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HOUSE BILL NO. 2290

Offered January 12, 2005

Prefiled January 11, 2005

A BILL to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 10.3, consisting of sections numbered 10.1-1027 through 10.1-1032, relating to the creation of the Commission on Soil Quality Improvement; report.

Patrons—Lingamfelter and Bryant

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 10.1 a chapter numbered 10.3, consisting of sections numbered 10.1-1027 through 10.1-1032, as follows:

CHAPTER 10.3.**COMMISSION ON SOIL QUALITY IMPROVEMENT.**

§ 10.1-1027. Commission on Soil Quality; purpose.

The Commission on Soil Quality Improvement is established as an advisory commission in the executive branch of state government. The purpose of the Commission is to evaluate the potential for adopting soil quality improvement approaches that control agricultural nonpoint source pollution, including, but not limited to, implementation of comprehensive farming systems that incorporate the following key practices in a continuous, coordinated manner in order to increase soil quality and production potential: (i) maximizing the amount of biomass produced and returned to the soil, (ii) maximizing the continuity of live vegetative cover, (iii) minimizing tillage, and (iv) minimizing unnecessary nutrient and pesticide applications.

§ 10.1-1028. Membership; terms; quorum; meetings.

The Commission shall have a total membership of 21 members that shall consist of six legislative members, 13 nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: four members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate, to be appointed by the Senate Committee on Rules; three nonlegislative citizen members, one of whom shall be a representative of the Virginia Farm Bureau, one of whom shall be a representative of the Virginia Crop Production Association, and one of whom shall be a representative of an agricultural commodity board, to be appointed by the Speaker of the House of Delegates; two nonlegislative citizen members, one of whom shall be a representative of the Virginia Agribusiness Council and one of whom shall be a farmer to be appointed by the Senate Committee on Rules; eight nonlegislative citizen members all of whom shall have technical expertise in soil quality improvement on agricultural land, crop production systems, agricultural nonpoint source pollution control, or farmer education, one of whom shall be a representative of Virginia Polytechnic Institute and State University, one of whom shall be a representative of the Virginia Cooperative Extension, one of whom shall be a representative of the Department of Conservation and Recreation, one of whom shall be a representative of the Virginia Association of Soil and Water Conservation Districts, one of whom shall be a representative of the U.S. Department of Agriculture's Natural Resources Conservation Service and three representatives of the agricultural service industries, to be appointed by the Governor, subject to confirmation by the General Assembly. The Secretary of Natural Resources and the Secretary of Agriculture or their designees shall serve ex officio with voting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.

Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office.

After the initial staggering of terms, nonlegislative members shall be appointed for a term of three years. However, no House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, no nonlegislative citizen member appointed by the Speaker of the House of Delegates, the Senate Committee on Rules, or the Governor shall serve more than two consecutive three-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

The Commission shall elect a chairman and vice chairman from among its membership. A majority of the members shall constitute a quorum. The Commission shall meet no more than six times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of

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59 *the members so request.*

60 *§ 10.1-1029. Compensation; expenses.*

61 *Legislative members of the Commission shall receive such compensation as provided in § 30-19.12,*
62 *and nonlegislative citizen members shall receive such compensation for the performance of their duties*
63 *as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses*
64 *incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the*
65 *costs of compensation and expenses of the members shall be provided by the Commission.*

66 *§ 10.1-1030. Powers and duties of the Commission.*

67 *The Commission shall have the following powers and duties:*

68 *1. Evaluate the degree to which various approaches to improve soil quality will enable Virginia to*
69 *cost-effectively meet water quality goals while improving the overall competitiveness of agriculture and*
70 *agribusiness in the Commonwealth;*

71 *2. Recommend policies to the General Assembly to achieve soil quality improvement, including, but*
72 *not limited to, free enterprise initiatives, tax policy, and regulatory reform that could assist farmers in*
73 *adopting measures to improve soil quality;*

74 *3. Measure and evaluate potential progress toward improving soil quality over time;*

75 *4. Work cooperatively with agricultural and agribusiness communities in the development of*
76 *information and outreach programs designed to better inform farmers on the environmental and*
77 *economic benefits of adopting practices that improve soil quality; and*

78 *5. Submit to the Governor and the General Assembly an annual report on or before November 1 for*
79 *publication as a report document as provided in the procedures of the Division of Legislative Automated*
80 *Systems for the processing of legislative documents and reports. The chairman shall submit to the*
81 *Governor and the General Assembly an annual executive summary of the interim activity and work of*
82 *the Commission no later than the first day of each regular session of the General Assembly. The*
83 *executive summary shall be submitted for publication as a report document as provided in the*
84 *procedures of the Division of Legislative Automated Systems for the processing of legislative documents*
85 *and reports and shall be posted on the General Assembly's website.*

86 *§ 10.1-1031. Staffing.*

87 *The Department of Conservation and Recreation and the Department of Agriculture and Consumer*
88 *Services shall provide staff support to the Commission. All agencies of the Commonwealth shall provide*
89 *assistance to the Commission, upon request.*

90 *§ 10.1-1032. Sunset.*

91 *This chapter shall expire on July 1, 2008.*

92 **2. That the initial appointments of nonlegislative citizen members shall be staggered as follows:**
93 **one member for a term of one year, one member for a term of two years, and one member for a**
94 **term of three years appointed by the Speaker of the House of Delegates; one member for a term**
95 **of two years and one member for a term of three years appointed by the Senate Committee on**
96 **Rules; and two members for a term of one years, three members for a term of two years, and**
97 **three members for a term of three years appointed by the Governor.**