

HOUSE BILL NO. 1680

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on/for _____

on _____)

(Patron Prior to Substitute--Delegate Bloxom)

A BILL amend and reenact §§ 28.2-207, 28.2-208.1, 28.2-246, and 28.2-302.4 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 28.2-203.2, by adding in Article 1 of Chapter 2 of Title 28.2 sections numbered 28.2-208.2 and 28.2-208.3, and by adding a section numbered 28.2-1204.3, relating to Marine Resources Commission; advisory committees.

Be it enacted by the General Assembly of Virginia:

1. That §§ 28.2-207, 28.2-208.1, 28.2-246, and 28.2-302.4 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 28.2-203.2, by adding in Article 1 of Chapter 2 of Title 28.2 sections numbered 28.2-208.2 and 28.2-208.3, and by adding a section numbered 28.2-1204.3 as follows:

§ 28.2-203.2. Crab Management Advisory Committee established.

A. There is hereby established the Crab Management Advisory Committee, referred to in this section as "the Committee." The Committee shall meet to discuss and make recommendations to the Commission on crab management issues.

B. The Committee shall consist of 16 members appointed by the Commissioner, two of whom shall be associate commissioners. The Commissioner shall select the 14 citizen members from a list of nominees submitted by organizations representing various fishery user groups. In making his appointments, the Commissioner shall consider citizen members who represent various geographic areas and a diversity of gear use.

C. The term of each citizen member shall be for four years, provided that initial appointments shall be five members appointed for three years, five members appointed for two years, and four

27 members appointed for one year. Appointments to fill vacancies shall be made to fill the unexpired term.
28 Once appointed, no member shall be removed during his term of membership except for malfeasance,
29 misfeasance, incompetence, or gross neglect of duty.

30 D. Citizen members shall receive no compensation for their services but shall receive
31 reimbursement for actual expenses. The Committee shall meet at the call of the Commissioner.

32 **§ 28.2-207. Tournament Advisory Committee continued.**

33 A. The Virginia Saltwater Sport Fishing Tournament Advisory Committee ~~is continued and shall~~
34 ~~hereinafter be known as the Committee,~~ referred to in this section as "the Committee," is continued. The
35 Committee shall assist the Director of the Virginia Saltwater Sport Fishing Tournament, hereinafter
36 referred to as the Director, with the development and operation of tournament programs.

37 B. The Committee shall consist of twelve members appointed by the Commissioner with the
38 approval of the Secretary of Natural Resources. Committee members shall be selected from a list of
39 nominees supplied by the Director.

40 C. The term of office of each member shall be for four years. Initially, four members shall be
41 appointed for two years, four members appointed for three years, and four members appointed for four
42 years. Appointments to fill vacancies shall be made to fill the unexpired term. Once appointed, no
43 member shall be removed during his term of membership except for malfeasance, misfeasance,
44 incompetence, or gross neglect of duty.

45 D. Members shall receive no compensation for their services but shall receive reimbursement for
46 actual expenses. The Committee shall meet at the call of the Director.

47 **§ 28.2-208.1. Commercial Fishing Advisory Board established.**

48 A. There is hereby established the Commercial Fishing Advisory Board, ~~which shall hereinafter~~
49 ~~be known as the Board,~~ referred to in this section as "the Board." The Board shall advise the
50 Commission on the expenditure of those moneys received.

51 B. The Board shall consist of nine members appointed by the Commissioner from a list of
52 nominees submitted by organizations representing commercial fishing interests. The membership shall
53 be representative of the geographic area covered by the commercial fishing license.

54 C. The term of each member shall be for three years, provided that initial appointments shall be
55 three members appointed for three years, three members appointed for two years and three members
56 appointed for one year. Appointments to fill vacancies shall be made to fill the unexpired ~~terms~~ term.
57 Once appointed, no member shall be removed during his term of membership except for malfeasance,
58 misfeasance, incompetence, or gross neglect of duty.

59 D. Members shall receive no compensation for their services but shall receive reimbursement for
60 actual expenses. The Board shall meet at the call of the Commissioner or at least four times yearly.

61 **§ 28.2-208.2. Finfish Management Advisory Committee established.**

62 A. There is hereby established the Finfish Management Advisory Committee, referred to in this
63 section as "the Committee." The Committee shall meet to discuss and make recommendations to the
64 Commission on finfish issues.

65 B. The Committee shall consist of 12 citizen members appointed by the Commissioner and one
66 associate commissioner who represents recreational anglers on the Commission. The Commissioner
67 shall select the 12 citizen members from a list of nominees submitted by organizations representing
68 various fishery user groups, including recreational anglers. In making his appointments, the
69 Commissioner shall consider geographic and user group representation, including commercial and
70 recreational, industry, and nongovernmental organizations.

71 C. The term of each citizen member shall be for four years, provided that initial appointments
72 shall be four members appointed for three years, four members appointed for two years, and four
73 members appointed for one year. Appointments to fill vacancies shall be made to fill the unexpired term.
74 Once appointed, no member shall be removed during his term of membership except for malfeasance,
75 misfeasance, incompetence, or gross neglect of duty.

76 D. Members shall receive no compensation for their services but shall receive reimbursement for
77 actual expenses. The Committee shall meet at the call of the Commissioner.

78 **§ 28.2-208.3. Shellfish Management Advisory Committee established.**

79 A. There is hereby established the Shellfish Management Advisory Committee, referred to in this
80 section as "the Committee." The Committee shall advise the (i) Commission on oyster management

81 issues related to the public oyster fishery and (ii) Commission's staff on the annual oyster replenishment
82 program that places shell and seed oysters on public oyster bottoms.

83 B. The Committee shall consist of 18 members appointed by the Commissioner, two of whom
84 shall be associate commissioners. One of the commissioners shall serve as chairman of the Committee.
85 The Commissioner shall select the members from a list of nominees submitted by organizations
86 representing various fishery user groups. In making his appointments, the Commissioner shall consider
87 persons who represent various geographic areas and a diversity of gear use.

88 C. The term of each citizen member shall be for four years, provided that initial appointments
89 shall be six members appointed for three years, five members appointed for two years, and five members
90 appointed for one year. Appointments to fill vacancies shall be made to fill the unexpired term. Once
91 appointed, no member shall be removed during his term of membership except for malfeasance,
92 misfeasance, incompetence, or gross neglect of duty.

93 D. Members shall receive no compensation for their services but shall receive reimbursement for
94 actual expenses. The Committee shall meet at the call of the Commissioner.

95 **§ 28.2-246. Fishery Resource Grant Advisory Board established; membership; duties.**

96 A. The Fishery Resource Grant Advisory Board shall be composed of seven members to be
97 selected in the following manner: four members shall be appointed by the Graduate Marine Science
98 Consortium from nominations made by commercial watermen's associations, one member shall be
99 appointed by the Graduate Marine Science Consortium from nominations made by the aquaculture
100 association, one member shall be appointed by the Commissioner of the Marine Resources Commission,
101 and one member shall be appointed by the Director of the Virginia Institute of Marine Science. Once
102 appointed, no member shall be removed during his term of membership except for malfeasance,
103 misfeasance, incompetence, or gross neglect of duty.

104 B. The Advisory Board shall (i) in cooperation with commercial fishermen and the Consortium,
105 establish, by July 1 of each year, the priority areas in which grants shall be awarded and (ii) review each
106 application and make its recommendation to the Consortium.

107 **§ 28.2-302.4. Virginia Recreational Fishing Advisory Board established.**

108 A. There is hereby established the Virginia Recreational Fishing Advisory Board, ~~which shall~~
109 ~~hereinafter be known as the Board,~~ referred to in this section as "the Board." The Board shall advise the
110 Commission in the expenditure of moneys received in the Fund.

111 B. The Board shall consist of nine members selected from a list of nominees by organized
112 groups, clubs, civic organizations or self-nominations and appointed by the Commissioner who are
113 representative of the interests associated with recreational fishing including representatives from
114 organized recreational clubs and others interested in recreational fishing. The membership shall be
115 representative of the geographic area covered by the license.

116 C. The term of office of each member shall be for three years, provided that initial appointments
117 shall be three members appointed for three years, three members appointed for two years and three
118 members appointed for one year. Appointments to fill vacancies shall be made to fill the unexpired term.
119 Once appointed, no member shall be removed during his term of membership except for malfeasance,
120 misfeasance, incompetence, or gross neglect of duty.

121 D. Members shall receive no compensation for their services but shall receive reimbursement for
122 actual expenses. The Board shall meet at the call of the Commissioner or at least four times yearly.

123 **§ 28.2-1204.3. Habitat Management Advisory Committee.**

124 A. There is hereby established the Habitat Management Advisory Committee, referred to in this
125 section as "the Committee." The Committee shall advise and make recommendations to the Commission
126 on state-owned bottomland issues, including marina siting criteria, royalties for use of bottomland, and
127 sandy dredged material guidelines but not including oyster leasing policies.

128 B. The Committee shall consist of six citizen members appointed by the Commissioner who
129 have knowledge regarding issues related to the use of state-owned bottomland.

130 C. The term of each citizen member shall be for four years, provided that initial appointments
131 shall be two members appointed for three years, two members appointed for two years, and two
132 members appointed for one year. Appointments to fill vacancies shall be made to fill the unexpired term.
133 Once appointed, no member shall be removed during his term of membership except for malfeasance,
134 misfeasance, incompetence, or gross neglect of duty.

135 D. Members shall receive no compensation for their services but shall receive reimbursement for
136 actual expenses. The Committee shall meet at the call of the Commissioner.

137 **2. That the provisions of §§ 28.2-203.2, 28.2-208.2, 28.2-208.3, and 28.2-1204.3 of the Code of**
138 **Virginia, as created by this act, shall expire on July 1, 2020.**

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