

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 628

An Act to amend and reenact §§ 30-256 and 46.2-749.2 of the Code of Virginia, relating to Chesapeake Bay Restoration Fund Advisory Committee.

[S 585]

Approved March 30, 2018

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-256 and 46.2-749.2 of the Code of Virginia are amended and reenacted as follows:

§ 30-256. Chesapeake Bay Restoration Fund Advisory Committee; membership; terms; expenses; staff.

A. There is hereby established in the legislative branch of state government the Chesapeake Bay Restoration Fund Advisory Committee ~~to be known as~~ (the "Committee"). The Committee shall advise the General Assembly on the expenditure of moneys received in the Chesapeake Bay Restoration Fund (the Fund) *created pursuant to § 46.2-749.2.*

B. The Committee shall consist of seven persons as follows: two members of the House of Delegates appointed by the Speaker of the House of Delegates; one member of the Senate appointed by the Senate Committee on Rules; two nonlegislative citizen members appointed by the Speaker of the House of Delegates, one of whom shall be a representative of the Chesapeake Bay Foundation; and two nonlegislative citizen members appointed by the Senate Committee on Rules, one of whom shall be a representative of the Virginia Association of Soil and Water Conservation Districts. All persons appointed to the Committee shall be representative of the interests associated with the restoration and conservation of the Chesapeake Bay and shall be citizens of the Commonwealth.

C. Nonlegislative citizen members of the Committee shall serve for terms of four years. Legislative members shall serve terms coincident with their terms of office and may be reappointed for successive terms. Appointments to fill vacancies shall be for the unexpired term and shall be made in the same manner as the original appointment. Nonlegislative citizen members shall not be eligible to serve more than two consecutive four-year terms. 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.

D. Members shall receive no compensation for their services, but shall be reimbursed out of the Fund for all reasonable and necessary expenses as provided in §§ 2.2-2813 and 2.2-2825 incurred in the performance of their duties. The Division of Legislative Services shall be reimbursed from the Fund for costs, as shall be approved by the Committee, incurred in providing administrative assistance to the Committee.

~~C.~~ E. The Committee shall elect a chairman and vice-chairman from among its legislative membership. A majority of the members of the Committee shall constitute a quorum. The Committee shall meet at least one time each year, and additional meetings may be held at the call of the chairman.

~~D.~~ F. The Committee shall develop goals and guidelines for the use of the Fund, ~~which in accordance with the purposes of the fund as provided in § 46.2-749.2. The uses of the Fund may include but not be limited to~~ cooperative programs with, or project grants to, state agencies, the federal government, or any not-for-profit agency, institution, organization, or entity, public or private, ~~whose purpose is to provide environmental education and projects relating to the restoration and conservation of the Chesapeake Bay.~~ Moneys in the Fund may not be used to supplant existing general fund appropriations except as provided in subsection B D.

~~E.~~ G. No later than ~~December 4~~ November 15 of each year, the Committee shall present to the General Assembly and the Governor a plan for expenditure of any amounts in the Fund.

~~F.~~ H. Staffing of the Committee shall be provided by the Division of Legislative Services.

§ 46.2-749.2. Special Chesapeake Bay preservation plates; fees; fund.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Chesapeake Bay Restoration Fund (the Fund). The Fund shall be established on the books of the Comptroller. All funds received on its behalf from the sale of license plates issued pursuant to this section, and any gifts, donations, grants, bequests, and other funds received on its behalf, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.

B. Moneys in the Fund shall be used solely for the purposes of environmental education and restoration and conservation projects relating to the Chesapeake Bay and its tributaries. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Chesapeake Bay Restoration Fund Advisory Committee created pursuant to § 30-256.

C. On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue special license plates bearing the following legend: FRIEND OF THE CHESAPEAKE.

~~B.~~ D. The annual fee for plates issued pursuant to this section shall be ~~twenty-five dollars~~ \$25 in addition to the prescribed fee for state license plates. For each such ~~twenty-five dollar~~ \$25 fee collected in excess of 1,000 registrations pursuant to this section, ~~fifteen dollars~~ \$15 shall be paid into the state treasury and credited to the ~~special nonreverting fund known as the Chesapeake Bay Restoration Fund, established within the Department of Accounts, for use by the Commonwealth of Virginia for environmental education and restoration projects relating to the Chesapeake Bay and its tributaries.~~ Interest earned on the Fund will accrue to the Fund. *All other fees imposed under the provisions of this section shall be paid to, and received by, the Commissioner of the Department of Motor Vehicles and paid by him into the state treasury and set aside as a special fund to be used to meet the necessary expenses incurred by the Department of Motor Vehicles.*