

2009 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 1087

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on January 26, 2009)

(Patron Prior to Substitute—Senator Miller, J.C.)

A *BILL to amend and reenact § 28.2-102 of the Code of Virginia, relating to the Virginia Marine Resources Commission.*

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-102 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-102. Commission membership; chairman; qualifications; terms; meetings.

A. The Commission shall consist of a chairman and ~~eight~~ 10 additional members who, to the extent possible, shall be representative of all areas of interest in Virginia's marine resources, including commercial, recreational and environmental interests. At least ~~one member~~ *three members* shall, at the time of ~~his~~ *their* appointment, have earned ~~his~~ *their* livelihood for at least five years by working on Virginia waters and shall be licensed and registered as a commercial fisherman as defined in § 28.2-241, and one member shall be a representative of the sport fishing industry or a recreational fisherman who is not employed by the commercial fishing industry. The members, including the chairman, shall be appointed by the Governor and shall serve at his pleasure. *An effort shall be made to include representation of diverse fisheries by the appointments of commercial fishermen to the Commission.*

B. The chairman and two members of the Commission shall hold office for terms coincident with the term of the Governor making the appointments, or until their successors have been appointed and qualified. The terms of the remaining six members shall expire July 1, 1997, and these same six members shall be reappointed effective July 1, 1997, as successors. Their terms shall be as follows: two members shall be appointed for two-year terms, two members shall be appointed for three-year terms, and two members shall be appointed for four-year terms or until their successors are appointed and qualified. ~~Thereafter, all~~ *All* appointments shall be for terms of four years or until their successors are appointed and qualified. No person, except the chairman, shall serve more than two consecutive four-year terms. Any vacancy shall be filled by the Governor for the unexpired term.

C. The chairman shall be an experienced administrator with knowledge of seafood and marine affairs. He shall serve as Commissioner of Marine Resources.

D. ~~Five~~ *Six* members shall constitute a quorum of the Commission.

E. The Commission shall meet on the call of the chairman or three members at such times as he or they may deem necessary, and at such places as he or they may designate.

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