

HOUSE BILL NO. 333

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws

on _____)

(Patron Prior to Substitute--Delegate Jones)

A BILL to amend and reenact §§ 2.2-2699.10 and 2.2-2699.11 of the Code of Virginia, relating to Virginia Council on Environmental Justice; appointments to fill vacancies; timeliness.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2699.10 and 2.2-2699.11 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2699.10. Membership; terms; quorum; meetings.

A. The Council shall have a total membership of 27 members that shall consist of 21 nonlegislative citizen members and six ex officio members. Nonlegislative citizen members shall be appointed by the Governor. The Secretaries of Natural and Historic Resources, Commerce and Trade, Agriculture and Forestry, Health and Human Resources, Education, and Transportation, or their designees, including their agency representatives, shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Council shall be residents of the Commonwealth and shall include representatives of (i) American Indian tribes, (ii) community-based organizations, (iii) the public health sector, (iv) nongovernmental organizations, (v) civil rights organizations, (vi) institutions of higher education, and (vii) communities impacted by an industrial, governmental, or commercial operation, program, or policy.

Ex officio members of the Council shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms and shall be made within 60 days of the vacancy occurring. Vacancies shall be filled in the same manner as the original appointments. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. Appointments made following the expiration of a term shall be made within 60 days of the expiration of such term.

27 B. The Council shall elect a chairperson and vice-chairperson annually from among the
28 membership of the Council. A majority of the members, including members participating remotely, shall
29 constitute a quorum. The meetings of the Council shall be held at the call of the chairperson or whenever
30 the majority of the members so request.

31 C. The Council shall meet quarterly and shall establish a meeting schedule on an annual basis.
32 When possible, the location of the meetings shall rotate among different geographic regions, and the
33 Council may travel throughout the Commonwealth to view and record conditions related to human health
34 and the environment within and in close proximity to environmental justice communities. When possible,
35 meetings shall be broadcast on the Internet or via teleconference. Each meeting shall include an in-person
36 public comment component.

37 The Council may provide for the creation of subcommittees. Any subcommittee meetings shall be
38 scheduled with notification to the full Council.

39 **§ 2.2-2699.11. Compensation; expenses; staffing.**

40 A. Members of the Council shall receive no compensation for their services but shall be reimbursed
41 for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§
42 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the
43 Secretary of Natural and Historic Resources.

44 B. The Office of the Governor and the Secretary of Natural and Historic Resources shall provide
45 staff support to the Council. The Secretary of Natural and Historic Resources shall not delegate any staff
46 support requested pursuant to this subsection to any agency, regardless of whether such agency is an
47 agency for which the Secretary is responsible to the Governor pursuant to § 2.2-215. All agencies of the
48 Commonwealth shall provide assistance to the Council, upon request.

49 **2. That, notwithstanding any contrary provision of § 2.2-2699.10 of the Code of Virginia, as**
50 **amended by this act, any vacancy in the membership of the Virginia Council on Environmental**
51 **Justice that exists on the effective date of this act shall be filled no later than July 31, 2024.**

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