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**HOUSE BILL NO. 698**

Offered January 21, 2000

*A BILL to amend and reenact §§ 10.1-218, 10.1-1018, 10.1-1800, and 51.5-55 of the Code of Virginia, relating to the State Treasurer's membership on certain foundations and authorities.*

Patrons—Hargrove, Bloxom, Cantor, Cox, Drake, Hall and Tata

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 10.1-218, 10.1-1018, 10.1-1800, and 51.5-55 of the Code of Virginia are amended and reenacted as follows:**

§ 10.1-218. Foundation created; administration; appointment; terms; etc.

A. There is hereby created the Virginia State Parks Foundation, hereinafter referred to as the Foundation, a body politic and corporate to be organized and to have such powers and duties as hereinafter provided. The Foundation shall be governed and administered by a Board of Trustees, consisting of the Director of the Department of Conservation and Recreation, who shall serve ex officio; ~~the State Treasurer or his designee~~; and ~~five~~ *six* other trustees from the Commonwealth at large appointed by the Governor, subject to confirmation by the General Assembly, for four-year terms. Vacancies occurring before the end of the term shall be filled for the unexpired term. All members may be reappointed; however, no trustee at large may serve more than two consecutive four-year terms.

B. Trustees of the Foundation shall be reimbursed for all reasonable expenses incurred by them in the performance of their duties on behalf of the Foundation. Such reimbursement shall be paid from the Virginia State Parks Foundation Fund.

C. The Foundation shall elect from its membership a chairman, vice-chairman, and such other officers as it deems appropriate.

D. The chairman, vice-chairman, ~~State Treasurer~~, all trustees-at-large and any other person designated by the Board to handle the funds of the Foundation shall post bond with corporate surety prior to entering upon the functions of office with the State Comptroller in such penalty as is fixed by the Governor. The premium on the bonds shall be paid from the funds available to the Foundation.

E. The Board shall meet at least four times per year, and may meet upon the call of the chairman or the Director of the Department of Conservation and Recreation. The vice-chairman shall fill the position of chairman if the chairman is not available. A majority of the trustees serving shall constitute a quorum of the Board.

§ 10.1-1018. Virginia Land Conservation Board of Trustees.

A. The Foundation shall be governed and administered by a Board of Trustees, consisting of the Secretary of Natural Resources, ~~the State Treasurer or his designee~~, and ~~seven~~ *eight* trustees from the Commonwealth at large. ~~Three~~ *Four* of the trustees-at-large shall be appointed by the Governor, subject to confirmation by the General Assembly; two shall be appointed by the Speaker of the House of Delegates; and two shall be appointed by the Senate Committee on Privileges and Elections. The trustees-at-large shall have experience or expertise, professional or personal, in one or more of the following areas: natural resource protection and conservation, construction and real estate development, natural habitat protection, environmental resource inventory and identification, forestry management, farming, farmland preservation, fish and wildlife management, historic preservation, and outdoor recreation. The trustees-at-large shall initially be appointed for terms of office as follows: two for a term of two years, two for a term of three years, and three for a term of four years. Appointments thereafter shall be made for four-year terms. No trustee-at-large shall be eligible to serve more than two consecutive four-year terms. All trustees-at-large shall post bond in the penalty of \$5,000 with the State Comptroller prior to entering upon the functions of office. The ~~terms~~ *term* of the Secretary of Natural Resources and ~~the State Treasurer or their designees~~ *his designee* shall be coincident with that of the Governor. Appointments to fill vacancies shall be made for the unexpired term.

B. The Secretary of Natural Resources shall serve as the chairman of the Board of Trustees. The chairman shall serve until his successor is appointed. The trustees-at-large shall elect a vice-chairman annually from the members of the Board. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business. The board shall meet at the call of the chairman.

C. Trustees of the Foundation shall receive no compensation for their services but shall receive reimbursement for actual expenses incurred in the performance of their duties on behalf of the Foundation.

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HB698

60 D. The chairman of the Board, ~~the State Treasurer~~, and any other person designated by the Board to  
61 handle the funds of the Foundation shall give bond, with corporate surety, in such penalty as is fixed by  
62 the Governor, conditioned upon the faithful discharge of his duties. The premium on the bonds shall be  
63 paid from funds available to the Foundation for such purpose.

64 § 10.1-1800. Establishment and administration of Foundation; appointment, terms, chairman, quorum,  
65 etc., of board of trustees.

66 The Virginia Outdoors Foundation is established to promote the preservation of open-space lands and  
67 to encourage private gifts of money, securities, land or other property to preserve the natural, scenic,  
68 historic, scientific, open-space and recreational areas of the Commonwealth. The Virginia Outdoors  
69 Foundation is a body politic and shall be governed and administered by a board of trustees composed of  
70 ~~the State Treasurer or his designee~~ and ~~six~~ *seven* trustees from the Commonwealth at large to be  
71 appointed by the Governor for four-year terms. Vacancies shall be filled for the unexpired term. No  
72 trustee-at-large shall be eligible to serve more than two consecutive four-year terms. All trustees-at-large  
73 shall post bond in the penalty of \$5,000 with the State Comptroller prior to entering upon the functions  
74 of office.

75 The Governor shall appoint a chairman of the board from among the ~~six~~ *seven* trustees-at-large. A  
76 majority of the members of the board serving at any one time shall constitute a quorum for the  
77 transaction of business.

78 § 51.5-55. Membership of Board; terms, compensation, and expenses.

79 A. All powers, rights and duties conferred by this chapter or other provisions of law upon the  
80 Authority shall be exercised by the Board of Directors of the Authority. The Board shall consist of  
81 twelve members as follows: the Secretary of Health and Human Resources or his designee; ~~the Treasurer~~  
82 ~~of the Commonwealth or his designee~~; an employee of the Woodrow Wilson Rehabilitation Center; an  
83 experienced consumer lender; a certified public accountant; two persons with investment finance  
84 experience; and ~~five~~ *six* persons with a range of disabilities. The citizen members shall be appointed by  
85 the Governor and confirmed by the General Assembly. The Board shall annually elect a chairman from  
86 among its members. Board members shall receive no salaries but shall be reimbursed for all reasonable  
87 and necessary expenses incurred by them in the performance of their duties on behalf of the Authority.

88 B. The ~~nine~~ *ten* citizen members of the Board shall be appointed for four-year terms, except that  
89 appointments to fill vacancies shall be made for the unexpired terms. Representatives of state agencies  
90 shall serve coincident with the term of the Governor. No member appointed by the Governor shall be  
91 eligible to serve more than two complete terms in succession.

92 C. Meetings of the members of the Board shall be held at the call of the chairman or whenever six  
93 members so request. The Board shall meet regularly to review individual loan applications and approve  
94 or deny such applications based upon information provided to or obtained by the Board. In any event,  
95 the Board shall meet as necessary to attend to the business of the Authority.