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HOUSE BILL NO. 2316

Offered January 12, 2017

A BILL to amend and reenact § 3.2-3102 of the Code of Virginia, relating to Tobacco Region Revitalization Commission; meetings by teleconference.

Patron—Marshall, D.W.

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 3.2-3102 of the Code of Virginia is amended and reenacted as follows:****§ 3.2-3102. Membership; terms; vacancies; compensation and expenses; chairman; chairman's executive summary.**

A. The Commission shall be composed of 28 members as follows:

1. Six members of the House of Delegates appointed by the Speaker of the House of Delegates;
2. Four members of the Senate appointed by the Senate Committee on Rules;
3. The Secretary of Commerce and Trade or his designee;
4. The Secretary of Finance or his designee;
5. The Secretary of Agriculture and Forestry or his designee;

6. Five nonlegislative citizen members who shall be active flue-cured or burley tobacco producers or active farmers appointed by the Governor from a list of seven persons provided by the members of the General Assembly appointed to the Commission. Three of the tobacco producers or active farmers shall reside in the Southside region and two shall reside in the Southwest region;

7. One nonlegislative citizen member who shall be a representative of the Virginia Farm Bureau Federation appointed by the Governor from a list of at least three persons provided by Virginia Farm Bureau Federation; and

8. Nine members shall be nonlegislative citizens appointed by the Governor. Of the nine nonlegislative citizen members, three shall be appointed by the Governor from a list of six provided by the members of the General Assembly appointed to the Commission.

With the exception of the Secretary of Commerce and Trade or his designee, the Secretary of Finance or his designee, and the Secretary of Agriculture and Forestry or his designee, all members of the Commission shall reside in the Southside and Southwest regions of the Commonwealth and shall be subject to confirmation by the General Assembly. To the extent feasible, appointments representing the Southside and Southwest regions shall be proportional to the tobacco quota production of each region. Thirteen of the 28 members shall have experience in business, economic development, investment banking, finance, or education.

Except as otherwise provided herein, all appointments shall be for terms of four years each. Legislative members, the Secretary of Commerce and Trade, the Secretary of Finance, and the Secretary of Agriculture and Forestry or his designee shall serve terms coincident with their terms of office. No nonlegislative citizen member shall be eligible to serve more than two successive four-year terms. After expiration of a term of three years or less, two additional four-year terms may be served by such member if appointed thereto. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Any appointment to fill a vacancy shall be made in the same manner as the original appointment. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

B. The Commission shall appoint from its membership a chairman and a vice-chairman, both of whom shall serve in such capacities at the pleasure of the Commission. The chairman, or in his absence, the vice-chairman, shall preside at all meetings of the Commission. The meetings of the Commission shall be held on the call of the chairman or whenever the majority of the members so request. A majority of members of the Commission serving at any one time shall constitute a quorum for the transaction of business.

C. Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12, and nonlegislative members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Such compensation and expenses shall be paid from the Fund.

D. Members and employees of the Commission shall be subject to the standards of conduct set forth in the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and may be removed from office for misfeasance, malfeasance, nonfeasance, neglect of duty, or misconduct in the manner set

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59 forth therein.

60 E. Except as otherwise provided in this chapter, members and employees of the Commission shall be
61 subject to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).
62 *Notwithstanding the provisions of clause (iii) of subsection B of § 2.2-3708, the remote locations from*
63 *which additional members of the Commission participate in a Commission meeting that is conducted*
64 *through electronic communication means shall not be required to be open to the public.*

65 F. The chairman of the Commission shall submit to the Governor and the General Assembly an
66 annual executive summary of the interim activity and work of the Commission no later than the first
67 day of each regular session of the General Assembly. The executive summary shall be submitted as
68 provided in the procedures of the Division of Legislative Automated Systems for the processing of
69 legislative documents and reports and shall be posted on the General Assembly's website.