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SENATE BILL NO. 347

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on February 1, 2010)

(Patron Prior to Substitute—Senator Hanger)

A *BILL to amend and reenact § 2.2-2723 of the Code of Virginia, relating to the Center for Rural Virginia; expansion and promotion of agricultural opportunities; report.*

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2723 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2723. Powers and duties of the Board of Trustees and the Center.

A. The Board of Trustees shall have the following powers and duties:

1. Manage, control, maintain, and operate the Center;

2. Take all actions necessary to qualify the Center as exempt from taxation pursuant to § 501 (c) (3) of the Internal Revenue Code and operate the Center in accordance with the provisions governing nonstock corporations as set out in Chapter 10 of Title 13.1, provided that, in the event of the dissolution of the Center, assets shall be distributed for one or more exempt purposes within the meaning of § 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the Commonwealth or a local government for a public purpose;

3. Establish bylaws as may be necessary for the governance and conduct of business of the Board;

4. Employ and establish the qualifications and duties, and fix salaries and compensation of staff of the Center from such funds as may be available to the Center;

5. Seek federal funds available to state rural development councils, pursuant to the Farm Security and Rural Investment Act of 2002, P.L. 107-171;

6. Seek, accept, administer, and expend gifts, grants, donations, bequests, and any other funds on behalf of the Center to support and facilitate its work;

7. Accept, administer, and expend donations, bequests, or devises of real and personal property for the endowment of the Center or for any special purpose designated by the donor that is consistent with the purposes of the Center set forth in this article;

8. Have, in addition to its other powers, all the corporate powers given to nonstock corporations by the provisions of Title 13.1. The Board shall also have the power to accept, execute, and administer any trust in which it may have an interest under the terms of the instrument creating the trust;

9. Enter into contracts with respect to the duties and responsibilities imposed upon the Center herein;

10. Report annually concerning the status, needs, and accomplishments of the Center to the Governor and the General Assembly; and

11. Perform any lawful acts necessary or appropriate to carry out the purposes of this article.

B. The Center shall have the following powers and duties:

1. Develop a broad-based constituency to advocate for the interests of rural Virginia in the formulation of the Commonwealth's public policies;

2. Coordinate and facilitate research on rural issues and analyze the effect of public policies and private sector interests on rural communities;

3. Prepare a detailed analysis of rural Virginia economies annually for submission to the Board, together with feasible and appropriate alternatives designed to sustain economic growth in rural areas of the Commonwealth;

4. Facilitate public-private investments in the infrastructure of rural Virginia;

5. Develop programs designed to train local elected officials and community leaders for effective leadership in rural communities;

6. Foster innovative strategies that promote the development and prosperity of rural communities in the Commonwealth;

7. *Facilitate the development of incentives and the resolution of competing interests to allow for job creation and expanded economic opportunities for farm businesses and rural enterprises while ensuring the rights of localities to develop reasonable regulations of such farm businesses and rural enterprises to protect the health, safety and welfare of residents;*

8. Provide for the collection, organization, storage, and dissemination of documents, data, and other information concerning issues relevant to the needs and continuous development of Virginia's rural areas, including technical and research assistance to rural localities in the development and implementation of their strategic plans;

8-9. Identify potential public and private resources for the Board's consideration and review that may be used to generate additional funds to support and facilitate the Center's work and foster the development of rural communities;

60 9-10. Submit to the Board of Trustees such reports regarding the Center's work, including, but not
61 limited to, programs, activities, policy analyses, and financial statements, as may be requested by the
62 Board; and

63 ~~10-11.~~ Perform such other acts as may be necessary to accomplish the objectives of this article.

64 **2. That the Center for Rural Virginia shall facilitate the creation of a rural enterprise opportunity**
65 **task force to develop strategies that expand and promote economic opportunities of the agriculture**
66 **industry throughout the Commonwealth. The task force shall be comprised of at least one**
67 **representative from the Virginia Farm Bureau, the Virginia Agribusiness Council, the Virginia**
68 **Department of Agriculture and Consumer Services, the Virginia Association of Counties, and the**
69 **Virginia Chapter of the American Planning Association, and shall include at least one owner of a**
70 **farm business or rural enterprise interested in expanded economic opportunities. The task force**
71 **shall examine and make recommendations on the following issues as such issues are related to the**
72 **expansion and promotion of farm businesses or rural enterprises: (i) local ordinances that may be**
73 **unreasonably restrictive and efforts by localities to lessen such restrictions; (ii) provisions in law or**
74 **regulation that may be unreasonably restrictive; (iii) innovative approaches taken to expand**
75 **economic opportunities while preserving the rural character of the surrounding area; (iv) best**
76 **management practices and successful strategies adopted in other states; (v) model ordinances and**
77 **regulations that allow the marketing and sale of products or services; (vi) tax, regulatory, and**
78 **other incentives; (vii) the structure and organizational design of a program that could encourage**
79 **expansion and opportunity on an ongoing basis; (viii) the definition and eligibility of a qualified**
80 **rural enterprise; and (ix) any other issues the task force deems relevant to meet the objectives of**
81 **the study. The task force shall complete its work and provide, by November 1, 2010, its written**
82 **recommendations in a report to the chairmen of the House Committee on Agriculture, Chesapeake**
83 **and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural**
84 **Resources.**