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HOUSE BILL NO. 618

Offered January 11, 2012

Prefiled January 10, 2012

A BILL to amend and reenact §§ 10.1-515, 10.1-523, and 10.1-529 of the Code of Virginia, relating to the appointment of the board of directors of a soil and water conservation district.

Patron—LeMunyon

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 10.1-515, 10.1-523, and 10.1-529 of the Code of Virginia are amended and reenacted as follows:

§ 10.1-515. Composition of governing body.

If the Board determines that the operation of the proposed district within the defined boundaries is administratively practicable and feasible, and the proposed district is created, then its governing body shall be a board of district directors appointed or elected in the number and manner specified as follows:

1. If the district embraces one county or city, or less than one county or city, the board of district directors shall consist of five members, *of whom three are to be elected by the registered voters of the district and two. The governing body of the county or city embraced by the district may at any time establish by ordinance that its three members shall be appointed to the board by the governing body instead of elected by the registered voters. Two members-at-large shall be appointed by the Board.*

2. If the district embraces more than one county or city, or parts thereof, the board of district directors shall consist of ~~two~~ four members, *of whom two are to be elected by the registered voters from each county or city, or parts thereof embraced by the district. The governing body of each respective county or city embraced by the district in whole or in part may at any time establish by ordinance that its two members shall be appointed to the board by the governing body instead of elected by the registered voters. Two members-at-large shall be appointed by the Board.*

§ 10.1-523. Nominating petitions; posting of notice.

A. ~~Beginning~~ *Unless an ordinance passed pursuant to § 10.1-515 requires that members be appointed, beginning* 30 days after the date of issuance by the Secretary of the Commonwealth of a certificate of organization of a district, but not later than the filing date specified in § 24.2-507 for the November 2003 general election and each fourth year thereafter, nominating petitions, statements of qualifications, and declarations of candidacy shall be filed with the general registrar of the county or city where the candidate resides, pursuant to §§ 24.2-501, 24.2-503, 24.2-505, 24.2-506, and 24.2-507, to nominate candidates for elected directors of such districts. Nominating petitions, statements of qualifications, and declarations of candidacy for elected directors of existing districts shall be filed with the general registrar of the county or city where the candidate resides, pursuant to §§ 24.2-501, 24.2-503, 24.2-505, 24.2-506, and 24.2-507. Notice of the date for filing such petitions and the time of the election shall be posted in a prominent location accessible to the public at each district office at least 30 days before the filing date. In addition, districts may use newsletters, websites, public service announcements, and other notices to advise the public of elections of district directors.

B. Registered voters may sign more than one nominating petition to nominate more than one candidate for district director.

C. The Virginia Soil and Water Conservation Board shall notify each district of the requirement (i) to post notice of the dates for filing such petitions and the election and (ii) that the posting shall be in a prominent location accessible to the public at each district office at least 30 days before the filing date.

D. Beginning in the year 2003, elections shall be held only at the November general election in 2003 and at the November general election in each fourth year thereafter.

§ 10.1-529. District directors constitute governing body; qualifications.

The governing body of the district shall consist of five or more district directors, elected ~~and or~~ appointed as provided in this article.

The two ~~district directors appointed by the Board~~ *members-at-large* shall be persons who are by training and experience qualified to perform the specialized skilled services which will be required of them in the performance of their duties. One of the ~~appointed district directors~~ *members-at-large* shall be the extension agent of the county or city, or one of the counties or cities constituting the district, or a part thereof. Other appointed ~~and or~~ elected district directors shall reside within the boundaries of the district.

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