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HOUSE BILL NO. 979

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact §§ 29.1-102 and 29.1-108 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-515.2, relating to the governance by executive branch supervisory boards, including the Board of Game and Inland Fisheries.

Patrons—Abbitt, Albo, Melvin and Moran; Senators: Howell, Norment and Stolle

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 29.1-102 and 29.1-108 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.2-515.2 as follows:

§ 2.2-515.2. Instruction to members of executive branch supervisory boards, commissions or councils.

A. The Attorney General, or his designee, shall meet with all appointed members of all executive branch supervisory boards and all members appointed to any boards, commissions or councils that are responsible for an agency's operations. He shall explain to them their duties, responsibilities, and potential personal liability associated with being a board member. All such board members shall acknowledge, in writing, to the Attorney General that they received and understand the information presented to them.

§ 29.1-102. Board of Game and Inland Fisheries; how constituted; meetings.

The Commission of Game and Inland Fisheries is continued and shall hereafter be known as the Board of Game and Inland Fisheries.

A. The Board shall consist of not more than one member from each congressional district. Each member of the Board shall be appointed by the Governor, subject to confirmation by the General Assembly. Members shall be appointed for terms of one to four years; however, appointments shall be made in a manner whereby no more than three members shall have terms which expire in the same year. An appointment to fill a vacancy shall be made in the same manner, but only for the unexpired term. No person shall be eligible to serve more than two consecutive four-year terms. Members may be removed from office during their respective terms by the Governor.

B. The Board shall adopt rules and procedures for the conduct of its business that shall be set forth in a Governance Manual. The Board may establish committees to assist it with its duties and responsibilities. All decisions by a committee shall be reviewed by the Board, and shall only take effect if approved by the Board.

C. The Board shall elect one of its members as its chairman; ~~who shall preside at all regular and called meetings of the Board whose duties shall be limited to~~ (i) presiding at all regular and called meetings of the Board, (ii) serving as the Board liaison to the Director, other Board members, and the Secretary of Natural Resources, and (iii) the other duties set forth in the Governance Manual as approved by a majority of the Board. The Board shall also elect a vice-chairman to preside in the absence of the chairman. Any additional duties of the vice-chairman shall be set forth in the Governance Manual.

D. The Board shall meet at least once every ~~three months beginning July 1~~ of each quarter of the calendar year for the transaction of business, and other meetings may be called if necessary by the chairman or at the request of any three members. The majority of the members shall constitute a quorum. ~~In the event of unavoidable absence of the chairman, the members present shall designate some other member to act in place of the chairman.~~ Meetings shall be held in Richmond or at such other places within the Commonwealth as may be ~~expedient~~ necessary.

§ 29.1-108. Audits and examinations.

*The minute books and other records of the Board shall be open to examination by the Governor and Auditor of Public Accounts, or their representatives, at all times. The accounts of the Board shall be audited in the manner provided for the audit of other state agencies. *In addition, the Board shall ensure that the Auditor of Public Accounts, or an entity approved by him, conducts an annual audit of a fiscal and compliance nature of the accounts and transactions of the Department. The Board may order such other audits as it deems necessary and desirable**