries of the public shellfish beds encompassed within the bill. The bill also instructs the Commission to include or exclude certain bottomlands from the adjusted boundaries and provides considerations for leasing of state-owned bottomlands.

Assigned: Senate Agriculture, Conservation and Natural Resources Committee

The Committee voted 15-0 to report the bill on Jan. 26

The Senate passed the bill 39-0 on Feb. 1 and sent it to the House

SJ 75 Study; Atlantic menhaden management plan requirements; report.

Study; Atlantic menhaden management plan requirements; report. Requests the Virginia Marine Resources Commission to study strategies for implementing new requirements under the amended Interstate Fishery Management Plan for Atlantic Menhaden. The Atlantic States Marine Fisheries Commission is in the process of developing an amendment to the plan that will require states to meet a new fishing mortality threshold.

Assigned: **Senate Rules Committee**

The patron withdrew the bill on Feb. 2