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HOUSE BILL NO. 2137**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on General Laws
on February 4, 2001)

(Patron Prior to Substitute—Delegate Suit)

A BILL to amend and reenact §§ 2.1-1.6, 2.1-1.7, 2.1-20.1:02 and 9-6.25:1 of the Code of Virginia and to amend the Code of Virginia by adding in Title 9 a chapter numbered 52, containing sections numbered 9-396 through 9-399, and to repeal §§ 2.1-20.1:01, 2.1-113.1, 2.1-113.2, 2.1-113.3, and 2.1-116.10 through 2.1-116.14, relating to the Virginia Council on Human Resources.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 2.1-1.7, 2.1-20.1:02 and 9-6.25:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 9 a chapter numbered 52, consisting of sections numbered 9-396 through 9-399, 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

Criminal Justice Services Board

Dark-Fired Tobacco Board, Virginia

Deaf and Hard-of-Hearing, Advisory Board for the Department for the

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

- 122 Reciprocity Board, Department of Motor Vehicles
- 123 Recreational Fishing Advisory Board, Virginia
- 124 Reforestation Board
- 125 Rehabilitation Providers, Advisory Board on
- 126 Rehabilitative Services, Board of
- 127 Respiratory Care, Advisory Board on
- 128 Rockfish State Scenic River Advisory Board
- 129 Safety and Health Codes Board
- 130 Seed Potato Board, State
- 131 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 132 Shenandoah State Scenic River Advisory Board
- 133 Small Business Advisory Board
- 134 Small Business Environmental Compliance Advisory Board
- 135 Small Grains Board, Virginia
- 136 Social Services, Board of
- 137 Social Work, Board of
- 138 Soil and Water Conservation Board, Virginia
- 139 Soybean Board, Virginia
- 140 State Air Pollution Control Board
- 141 Substance Abuse Certification Board
- 142 Surface Mining Review, Board of
- 143 Sweet Potato Board, Virginia
- 144 T & M Vehicle Dealers' Advisory Board
- 145 Teacher Education and Licensure, Advisory Board on
- 146 Transportation Board, Commonwealth
- 147 Transportation Safety, Board of
- 148 Treasury Board, The, Department of the Treasury
- 149 Veterans' Affairs, Board on
- 150 Veterinary Medicine, Board of
- 151 Virginia Board for Asbestos and Lead
- 152 Virginia Coal Mine Safety Board
- 153 Virginia Correctional Enterprises Advisory Board
- 154 Virginia Cotton Board
- 155 Virginia Employment Commission, State Advisory Board for the
- 156 Virginia Geographic Information Network Advisory Board
- 157 Virginia Horse Industry Board
- 158 Virginia Manufactured Housing Board
- 159 Virginia Retirement System, Board of Trustees
- 160 Virginia Schools for the Deaf and the Blind, Advisory Commission on the
- 161 Virginia Sheep Industry Board
- 162 Virginia Veterans Cemetery Board
- 163 Virginia Waste Management Board
- 164 Voluntary Formulary Board, Virginia
- 165 (For effective date - See notes) Volunteer Firefighters' and Rescue Squad Workers' Pension Fund
- 166 Board
- 167 War Memorial Foundation, Virginia, Board of Trustees
- 168 Waste Management Facility Operators, Board for
- 169 Water Resources Research Center Statewide Advisory Board, Virginia
- 170 Waterworks and Wastewater Works Operators, Board for
- 171 Well Review Board, Virginia.
- 172 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 173 referred to as boards:
- 174 Compensation Board
- 175 State Board of Elections
- 176 State Water Control Board
- 177 Virginia Parole Board
- 178 Virginia Veterans Care Center Board of Trustees.
- 179 § 2.1-1.7. State councils.
- 180 A. There shall be, in addition to such others as may be established by law, the following permanent
- 181 collegial bodies either affiliated with more than one agency or independent of an agency within the
- 182 executive branch:

183 Adult Education and Literacy, Virginia Advisory Council for
 184 Aging, Commonwealth Council on
 185 Agricultural Council, Virginia
 186 Apprenticeship Council
 187 Blue Ridge Regional Education and Training Council
 188 Child Day-Care Council
 189 Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion
 190 Coastal Land Management Advisory Council, Virginia
 191 Commonwealth Competition Council
 192 Commonwealth's Attorneys' Services Council
 193 Developmental Disabilities Planning Council, Virginia
 194 Disability Services Council
 195 ~~Equal Employment Opportunity Council, Virginia~~
 196 Housing for the Disabled, Interagency Coordinating Council on
 197 *Human Resources, Virginia Council on*
 198 Human Rights, Council on
 199 Human Services Information and Referral Advisory Council
 200 Indians, Council on
 201 Interagency Coordinating Council, Virginia
 202 Job Training Coordinating Council, Governor's
 203 Land Evaluation Advisory Council
 204 Maternal and Child Health Council
 205 Military Advisory Council, Virginia
 206 Needs of Handicapped Persons, Overall Advisory Council on the
 207 Prevention, Virginia Council on Coordinating
 208 Public Records Advisory Council, State
 209 Rate-setting for Children's Facilities, Interdepartmental Council on
 210 Revenue Estimates, Advisory Council on
 211 Specialized Transportation Council
 212 State Health Benefits Advisory Council
 213 Status of Women, Council on the
 214 Substance Abuse Services Council
 215 Virginia Business-Education Partnership Program, Advisory Council on the
 216 Virginia Recycling Markets Development Council
 217 Workforce Council, Virginia.
 218 B. Notwithstanding the definition for "council" as provided in § 2.1-1.2, the following entities shall
 219 be referred to as councils:
 220 Higher Education, State Council of
 221 Independent Living Council, Statewide
 222 Rehabilitation Advisory Council, Statewide
 223 Rehabilitation Advisory Council for the Blind, Statewide
 224 Transplant Council, Virginia.
 225 § 2.1-20.1:02. Health insurance program for employees of local governments, local officers, teachers,
 226 etc.; definitions.
 227 A. The Department of Human Resource Management shall establish a plan or plans, hereinafter
 228 "plan" or "plans", subject to the approval of the Governor, for providing health insurance coverage for
 229 employees of local governments, local officers, teachers, and retirees, and the dependents of such
 230 employees, officers, teachers and retirees. The plan or plans shall be rated separately from the plan
 231 established pursuant to § 2.1-20.1 to provide health and related insurance coverage for state employees.
 232 Participation in such insurance plan or plans shall be (i) voluntary, (ii) approved by the participant's
 233 respective governing body, or by the local school board in the case of teachers, and (iii) subject to
 234 regulations promulgated by the Department. In addition, at the option of a governing body or school
 235 board which has elected to participate in the health insurance plan or plans offered by the Department,
 236 the governing body or school board may elect to participate in the long-term care or other benefit
 237 program which the Department may make available to the governing body or school board.
 238 B. The plan established by the Department shall satisfy the requirements of the Virginia Public
 239 Procurement Act (§ 11-35 et seq.), shall consist of a flexible benefits structure which permits the
 240 creation of multiple plans of benefits and may provide for separate rating groups based upon criteria
 241 established by the Department. The Department shall promulgate regulations regarding the establishment
 242 of such a plan or plans, including, but not limited to, requirements for eligibility, participation, access
 243 and egress, mandatory employer contributions and financial reserves, and the administration of the plan
 244 or plans. The Department may engage the services of other professional advisors and vendors as

necessary for the prudent administration of the plan or plans. The assets of the plan or plans, together with all appropriations, premiums and other payments, shall be deposited in the employee health insurance fund, from which payments for claims, premiums, cost containment programs and administrative expenses shall be withdrawn from time to time. The assets of the fund shall be held for the sole benefit of the employee health insurance fund. The fund shall be held in the state treasury. Any interest on unused balances in the fund shall revert back to the credit of the fund. The State Treasurer shall charge reasonable fees to recover the actual costs of investing the assets of the plan or plans.

In establishing the participation requirements, the Department may provide that those employees, officers, and teachers without access to employer-sponsored health care coverage may participate in the plan. It shall collect all premiums directly from the employers of such employees, officers, and teachers.

~~C. In the administration of the plan or plans, the Department shall take into consideration the recommendations made by an advisory committee. Such advisory committee shall be composed of at least five members to be appointed by the Governor, with at least one member representing each of the following groups: local governments, local officers, local school boards, teachers, and retirees. Committee members shall be reimbursed for the expenses incurred by them as members of the committee but shall not be otherwise compensated for their services. The terms of service for the advisory committee members shall be established by the Department.~~

~~D. C.~~ In the event that the financial reserves of the plan fall to an unacceptably low level as determined by the Department, it shall have the authority to secure from the State Treasurer a loan sufficient to raise the reserve level to one which is considered adequate. The State Treasurer is hereby authorized to make such a loan, to be repaid on such terms and conditions as established by him.

~~E. D.~~ For the purposes of this section, the following terms shall have the meanings indicated:

"Employees of local governments" shall include all officers and employees of the governing body of any county, city or town, and the directing or governing body of any political entity, subdivision, branch or unit of the Commonwealth or of any commission or public authority or body corporate created by or under an act of the General Assembly specifying the power or powers, privileges or authority capable of exercise by the commission or public authority or body corporate, as distinguished from §§ 15.2-1303, 15.2-1300, or similar statutes, provided that the officers and employees of a social services department, welfare board, mental health, mental retardation and substance abuse services board, or library board of a county, city, or town shall be deemed to be employees of local government.

"Local officer" means the treasurer, registrar, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, sheriff, or constable of any county or city or deputies or employees of any of the preceding local officers.

"Teacher" means any employee of a county, city, or other local public school board.

~~E. E.~~ Any stock and cash distributed to the Commonwealth pursuant to the conversion of Blue Cross and Blue Shield of Virginia, doing business as Trigon Blue Cross Blue Shield, from a mutual insurance company to a stock corporation known as Trigon Healthcare, Inc., that is directly attributable to the health insurance plan or plans established for employees of local governments, local officers, teachers, and retirees, and the dependents of such employees, officers, teachers and retirees, pursuant to subsection A (hereinafter referred to as the "local choice plan distribution") shall be deposited in the state treasury to the credit of the employee health insurance fund to be used as provided in this subsection. Such distribution shall not include any cash paid by Blue Cross and Blue Shield of Virginia or its successor to the Commonwealth in connection with such conversion which was assumed as general fund revenue in Chapter 912 of the 1996 Acts of Assembly. All other stock and cash received by the Commonwealth pursuant to such conversion of Blue Cross and Blue Shield of Virginia to a stock corporation shall be allocated as provided in subsection B of § 23-284.

The State Treasurer shall sell any stock received pursuant to the local choice plan distribution as soon as practicable following its receipt, subject to any lockup period or other restriction on its sale, and the proceeds therefrom shall be deposited in the state treasury to the credit of the employee health insurance fund. Notwithstanding any other provision of law to the contrary, the State Treasurer shall not be liable for any losses incurred from the sale or distribution of such stock.

The Department of Human Resource Management shall use any stock, or the proceeds therefrom, and cash received pursuant to the local choice plan distribution to reduce premiums payable by employers participating in a plan or plans established pursuant to subsection A. In setting health insurance premiums for such plan or plans, the Director of the Department of Human Resource Management shall allocate the value of such stock, or proceeds therefrom, and cash among each participating employer. Such allocation shall be based on the proportionate amounts of premiums previously paid by each participating employer. If a participating employer withdraws from such plan or plans before all of the value allocated to it has been used for the benefit of the participating employer, the remaining value shall be transferred to such participating employer upon his withdrawal.

§ 9-6.25:1. Advisory boards, commissions and councils.

306 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
307 following advisory boards, commissions and councils within the executive branch:
308 Advisory Board for the Department for the Deaf and Hard-of-Hearing
309 Advisory Board on Athletic Training
310 Advisory Board on Child Abuse and Neglect
311 Advisory Board on Medicare and Medicaid
312 Advisory Board of Occupational Therapy
313 Advisory Board on Rehabilitation Providers
314 Advisory Board on Respiratory Care to the Board of Medicine
315 Advisory Board on Teacher Education and Licensure
316 Advisory Commission on the Virginia Schools for the Deaf and the Blind
317 Advisory Council on Revenue Estimates
318 Advisory Council on the Virginia Business-Education Partnership Program
319 Appomattox State Scenic River Advisory Board
320 Aquaculture Advisory Board
321 Art and Architectural Review Board
322 Board for the Visually Handicapped, Virginia
323 Board of Directors, Virginia Truck and Ornamentals Research Station
324 Board of Forestry
325 Board of Military Affairs
326 Board of Rehabilitative Services
327 Board of Transportation Safety
328 Board of Trustees of the Family and Children's Trust Fund
329 Board of Visitors, Gunston Hall Plantation
330 Board on Veterans' Affairs
331 Catoctin Creek State Scenic River Advisory Board
332 Cave Board
333 Charity Food Assistance Advisory Board
334 Chickahominy State Scenic River Advisory Board
335 Chief Information Officer Advisory Board
336 Clinch Scenic River Advisory Board
337 Coal Surface Mining Reclamation Fund Advisory Board
338 Coastal Land Management Advisory Council, Virginia
339 Commonwealth Competition Council
340 Commonwealth Council on Aging
341 Council on Indians
342 Council on the Status of Women
343 Debt Capacity Advisory Committee
344 Emergency Medical Services Advisory Board
345 Falls of the James Committee
346 Goose Creek Scenic River Advisory Board
347 Governor's Mined Land Reclamation Advisory Committee
348 Hemophilia Advisory Board
349 Human Services Information and Referral Advisory Council
350 Interagency Coordinating Council on Housing for the Disabled
351 Interdepartmental Board of the State Department of Minority Business Enterprise
352 Litter Control and Recycling Fund Advisory Board
353 Local Advisory Board to the Blue Ridge Community College
354 Local Advisory Board to the Central Virginia Community College
355 Local Advisory Board to the Dabney S. Lancaster Community College
356 Local Advisory Board to the Danville Community College
357 Local Advisory Board to the Eastern Shore Community College
358 Local Advisory Board to the Germanna Community College
359 Local Advisory Board to the J. Sargeant Reynolds Community College
360 Local Advisory Board to the John Tyler Community College
361 Local Advisory Board to the Lord Fairfax Community College
362 Local Advisory Board to the Mountain Empire Community College
363 Local Advisory Board to the New River Community College
364 Local Advisory Board to the Northern Virginia Community College
365 Local Advisory Board to the Patrick Henry Community College
366 Local Advisory Board to the Paul D. Camp Community College
367 Local Advisory Board to the Piedmont Virginia Community College

368 Local Advisory Board to the Rappahannock Community College
 369 Local Advisory Board to the Southside Virginia Community College
 370 Local Advisory Board to the Southwest Virginia Community College
 371 Local Advisory Board to the Thomas Nelson Community College
 372 Local Advisory Board to the Tidewater Community College
 373 Local Advisory Board to the Virginia Highlands Community College
 374 Local Advisory Board to the Virginia Western Community College
 375 Local Advisory Board to the Wytheville Community College
 376 Maritime Incident Response Advisory Board
 377 Maternal and Child Health Council
 378 Medical Advisory Board, Department of Motor Vehicles
 379 Migrant and Seasonal Farmworkers Board
 380 North Meherrin State Scenic River Advisory Board
 381 Nottoway State Scenic River Advisory Board
 382 ~~Personnel Advisory Board~~
 383 Plant Pollination Advisory Board
 384 Private College Advisory Board
 385 Private Security Services Advisory Board
 386 Psychiatric Advisory Board
 387 Public Guardian and Conservator Advisory Board
 388 Radiation Advisory Board
 389 Rappahannock Scenic River Advisory Board
 390 Recreational Fishing Advisory Board, Virginia
 391 Reforestation Board
 392 Rockfish State Scenic River Advisory Board
 393 Shenandoah State Scenic River Advisory Board
 394 Small Business Advisory Board
 395 Small Business Environmental Compliance Advisory Board
 396 St. Mary's Scenic River Advisory Committee
 397 State Advisory Board on Air Pollution
 398 State Building Code Technical Review Board
 399 ~~State Health Benefits Advisory Council~~
 400 State Land Evaluation Advisory Council
 401 State Networking Users Advisory Board
 402 State Public Records Advisory Council
 403 Statewide Independent Living Council
 404 Statewide Rehabilitation Advisory Council
 405 Statewide Rehabilitation Advisory Council for the Blind
 406 Staunton Scenic River Advisory Committee
 407 Substance Abuse Services Council
 408 Telecommunications Relay Service Advisory Board
 409 Virginia-Israel Advisory Board
 410 Virginia Advisory Commission on Intergovernmental Relations
 411 Virginia Advisory Council for Adult Education and Literacy
 412 Virginia Coal Mine Safety Board
 413 Virginia Coal Research and Development Advisory Board
 414 Virginia Commission for the Arts
 415 Virginia Correctional Enterprises Advisory Board
 416 Virginia Council on Coordinating Prevention
 417 ~~Virginia Equal Employment Opportunity Council~~
 418 Virginia Geographic Information Network Advisory Board
 419 *Virginia Council on Human Resources*
 420 Virginia Interagency Coordinating Council
 421 Virginia Military Advisory Council
 422 Virginia Public Buildings Board
 423 Virginia Recycling Markets Development Council
 424 Virginia Transplant Council
 425 Virginia Veterans Cemetery Board
 426 Virginia Water Resources Research Center, Statewide Advisory Board
 427 Virginia Winegrowers Advisory Board.
 428

VIRGINIA COUNCIL ON HUMAN RESOURCES.

§ 9-396. Purpose of chapter.

This chapter merges the Virginia Equal Employment Opportunity Council, the Personnel Advisory Board, Local Health Benefits Advisory Committee, the State Health Benefits Advisory Council, and consolidates their functions under the Virginia Council on Human Resources.

§ 9-397. Council membership; terms; compensation.

A. The Council shall consist of seventeen members. Eight members shall be appointed by the Governor, subject to confirmation by the General Assembly, as follows: two state employees in management positions, two state employees in non-management positions, one retired state employee, one citizen member, one member that is either teacher or a member of a local school board, and one member from local government. Four members shall be appointed by the Speaker of the House of Delegates as follows: two state employees, one retired state employee, and one citizen. Three members shall be appointed by the Privileges and Elections Committee of the Senate as follows: one state employee, one retired employee, and one citizen. In addition, the Director of the Department of Human Resource Management and the Director of the Department of Employment Dispute Resolution shall serve permanently as ex officio without voting privileges.

B. Except as otherwise provided in this subsection, all appointments shall be for a term of four years. Vacancies shall be filled for the unexpired terms. No member shall be eligible to serve more than two successive four-year terms; however, after expiration of a term of three years or less, or after the expiration of the remainder of a term to which he was appointed to fill a vacancy, two additional terms may be served by such member if appointed thereto. The initial appointments of the Governor shall be as follows: three members shall serve a four-year term, three members shall serve a three-year term and two members shall serve a two-year term. The members initially appointed by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections shall serve three-year terms.

C. The Council shall elect a chairman and a vice-chairman annually from among its membership. A majority of the members of the Council shall constitute a quorum.

D. Members of the Council shall receive no compensation for their services but shall be reimbursed for all reasonable and necessary expenses incurred in the discharge of their duties as provided in § 2.1-20.10.

§ 9-398. Powers and duties.

A. The Council shall have the power and duty to:

1. Advise the Governor, the Director of the Department of Human Resource Management and the Director of the Department of Employment Dispute Resolution on all matters relating to personnel administration;

2. Review all public employer-employee relations throughout the Commonwealth;

3. Review the Department of Employment Dispute Resolution's program of employee management relations and make recommendations to improve communications between employees and agencies and instrumentalities of the Commonwealth;

4. Carry out such other functions as the Governor deems appropriate;

5. Review the Department of Human Resource Management's training and management programs, compensation and classification practices, benefit programs, and recruitment practices;

6. Advise the Governor on issues and concerns of state retirees and active employees regarding health insurance coverage and other health related benefits; and

7. Advise the Department of Human Resource Management on any plan or plans, subject to approval by the Governor, for providing health insurance coverage for employees of local governments, local officers, teachers, and retirees, and the dependents of such employees, officers, teachers and retirees.

The Council shall be charged with the responsibility of monitoring the Commonwealth's equal employment opportunity practices so as to assure that such practices fulfill the Commonwealth's obligations of providing equal opportunity to all employees and applicants. The Council may (i) call upon the Director of Human Resource Management and other state officials for information and reports to assist them in their work; (ii) act as a communications channel for groups both inside and outside of state government that wish to have their views on equal employment opportunity expressed to state government; and (iii) make recommendations to state agencies concerning the implementation of their affirmative action plans and programs.

B. The Council members shall refer employees who have work-related discrimination complaints to the Director of Equal Opportunity and Employee Programs. Once the discrimination complaint is referred to the Director, the matter shall be reviewed in accordance with the Equal Employment Opportunity Complaint Procedure of the Department of Human Resource Management, or at the employee's option, the State Grievance Procedure. The Committee shall audit and review the Commonwealth's equal opportunity posture at least once a year and recommend improvements to the Governor.

The Council shall review the progress of state agency affirmative action plans and programs, and

491 *make recommendations for changes as warranted.*

492 *§ 9-399. Staff.*

493 *Staff assistance to the Council shall be provided by the Department of Human Resource Management*
494 *and shall include, but not be limited to, the establishment of the Council's schedule of meetings and*
495 *providing notice of the meeting to members of the Council and the public.*

496 **2. That § 2.1-20.1:01, §§ 2.1-113.1, 2.1-113.2, 2.1-113.3, and §§ 2.1-116.10 through 2.1-116.14 of the**
497 **Code of Virginia are repealed.**