

2001 SESSION

INTRODUCED

013145956

HOUSE BILL NO. 1745

Offered January 10, 2001

Prefiled December 20, 2000

A BILL to amend and reenact §§ 2.1-1.6, 9-6.25:1 and 9-154 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 25 of Title 9 sections numbered 9-155.3 and 9-155.4, relating to the Thermal Imaging Camera Advisory Board and Fund.

Patrons—Thomas, Bloxom, Cox, Dickinson, Dudley, Grayson, Hamilton, Jackson, Joannou, Louderback, Orrock, Parrish, Plum, Putney, Reid and Sherwood; Senator: Edwards

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 9-6.25:1 and 9-154 of the Code of Virginia are amended and reenacted, and that the Code of Virginia is amended by adding in Chapter 25 of Title 9 sections numbered 9-155.3 and 9-155.4 as follows:

§ 2.1-1.6. (Effective January 1, 2001) State boards

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

- Accountancy, Board of
- Agriculture and Consumer Services, Board of
- Air Pollution, State Advisory Board on
- Alcoholic Beverage Control Board, Virginia
- Apple Board, Virginia State
- Appomattox State Scenic River Advisory Board
- Aquaculture Advisory Board
- Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for
- Art and Architectural Review Board
- Athletic Training, Advisory Board on
- Auctioneers Board
- Audiology and Speech-Language Pathology, Board of
- Aviation Board, Virginia
- Barbers and Cosmetology, Board for
- Blind and Vision Impaired, Virginia Board for the
- Branch Pilots, Board for
- Bright Flue-Cured Tobacco Board, Virginia
- Building Code Technical Review Board, State
- Catoctin Creek State Scenic River Advisory Board
- Cattle Industry Board, Virginia
- Cave Board
- Cemetery Board
- Certified Seed Board, State
- Charity Food Assistance Advisory Board
- Chesapeake Bay Local Assistance Board
- Chickahominy State Scenic River Advisory Board
- Child Abuse and Neglect, Advisory Board on
- Chippokes Plantation Farm Foundation, Board of Trustees
- Clinch Scenic River Advisory Board
- Coal Mining Examiners, Board of
- Coal Research and Development Advisory Board, Virginia
- Coal Surface Mining Reclamation Fund Advisory Board
- Conservation and Development of Public Beaches, Board on
- Conservation and Recreation, Board of
- Contractors, Board for
- Corn Board, Virginia
- Correctional Education, Board of
- Corrections, State Board of
- Counseling, Board of

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58 Criminal Justice Services Board
59 Dark-Fired Tobacco Board, Virginia
60 Deaf and Hard-of-Hearing, Advisory Board for the Department for the
61 Dentistry, Board of
62 Design-Build/Construction Management Review Board
63 Education, State Board of
64 Egg Board, Virginia
65 Emergency Medical Services Advisory Board, State
66 Farmers Market Board, Virginia
67 Fire Services Board, Virginia
68 Forestry, Board of
69 Funeral Directors and Embalmers, Board of
70 Game and Inland Fisheries, Board of
71 Geology, Board for
72 Goose Creek Scenic River Advisory Board
73 Health Planning Board, Virginia
74 Health Professions, Board of
75 Health, State Board of
76 Hearing Aid Specialists, Board for
77 Hemophilia Advisory Board
78 Historic Resources, Board of
79 Housing and Community Development, Board of
80 Irish Potato Board, Virginia
81 Juvenile Justice, State Board of
82 Litter Control and Recycling Fund Advisory Board
83 Marine Products Board, Virginia
84 Medical Advisory Board, Department of Motor Vehicles
85 Medicare and Medicaid, Advisory Board on
86 Medicine, Board of
87 Mental Health, Mental Retardation and Substance Abuse Services Board, State
88 Migrant and Seasonal Farmworkers Board
89 Military Affairs, Board of
90 Mineral Mining Examiners, Board of
91 Minority Business Enterprise, Interdepartmental Board of the Department of
92 Networking Users Advisory Board, State
93 Neurotrauma Initiative Advisory Board, Commonwealth
94 North Meherrin State Scenic River Advisory Board
95 Nottoway State Scenic River Advisory Board
96 Nursing, Board of
97 Nursing Home Administrators, Board of
98 Occupational Therapy, Advisory Board of
99 Oil and Gas Conservation Board, Virginia
100 Opticians, Board for
101 Optometry, Board of
102 Peanut Board, Virginia
103 Personnel Advisory Board
104 Pesticide Control Board
105 Pharmacy, Board of
106 Physical Therapy, Board of
107 Plant Pollination Advisory Board
108 Polygraph Examiners Advisory Board
109 Pork Industry Board, Virginia
110 Poultry Products Board, Virginia
111 Private College Advisory Board
112 Private Security Services Advisory Board
113 Professional and Occupational Regulation, Board for
114 Professional Soil Scientists, Board for
115 Psychiatric Advisory Board
116 Psychology, Board of
117 Public Broadcasting Board, Virginia
118 Public Buildings Board, Virginia
119 Public Guardian and Conservator Advisory Board

- 120 Radiation Advisory Board
- 121 Real Estate Appraiser Board
- 122 Real Estate Board
- 123 Reciprocity Board, Department of Motor Vehicles
- 124 Recreational Fishing Advisory Board, Virginia
- 125 Reforestation Board
- 126 Rehabilitation Providers, Advisory Board on
- 127 Rehabilitative Services, Board of
- 128 Respiratory Care, Advisory Board on
- 129 Rockfish State Scenic River Advisory Board
- 130 Safety and Health Codes Board
- 131 Seed Potato Board, State
- 132 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 133 Shenandoah State Scenic River Advisory Board
- 134 Small Business Advisory Board
- 135 Small Business Environmental Compliance Advisory Board
- 136 Small Grains Board, Virginia
- 137 Social Services, Board of
- 138 Social Work, Board of
- 139 Soil and Water Conservation Board, Virginia
- 140 Soybean Board, Virginia
- 141 State Air Pollution Control Board
- 142 Substance Abuse Certification Board
- 143 Surface Mining Review, Board of
- 144 Sweet Potato Board, Virginia
- 145 T & M Vehicle Dealers' Advisory Board
- 146 Teacher Education and Licensure, Advisory Board on
- 147 *Thermal Imaging Camera Advisory Board*
- 148 Transportation Board, Commonwealth
- 149 Transportation Safety, Board of
- 150 Treasury Board, The, Department of the Treasury
- 151 Veterans' Affairs, Board on
- 152 Veterinary Medicine, Board of
- 153 Virginia Board for Asbestos and Lead
- 154 Virginia Coal Mine Safety Board
- 155 Virginia Correctional Enterprises Advisory Board
- 156 Virginia Cotton Board
- 157 Virginia Employment Commission, State Advisory Board for the
- 158 Virginia Geographic Information Network Advisory Board
- 159 Virginia Horse Industry Board
- 160 Virginia Manufactured Housing Board
- 161 Virginia Retirement System, Board of Trustees
- 162 Virginia Schools for the Deaf and the Blind, Advisory Commission on the
- 163 Virginia Sheep Industry Board
- 164 Virginia Veterans Cemetery Board
- 165 Virginia Waste Management Board
- 166 Voluntary Formulary Board, Virginia
- 167 (For effective date - See notes) Volunteer Firefighters' and Rescue Squad Workers' Pension Fund
- 168 Board
- 169 War Memorial Foundation, Virginia, Board of Trustees
- 170 Waste Management Facility Operators, Board for
- 171 Water Resources Research Center Statewide Advisory Board, Virginia
- 172 Waterworks and Wastewater Works Operators, Board for
- 173 Well Review Board, Virginia.
- 174 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 175 referred to as boards:
- 176 Compensation Board
- 177 State Board of Elections
- 178 State Water Control Board
- 179 Virginia Parole Board
- 180 Virginia Veterans Care Center Board of Trustees.

§ 9-6.25:1. Advisory boards, commissions and councils.
There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the following advisory boards, commissions and councils within the executive branch:

- Advisory Board for the Department for the Deaf and Hard-of-Hearing
- Advisory Board on Athletic Training
- Advisory Board on Child Abuse and Neglect
- Advisory Board on Medicare and Medicaid
- Advisory Board of Occupational Therapy
- Advisory Board on Rehabilitation Providers
- Advisory Board on Respiratory Care to the Board of Medicine
- Advisory Board on Teacher Education and Licensure
- Advisory Commission on the Virginia Schools for the Deaf and the Blind
- Advisory Council on Revenue Estimates
- Advisory Council on the Virginia Business-Education Partnership Program
- Appomattox State Scenic River Advisory Board
- Aquaculture Advisory Board
- Art and Architectural Review Board
- Board for the Visually Handicapped, Virginia
- Board of Directors, Virginia Truck and Ornaments Research Station
- Board of Forestry
- Board of Military Affairs
- Board of Rehabilitative Services
- Board of Transportation Safety
- Board of Trustees of the Family and Children's Trust Fund
- Board of Visitors, Gunston Hall Plantation
- Board on Veterans' Affairs
- Catoctin Creek State Scenic River Advisory Board
- Cave Board
- Charity Food Assistance Advisory Board
- Chickahominy State Scenic River Advisory Board
- Chief Information Officer Advisory Board
- Clinch Scenic River Advisory Board
- Coal Surface Mining Reclamation Fund Advisory Board
- Coastal Land Management Advisory Council, Virginia
- Commonwealth Competition Council
- Commonwealth Council on Aging
- Council on Indians
- Council on the Status of Women
- Debt Capacity Advisory Committee
- Emergency Medical Services Advisory Board
- Falls of the James Committee
- Goose Creek Scenic River Advisory Board
- Governor's Mined Land Reclamation Advisory Committee
- Hemophilia Advisory Board
- Human Services Information and Referral Advisory Council
- Interagency Coordinating Council on Housing for the Disabled
- Interdepartmental Board of the State Department of Minority Business Enterprise
- Litter Control and Recycling Fund Advisory Board
- Local Advisory Board to the Blue Ridge Community College
- Local Advisory Board to the Central Virginia Community College
- Local Advisory Board to the Dabney S. Lancaster Community College
- Local Advisory Board to the Danville Community College
- Local Advisory Board to the Eastern Shore Community College
- Local Advisory Board to the Germanna Community College
- Local Advisory Board to the J. Sargeant Reynolds Community College
- Local Advisory Board to the John Tyler Community College
- Local Advisory Board to the Lord Fairfax Community College
- Local Advisory Board to the Mountain Empire Community College
- Local Advisory Board to the New River Community College
- Local Advisory Board to the Northern Virginia Community College
- Local Advisory Board to the Patrick Henry Community College
- Local Advisory Board to the Paul D. Camp Community College

243	Local Advisory Board to the Piedmont Virginia Community College
244	Local Advisory Board to the Rappahannock Community College
245	Local Advisory Board to the Southside Virginia Community College
246	Local Advisory Board to the Southwest Virginia Community College
247	Local Advisory Board to the Thomas Nelson Community College
248	Local Advisory Board to the Tidewater Community College
249	Local Advisory Board to the Virginia Highlands Community College
250	Local Advisory Board to the Virginia Western Community College
251	Local Advisory Board to the Wytheville Community College
252	Maritime Incident Response Advisory Board
253	Maternal and Child Health Council
254	Medical Advisory Board, Department of Motor Vehicles
255	Migrant and Seasonal Farmworkers Board
256	North Meherrin State Scenic River Advisory Board
257	Nottoway State Scenic River Advisory Board
258	Personnel Advisory Board
259	Plant Pollination Advisory Board
260	Private College Advisory Board
261	Private Security Services Advisory Board
262	Psychiatric Advisory Board
263	Public Guardian and Conservator Advisory Board
264	Radiation Advisory Board
265	Rappahannock Scenic River Advisory Board
266	Recreational Fishing Advisory Board, Virginia
267	Reforestation Board
268	Rockfish State Scenic River Advisory Board
269	Shenandoah State Scenic River Advisory Board
270	Small Business Advisory Board
271	Small Business Environmental Compliance Advisory Board
272	St. Mary's Scenic River Advisory Committee
273	State Advisory Board on Air Pollution
274	State Building Code Technical Review Board
275	State Health Benefits Advisory Council
276	State Land Evaluation Advisory Council
277	State Networking Users Advisory Board
278	State Public Records Advisory Council
279	Statewide Independent Living Council
280	Statewide Rehabilitation Advisory Council
281	Statewide Rehabilitation Advisory Council for the Blind
282	Staunton Scenic River Advisory Committee
283	Substance Abuse Services Council
284	Telecommunications Relay Service Advisory Board
285	<i>Thermal Imaging Camera Advisory Board</i>
286	Virginia-Israel Advisory Board
287	Virginia Advisory Commission on Intergovernmental Relations
288	Virginia Advisory Council for Adult Education and Literacy
289	Virginia Coal Mine Safety Board
290	Virginia Coal Research and Development Advisory Board
291	Virginia Commission for the Arts
292	Virginia Correctional Enterprises Advisory Board
293	Virginia Council on Coordinating Prevention
294	Virginia Equal Employment Opportunity Council
295	Virginia Geographic Information Network Advisory Board
296	Virginia Interagency Coordinating Council
297	Virginia Military Advisory Council
298	Virginia Public Buildings Board
299	Virginia Recycling Markets Development Council
300	Virginia Transplant Council
301	Virginia Veterans Cemetery Board
302	Virginia Water Resources Research Center, Statewide Advisory Board
303	Virginia Winegrowers Advisory Board.

§ 9-154. Executive Director; powers.

A. The Governor shall appoint an Executive Director of the Department, subject to confirmation by the General Assembly. The Executive Director shall hold his position at the pleasure of the Governor.

B. The Executive Director shall have the following powers to:

1. ~~To supervise~~ *Supervise* the administration of the Department;

2. ~~To prepare~~ *Prepare*, approve, and submit all requests for appropriations and be responsible for all expenditures pursuant to appropriations;

3. ~~To employ~~ *Employ* such staff as is necessary to carry out the powers and duties of this chapter, within the limits of available appropriations;

4. ~~To accept~~ *Accept* on behalf of the Department grants from the United States government and agencies and instrumentalities thereof and any other sources. To these ends, the Executive Director shall have the power to execute such agreements in accordance with the policies of the Board;

5. ~~To do~~ *Do* all acts necessary or convenient to carry out the purpose of this chapter and to assist the Board in carrying out its responsibilities and duties;

6. ~~To make~~ *Make* and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter, including, but not limited to, contracts with the United States, other states, and agencies and governmental subdivisions of the Commonwealth;

7. ~~To appoint~~ *Appoint* a director of fire services training; and

8. ~~To receive~~ *Receive* funds as appropriated by the General Assembly collected pursuant to § 38.2-401, on an annual basis to be used as provided in subsection C of § 38.2-401; and

9. *Receive funds as appropriated by the General Assembly pursuant to § 9-155.4.*

§ 9-155.3. Thermal Imaging Camera Advisory Board established; appointment; terms.

A. The Thermal Imaging Camera Advisory Board (the "Board") is established as an advisory board within the meaning of § 9-6.25 in the executive branch of state government to assist the Virginia Fire Services Board in the allocation of grants from the Thermal Imaging Camera Grant Fund established pursuant to § 9-155.4. The Board shall consist of nine members appointed by the Governor as follows: three members of the State Fire Chiefs Association, three members of the Virginia Professional Firefighters Association and three members of the Virginia Firefighters Association. The Governor shall make his appointments to the Board from a list of names submitted by each organization. The Executive Director of the Department of Fire Programs shall serve ex-officio.

Members of the Board appointed by the Governor shall serve for terms of three years. Initial appointments shall provide for staggered terms with three members appointed for three years, three members appointed for two years and three members appointed for one year. No appointee shall serve more than two successive three-year terms but neither shall any person serve beyond the time he holds the organizational membership by reason of which he was initially eligible for appointment. Members of the Board shall not be entitled to compensation but shall be reimbursed for all reasonable and necessary expenses incurred in the discharge of their duties as provided in § 2.1-20.10.

The Board shall meet at least six times each year and at such other times as may be deemed necessary. Annually, the Board shall elect from its membership a chairman and a vice-chairman to serve for a one-year term.

§ 9-155.4. The Thermal Imaging Camera Grant Fund.

A. To assist local fire departments, other fire services organizations and local governments in the purchasing of thermal imaging cameras, there is hereby created the Thermal Imaging Camera Grant Fund. The Fund shall be administered by the Department of Fire Programs under policies and definitions established by the Virginia Fire Services Board.

B. From such funds as are appropriated by the General Assembly for this purpose and from such gifts, donations, grants, bequests and other funds as may be received on its behalf, there is hereby created in the state treasury a special nonreverting fund to be known as the Thermal Imaging Camera Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. 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. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. 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 Executive Director of the Department of Fire Programs or his designee. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.