

HB 1291/SB 678 Executive Reorganization Bills

NOTE: With the adoption of the Conference Report for both bills, HB 1291/SB678 are now identical and HJ 49 and SJ 66 are also now identical. HB 1291/SB 678 comprise component parts that directly correspond to the Item Nos. found in HJ 49/SJ 66—the Governor's Executive Reorganization Plan. For example, Enactments Nos. 1 and 2 in HB 1291/SB 678 are the statutory revisions required to enact Item No. 1 in HJ 49/SJ 66—elimination of the Commonwealth Competition Council. Enactment No. 3 in HB 1291/SB 678 is the statutory revision required to enact Item No. 2 in HJ 49/SJ 66—elimination of the Interagency Dispute Resolution Advisory Council, and so on. The following chart was prepared to facilitate navigation through HB 1291/SB 678, identifying the relevant enactments (found in the HB 1291/SB 678 in **boldface type**) that correspond to the enumerated items in HJ 49/SJ 66, and specifying the page number and line number where each component part of HB 1291/SB 678 begins. The presence of an "*" at the end of an enactment denotes the end of a component part. Shaded areas denote where proposals were rejected by both the House of Delegates and the Senate of Virginia.

*****CHART REVISED TO REFLECT STATUS OF BILLS AFTER ADOPTION OF THE JOINT COMMITTEE OF CONFERENCE REPORTS FOR HB 1291/SB 678 AND HJ 49/SJ 66 *****

Enrolled Page and Line No.	Enact. Clause No.	Proposed Action	HJ 49 SJ 66 Item No.	NOTES
Pg. 3 L 154	1, 2	Eliminates the Commonwealth Competition Council and transfers the responsibility of developing and maintaining the commercial activities list to the Department of Planning and Budget.	1	Del. LeMunyon's amendments adopted re: commercial activities list
Pg. 6 L 293	3	Eliminates the Interagency Dispute Resolution Advisory Council.	2	
Pg. 7 L 339	4, 5	Eliminates the Virginia Public Buildings Board.	3	H & S Clerks amendments adopted— Establishes the personnel committee of the Capitol Square Preservation Council
Pg. 7 L 340	6, 7	Eliminates the Virginia Council on Human Resources. The bill also authorizes the Director of the Department of Human Resource Management to convene ad hoc working groups to address issues relating to the state workforce.	4	

HB 1291/SB 678 Executive Reorganization Bills

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Pg 9 L 443	8 thru 12	Abolishes the Department of Employment Dispute Resolution and transfers its duties to the Department of Human Resource Management.	5	
Pg 25 L 1300	13 thru 17	Transfers certain investigation and consumer complaint functions from the Department of Agriculture and Consumer Services to the Office of the Attorney General. The bill also abolishes the Human Rights Council and transfers the investigative functions of the Council to the Office of the Attorney General.	6, 8	Moves auth. of VDACS to investigate towing violations to OAG's Div. of Consumer Counsel; adds additional duties to OAG's Div. of Human Rights; ensures the Div. is considered deferral state; removes auth. of VDACS in re possible violations related to bedding and upholstered furniture; removes language in re investigation authority Pay-Per-Call Services Act
Pg 36 L 1863	18 thru 21	Eliminates the Reforestation Board and transfers its responsibilities to the Board of Forestry. The terms of the current members of the Board of Forestry will expire July 1, 2012, and the Governor is authorized to appoint 11 new members to the Board. Initially, the members will be appointed for staggered terms.	9	Amendments adopted to require Governor to consider geographic diversity in making Board appointments. Technical amendments adopted to clean up staggered terms
Pg 37 L 1901	22 thru 26	Eliminates the Seed Potato Board and incorporates its duties and responsibilities into the Potato Board.	10	
Pg 40 L 2079	27 thru 30	Consolidates the Bright Flue-Cured and Dark-Fired Tobacco Boards into the nine-member Virginia Tobacco Board. The promotion funds for the two types of tobacco will continue to operate.	11	Technical amendments adopted
Pg 43 L 2247	31 thru 33	Eliminates the Pesticide Control Board and transfers its duties and responsibilities to the Board of Agriculture and Consumer Services. The bill also increases the membership of the Board of Agriculture and Consumer Services by adding two pesticide applicators.	12	Technical amendment adopted

HB 1291/SB 678 Executive Reorganization Bills

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Pg 47 L 2456	34 thru 37	Merges the Board for Hearing Aid Specialists with the Board for Opticians.	13	Adds three opticians to the Board
Pg 50 L 2586	38 thru 43	Merges the Board for Professional Soil Scientists and Wetland Professionals with the Board for Geology.	14	
Pg 54 L 2837	44, 45	Eliminates the Small Business Advisory Board and adds two members to the Small Business Commission.	15	
Pg 55 L 2870	46, 47	Eliminates the Board of Surface Mining Review and requires any appeals of an order issued by the Department of Mines, Minerals and Energy to be conducted by the Department using the case decision procedures of the Administrative Process Act.	16	
Pg 56 L 2909	48 thru 50	Eliminates the Board of Mineral Mining Examiners and places its duties and responsibilities with the Department of Mines, Minerals and Energy.	17	
Pg 61 L 3207	51, 52	Eliminates the Virginia National Defense Industrial Authority.	18	
Pg 68 L 3548	53, 54	Deregulates hair braiders and hair braiding schools and salons.	19	
Pg 71 L 3711	55, 56	Deregulates mold remediators and mold inspectors.	20	
--	--	Deregulates certified interior designers	--	This proposal rejected
Pg 76 L 3946	57, 58	Eliminates the Virginia Public Broadcasting Board and transfers its duties to the Board of Education.	21	

HB 1291/SB 678
Executive Reorganization Bills

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Pg 79 L 4145	59 thru 71	Eliminates the Department for the Aging and the Department of Rehabilitative Services and transfers the powers and duties of those agencies to the newly created Department for Aging and Rehabilitative Services. The bill transfers powers and duties related to the administration of auxiliary grants and provision of adult services and adult protective services from the Department of Social Services to the newly created Department for Aging and Rehabilitative Services.	22, 23	Designates new Department to receive federal funds for Area Agencies on Aging; changes Assoc. of Retarded Citizens to ARC; removes "political subdivision" language; language on "rehabilitative case management"; strikes "related to the rehab. of persons with disabilities"; donative purpose language; removes req. that Dept. contract with 501(c)(3); mandatory to permissive, locality to designate lead agency; adds third criteria for est. eligibility for services for grant requests; clarifies regulations of the Bd. for Social Services administered by the Dept.
--	--	Consolidates the duties of the Public Guardian and Conservator Advisory Board and the Alzheimer's Disease and Related Disorders Commission into the Commonwealth Council on Aging. As a result of the bill, the Public Guardian and Conservator Advisory Board and the Alzheimer's Disease and Related Disorders Commission will no longer exist. The bill expands the membership of the Commonwealth Council on Aging from 24 to 28.	--	This proposal rejected
P 154 L 8052	72, 73	Eliminates the Advisory Board on Child Abuse and Neglect and transfers its duties to the Board of Trustees of the Family and Children's Trust Fund.	24	
P 154 L 8078	74	Eliminates the Hemophilia Advisory Board.	25	Language in re duty of Board of Health regarding hemophilia sufferers
--	--	Eliminates the State Health Department Sewage Handling and Disposal Appeal Review Board. All reviews will now be heard by the State Health Commissioner.	--	This proposal rejected

HB 1291/SB 678
Executive Reorganization Bills

Enrolled Page and Line No.	Enact. Clause No.	Proposed Action	HJ 49 SJ 66 Item No.	NOTES
P 155 L 8110	75 thru 78	Eliminates the Child Day-Care Council and assigns responsibility for regulating child day programs to the State Board of Social Services. The bill increases the membership of the State Board from nine to 11 members and adds a requirement that at least one member of the State Board of Social Services be a child care professional and provides that regulations promulgated by the Child Day-Care Council shall remain in full force and effect until regulations are promulgated by the State Board of Social Services.	26	Amendments adopted to put two members representing child day care centers on State Social Services Board One representative from religiously exempt daycare and clarify that other member to be from a stand alone, licensed day care; reformulates staggered terms. Bd. may amend polices and procedures. Bd. to adopt regs for therapeutic recreation programs.
P 162 L 8469	79	Moves the responsibility of providing environmental education programs from the Department of Environmental Quality to the Department of Conservation and Recreation.	27	
P 163 L 8565	80 thru 89	Moves the Municipal Separate Storm Sewer System (MS4) Program from the Virginia Soil and Water Conservation Board to the State Water Control Board. The bill has to be reenacted to become effective, except that the assessment by the Secretary of Natural Resources of the water quality programs of the Commonwealth can begin July 1, 2012.	28	
P 172 L 9025	90 thru 92	Abolishes the Chippokes Plantation Farm Foundation and transfers any interests in any real or tangible personal property of the Foundation to the Department of Conservation and Recreation.	29	
P 174 L 9148	93, 94	Eliminates the Virginia Scenic River Board and transfers its duties to the Board of Conservation and Recreation.	30	
P 175 L 9199	95	Eliminates the Boating Advisory Committee.	31	

HB 1291/SB 678
Executive Reorganization Bills

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P 175 L 9200	96, 97	Eliminates the Council on Indians.	32	
--	--	Eliminates the Litter Control and Recycling Fund Advisory Board.	--	This proposal rejected
P 176 L 9210	98	Eliminates the Foundation for Virginia's Natural Resources.	33	
P 176 L 9211	99, 100	Eliminates the Department of Correctional Education. The bill divides the provision and administration of education in correctional institutions between the Department of Corrections and the Department of Juvenile Justice, with supervision by a newly created Division of Correctional Education within the Department of Juvenile Justice.	34, 35	Adds to databases that may be shared; Technical amendment (agency name); Director "employs" rather than "appoints"; Dept. rather than Bd responsible for complying with law; No longer have to name individual schools in the Dept.; Technical amendments to change name of entity
P 189 L 9911	101, 102	Eliminate the Virginia Juvenile Enterprise Committee.	36	
P 190 L 9955	103, 104	Transfers the responsibility for the administration of a substance abuse prevention program from the Governor to the Alcoholic Beverage Control Board. The bill gives the ABC Board the duty to (i) coordinate substance abuse prevention activities of agencies of the Commonwealth in such program, (ii) review substance abuse prevention program expenditures by agencies of the Commonwealth, (iii) determine the direction and appropriateness of such expenditures, and (iv) report annually by December 1 on substance abuse prevention activities in Virginia.	37	

HB 1291/SB 678
Executive Reorganization Bills

Enrolled Page and Line No.	Enact. Clause No.	Proposed Action	HJ 49 SJ 66 Item No.	NOTES
P 191 L 10017	105	Abolishes the Board of Transportation Safety.	38	
--	--	Consolidates the Northern Virginia Transportation Commission and the Northern Virginia Transportation Authority, effective July 1, 2013, by shifting most powers and responsibilities from the Commission to the Authority.	--	This proposal rejected
P 191 L 10018	106 thru 110	Abolishes the Board of Towing and Recovery Operators and transfers the Board's duties to the Department of State Police and the Department of Motor Vehicles.	39	BTRO abolished and DCJS to regulate drivers with OAG to investigate complaints.
P 203 L 10647	111, 112	Transfers the Virginia War Memorial to the Department of Veterans Services.	40	Amendments adopted: language re mission change form specific purposes to more general purpose DVS responsible for employing support staff, more general language Board to meet at least four times per year Expand language to include operations against terrorism after 12/6/1941

HB 1291/SB 678 Executive Reorganization Bills

Enrolled Page and Line No.	Enact. Clause No.	Other Action for implementation of HB 1291/SB 678	HJ 49 SJ 66 Item No.	NOTES
P213 L 11166	113	Authorizes Governor to transfer employees from one agency that is consolidated with other agencies.	--	Implementation actions recommended by Joint Committees of Conference for HB 1291/SB 678.
P213 L 11169	114	HB 1291/SB 678 to be treated as title revision for construction of statutes relating to sections in bill amended, added and repealed.	--	Instruction to VA Code Commission recommended by Joint Committees of Conference for HB 1291/SB 678. See § 30-152

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