
VIRGINIA STATE BUDGET

2006 Special Session I

Budget Bill - HB5002 (Chapter 3)

Bill Order » Office of Natural Resources » Item 372

Marine Resources Commission

Item 372	First Year - FY2007	Second Year - FY2008
Marine Life Management (50500)	\$14,705,581	\$14,505,581
Marine Life Information Services (50501)	\$726,487	\$726,487
Marine Life Regulation Enforcement (50503)	\$6,152,633	\$6,152,633
Artificial Reef Construction (50506)	\$164,009	\$164,009
Chesapeake Bay Fisheries Management (50507)	\$4,747,750	\$4,747,750
Oyster Propagation and Habitat Improvement (50508)	\$2,914,702	\$2,714,702
Fund Sources:		
General	\$8,250,705	\$8,050,705
Special	\$4,423,718	\$4,423,718
Commonwealth Transportation	\$288,158	\$288,158
Dedicated Special Revenue	\$160,000	\$160,000
Federal Trust	\$1,583,000	\$1,583,000

Authority: Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5 and 7; Title 28.2, Chapters 1 through 10; Title 29.1, Chapter 7; Title 32.1, Chapter 6; Title 33.1, Chapter 1; and Title 62.1, Chapters 18 and 20, Code of Virginia.

A. The appropriation includes annual membership dues to the Atlantic States Marine Fisheries Commission, \$34,000 the first year and \$36,000 the second year from the general fund.

B. This appropriation includes annual membership dues to the Potomac River Fisheries Commission, \$175,000 the first year and \$175,000 the second year from the general fund.

C. Out of the amounts for Marine Life Regulation Enforcement shall be paid into the Marine Patrols Fund, \$124,149 the first year and \$124,149 the second year, pursuant to § [28.2-108](#), Code of Virginia. For this purpose, cash shall be transferred from the Commonwealth Transportation Fund.

D. Pursuant to § [58.1-2289 D](#), Code of Virginia, \$164,009 the first year and \$164,009 the second year shall be transferred to Artificial Reef Construction from the Commonwealth Transportation Fund from unrefunded motor fuel taxes for boats.

E. Any unexpended general fund balances designated by the agency for oyster remediation activities remaining in the Item on June 30, 2007, and June 30, 2008, shall be reappropriated and reallocated to the Marine Resources Commission for expenditure.

F. The Commission shall deposit proceeds from the sale of oyster shells, oyster seeds, and other subaqueous materials pursuant to § 28.2-550, Code of Virginia, to the Public Oyster Rock Replenishment Fund established by § 28.2-542, Code of Virginia. The proceeds from such sale shall be used for the same purposes specified in § 28.2-542 .

G. Out of the amounts appropriated for Chesapeake Bay Fisheries Management, \$40,000 the first year and \$40,000 the second year from the general fund is provided for transfer to the Virginia Institute of Marine Science for continued research and control of the Veined Rapa Whelk, an invasive species of snail that readily consumes commercially valuable shellfish such as hard clams and oysters.

H. Upon the effective date of this act, the Commissioner of Marine Resources shall, as soon as practicable, apply for a permit from the United States Army Corps of Engineers to introduce, on an extensive scale, the oyster *Crassostrea ariakensis* into the waters of the Chesapeake Bay. If necessary, the Commissioner shall expeditiously exhaust all administrative appeals and remedies to obtain such permit. If all such administrative appeals and remedies have been exhausted and the permit described herein has not been granted, the Commissioner shall, as soon as practicable, appeal such denial of the permit in the proper court.