

087816780

HOUSE BILL NO. 1352

Offered January 9, 2008

Prefiled January 9, 2008

A BILL to amend and reenact § 2.2-107 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 29.1-102.1; and to repeal § 29.1-102 of the Code of Virginia, relating to the composition of the Board of Game and Inland Fisheries.

Patrons—Ware, R.L., Abbitt, Cole, Crockett-Stark, Gilbert, Hargrove, Ingram, Landes, Marshall, D.W., Morgan, O'Bannon, Peace, Pogge, Poindexter, Saxman and Wright; Senator: Ruff

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-107 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 29.1-102.1 as follows:

§ 2.2-107. Appointment of members of commissions, boards, and other collegial bodies.

Except as provided in the Constitution of Virginia, or where the manner of selection of members of boards and commissions is by election by the General Assembly, or as provided in Title 3.1, § 29.1-102.1, or § 54.1-901, but notwithstanding any other provision of law to the contrary, the Governor shall appoint all members of boards, commissions, councils or other collegial bodies created by the General Assembly in the executive branch of state government to terms of office as prescribed by law. Each member appointed pursuant to this section shall be subject to confirmation by the General Assembly and shall have the professional qualifications prescribed by law.

As part of the confirmation process for each gubernatorial appointee, the Secretary of the Commonwealth shall provide copies of the resume and statement of economic interests filed pursuant to § 2.2-3117 or 2.2-3118, as appropriate, to the chairs of the House of Delegates and Senate Committees on Privileges and Elections. For the purposes of this section and § 2.2-106, there shall be a joint subcommittee of the House of Delegates and Senate Committees on Privileges and Elections consisting of five members of the House Committee and three members of the Senate Committee appointed by the respective chairs of the committees to review the resumes and statements of economic interests of gubernatorial appointees. The members of the House of Delegates shall be appointed in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. No appointment confirmed by the General Assembly shall be subject to challenge by reason of a failure to comply with the provisions of this paragraph pertaining to the confirmation process.

§ 29.1-102.1. *Board of Game and Inland Fisheries reconstituted and reestablished; composition.*

A. The Board of Game and Inland Fisheries holding office on the effective date of this section is dissolved and the members are discharged from any further duties and shall exercise no further powers or authority by virtue of their office.

B. The Board is hereby reestablished and reconstituted as a supervisory board within the executive branch of state government. The Board shall have a total membership of 11 nonlegislative citizen members. The Board shall consist of one nonlegislative citizen member from each Department of Game and Inland Fisheries District, but no more than three members shall be from any one district. All members shall have held a Virginia resident hunting or fishing license for three consecutive years preceding his appointed. Nonlegislative citizen members shall be appointed as follows: four to be appointed by the Speaker of the House of Delegates; two to be appointed by the Senate Committee on Rules; and five to be appointed by the Governor. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed. However, no member shall serve more than two consecutive four year terms.

After the initial staggering of terms, nonlegislative citizen members shall be appointed for terms of four years.

C. 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.

D. The Board shall annually elect one of its members as its chairman 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 annually

INTRODUCED

HB1352

58 *elect a vice-chairman to preside in the absence of the chairman. Any additional duties of the*
59 *vice-chairman shall be set forth in the Governance Manual. At such annual election, the chairman and*
60 *vice-chairman shall not be eligible to be reelected to their respective positions and no person shall*
61 *serve more than one year as chairman and one year as vice-chairman during a four-year term.*

62 *E. The Board shall meet at least once every quarter of the calendar year for the transaction of*
63 *business, and other meetings may be called if necessary by the chairman or at the request of any three*
64 *members. The majority of the members shall constitute a quorum. Meetings shall be held in Richmond*
65 *or at such other places within the Commonwealth as may be necessary.*

66 **2. That the initial appointments of nonlegislative citizen members shall be staggered as follows:**
67 **one member for a term of four years, one member for a term of three years, one member for a**
68 **term of two years, and one member for a term of one year appointed by the Speaker of the House**
69 **of Delegates; one member for a term of four years and one member for a term of two years**
70 **appointed by the Senate Committee on Rules; and two members for a term of four years, one**
71 **member for a term of three years, one member for a term of two years, and one member for a**
72 **term of one year appointed by the Governor.**

73 **3. That § 29.1-102 of the Code of Virginia is repealed.**