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HOUSE BILL NO. 1227

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources
on February 4, 2004)

(Patron Prior to Substitute—Delegate Wardrup)

A BILL to amend and reenact §§ 62.1-69.26, 62.1-69.29, and 62.1-69.30 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 5.3 of Title 62.1 adding sections numbered 62.1-69.33:1 and 62.1-69.33:2, relating to the Rappahannock River Basin Commission; report.

Be it enacted by the General Assembly of Virginia:

1. That §§ 62.1-69.26, 62.1-69.29, and 62.1-69.30 of the Code of Virginia are amended and reenacted and the Code of Virginia is amended by adding in Chapter 5.3 of Title 62.1 sections numbered 62.1-69.33:1 and 62.1-69.33:2 as follows:

§ 62.1-69.26. Rappahannock River Basin Commission; establishment.

The Rappahannock River Basin Commission, hereinafter referred to as the "Commission," *is hereby created as an independent local entity without political subdivision status, and shall be established upon passage by two-thirds of the Rappahannock River Basin's localities of a resolution that commits them to participate in the Commission as described in this chapter. The resolution shall contain the following language:*

"The (jurisdiction's governing body) does hereby agree to become a member of and participate in the Rappahannock River Basin Commission as described in Chapter 553 of the Acts of Assembly of 1998."

§ 62.1-69.29. Membership; terms, vacancies.

A. The membership of the Commission shall be as follows:

One member from each of the elected governing bodies of the jurisdictions found wholly or partially within the Rappahannock River Basin that, at any time, pass a resolution containing the language required by § 62.1-69.26. Each local governing body shall select its representative and an alternate in such manner as it decides. A local government representative's term shall be for a minimum of one year but shall not extend beyond his elected term.

One member shall be a representative of the Soil and Water Conservation Districts found wholly or partially within the Rappahannock River Basin. The representative and an alternate shall be selected from the elected members of the Basin's Soil and Water Conservation Districts in a manner agreed upon by the Basin's Districts. The Soil and Water Conservation District representative's term shall be for a minimum of one year but shall not extend beyond his elected term.

Representation from the Senate and the House of Delegates shall be composed of those members of the Senate and House whose districts include a portion of the Rappahannock River Basin and who express their desire to be a Commission member to the Senate Committee on Privileges and Elections or to the Speaker of the House as appropriate for their respective chambers. Senate and House members' terms on the Commission shall coincide with their terms as members of the General Assembly or until they express a desire to no longer be a Commission member to the Senate Committee on Privileges and Elections or to the Speaker of the House as appropriate for their chambers.

B. Vacancies shall be filled in the same manner as the original selection. *consist of 34 members, which includes 17 legislative members and 17 nonlegislative citizen members, to be appointed as follows: 10 members of the House of Delegates, one member each of the Fifteenth, Eighteenth, Twenty-eighth, Thirtieth, Thirty-first, Fifty-fourth, Fifty-eighth, Eighty-eighth, Ninety-eighth and Ninety-ninth House of Delegates Districts, as those districts exist on January 1, 2002; seven members of the Senate, one member each of the Fourth, Seventeenth, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh and Twenty-eighth Senatorial Districts, as those districts exist on January 1, 2002; one member or designee of each of the 16 governing bodies of the jurisdictions in which not less than two percent of the jurisdiction is found wholly or partially within the Rappahannock River Basin, that at any time pass a resolution containing the language required by § 62.1-69.26, to be appointed by the respective local governing body; and one member or designee of a Soil and Water Conservation District found wholly or partially within the Rappahannock River Basin, to be appointed jointly by the Soil and Water Conservation Districts found wholly or partially within the Rappahannock River Basin. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia.*

All members of the Commission shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. Vacancies shall be filled in the same manner as the original appointments.

For the purposes of this section, "nonlegislative citizen member" means an elected member of one of the local governing bodies or the Soil and Water Conservation Districts of the jurisdictions found wholly or partially within the Rappahannock River Basin.

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60 § 62.1-69.30. Chairman and vice chairman; quorum; meetings.

61 ~~Each member of the Commission shall have an equal vote~~The Commission shall elect a chairman
62 and vice chairman from among its membership. Twelve members of the Commission shall constitute a
63 quorum. The Commission shall meet no more than four times each year. The meetings of the
64 Commission shall be held at the call of the chairman or whenever the majority of the members so
65 request. Each member of the Commission shall have an equal vote.

66 § 62.1-69.33:1. Compensation; expenses.

67 Notwithstanding any law to the contrary, members of the Commission shall not be eligible for
68 compensation. All members may be reimbursed for reasonable and necessary expenses incurred in the
69 performance of their duties from such funds as may be available to the Commission.

70 § 62.1-69.33:2. Chairman's executive summary of activity and work of the Commission.

71 The chairman shall submit to the Governor and the General Assembly an annual executive summary
72 of the interim activity and work of the Commission no later than the first day of each regular session of
73 the General Assembly. The executive summary shall be submitted as provided in the procedures of the
74 Division of Legislative Automated Systems for the processing of legislative documents and reports and
75 shall be posted on the General Assembly's website.