

VIRGINIA ACTS OF ASSEMBLY -- 2004 RECONVENED SESSION

CHAPTER 1000

An Act to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4512, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the Acts of Assembly of 2003; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the Acts of Assembly of 1964, Chapter 449 of the Acts of Assembly of 1968, Chapters 295 and 422 of the Acts of Assembly of 1972, Chapters 251 and 520 of the Acts of Assembly of 1974, Chapter 141 of the Acts of Assembly of 1976, Chapter 144 of the Acts of Assembly of 1980, Chapter 227 of the Acts of Assembly of 1981, and Chapter 149 of the Acts of Assembly of 1989, relating to requirements of collegial bodies; reports.

[H 1231]

Approved April 21, 2004

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4512, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia, the third enactment clauses of chapters 749 and 766 of the Acts of Assembly of 2003 are amended and reenacted, and that the Code of Virginia is amended by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250, as follows:

§ 2.2-508. Legal service in certain redistricting proceedings.

Upon notification by a county, city or town of a pending civil action challenging the legality of its election district boundaries as required by § 24.2-304.5, the Attorney General shall review the papers in the civil action and may represent the interests of the Commonwealth in developing an appropriate remedy that is consistent with requirements of law, including but not limited to Article VII, Section 5 of the Constitution of Virginia or, Chapter 3 (§ 24.2-300 24.2-302 et seq.) of Title 24.2, or Chapter 37 (§ 30-248 et seq.) of Title 30.

§ 2.2-1503. Filing of six-year revenue plan by Governor.

In every year, the Governor shall by December 15 prepare and submit to the members of the General Assembly an estimate of anticipated general fund revenue, an estimate of anticipated transportation fund revenues, and estimates of anticipated revenues for each of the remaining major nongeneral funds, for a prospective period of six years.

The Governor's estimates of anticipated general, transportation, and other nongeneral fund revenues shall be based on the following:

1. Forecasts of economic activity in the Commonwealth.
2. Review by an advisory board of economists with respect to economic assumptions and technical

econometric methodology. The Advisory Board of Economists (*the Board*) is established as an advisory board, within the meaning of § 2.2-2100, in the executive branch of state government for such purpose. The Board shall consist of ~~no more than~~ 15 nonlegislative citizen members appointed by the Governor. Members of ~~such~~ the Board shall be economists from either the public or private sector and shall serve at the pleasure of the Governor. All members shall be citizens of the Commonwealth. Vacancies shall be filled in the same manner as the original appointments. Members shall not receive compensation for their services, but shall be reimbursed for all reasonable and necessary expenses for the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Department of Taxation. The Department of Taxation shall provide staff support. A majority of the members of the Board shall constitute a quorum. Meetings of the Board shall be held upon the call of the chairman or whenever a majority of the members so request.

3. Review by an advisory council of revenue estimates with respect to economic assumptions and the general economic climate of the Commonwealth. The Advisory Council on Revenue Estimates (*the Council*) is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government for such purpose. The Council shall be ~~comprised of such representatives of~~ the private sector as the Governor may appoint and shall include the Speaker and Majority Leader of the House of Delegates, the President pro tempore and Majority Leader of the Senate, ~~and the Chairmen of the House Committees Committee on Appropriations and, the House Committee on Finance, and the Senate Committee on Finance or their designees, and nonlegislative citizen members representing the private sector appointed by the Governor.~~ Legislative members appointed shall serve terms coincident with their terms of office and nonlegislative citizen members shall serve at the pleasure of the Governor. All members shall be citizens of the Commonwealth. Vacancies shall be filled in the same manner as the original appointments. Members shall not receive compensation for their services, but shall be reimbursed for all reasonable and necessary expenses for the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Department of Taxation. The Department of Taxation shall provide staff support. A majority of the members of the Council shall constitute a quorum. Meetings of the Council shall be held upon the call of the chairman or whenever a majority of the members so request.

4. Any such other advisory bodies as the Governor may desire.

§ 2.2-2423. Virginia Geographic Information Network Advisory Board; membership; terms; quorum; compensation and expenses.

A. The Virginia Geographic Information Network Advisory Board (*the Board*) is hereby established as an advisory board, within the meaning of § 2.2-2100, in the executive branch of state government. The Board shall advise the Geographic Information Network Division (*the Division*) of the Virginia Information Technologies Agency on issues related to the exercise of the Division's powers and duties.

B. The Board shall consist of ~~17~~ 18 members appointed as follows: ~~(i) 11~~ ~~nine~~ nonlegislative citizen members to be appointed by the Governor, including the Commonwealth Transportation Commissioner, the Executive Director of the Economic Development Partnership Authority, ~~an~~ that consist of one agency director from one of the natural resources agencies, and one official from a state university, ~~or their designees~~, one elected official representing a local government in the Commonwealth, one member of the Virginia Association of Surveyors, one elected official who serves on a planning district commission, two representatives of utilities or transportation industries utilizing geographic data, and two representatives of private businesses with expertise and experience in the establishment, operation, and maintenance of geographic information systems; ~~and (ii) five members of the General Assembly, three of whom shall be four members of the House of Delegates, to be appointed by the Speaker of the House of Delegates, and two of whom shall be; two members of the Senate, to be appointed by the Senate Committee on Privileges and Elections. Rules; the Chief Information Officer, the Commonwealth Transportation Commissioner, and the Executive Director of the Economic Development Partnership Authority or his designee their designees who shall serve as an ex officio, voting member members. Gubernatorial appointees may be nonresidents of the Commonwealth. All members of the Board appointed by the Governor shall be confirmed by each house of the General Assembly. The agency director and state university official appointed by the Governor may each designate a member of his organization as an alternate who may attend meetings in his place and be counted as a member of the Board for the purposes of a quorum.~~

Any members of the Board who are representatives of private businesses that provide geographic information services, and their companies, are precluded from contracting to provide goods or services to the Division.

C. Legislative members' terms shall be coincident with their terms of office. The gubernatorial appointees to the Board shall serve five-year terms, except ~~that of~~ for the initial appointees whose terms were staggered; ~~three shall serve three-year terms, three shall serve four-year terms, and the remainder shall serve five-year terms.~~ Members appointed by the Governor shall serve no more than two consecutive ~~full~~ five-year terms. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in

determining the member's eligibility to serve.

~~All members of the Board appointed by the Governor shall be confirmed by each house of the General Assembly. Legislative members' terms shall be coincident with their terms of office.~~

D. The Board shall elect from its membership a chairman, vice chairman, and any other officers deemed necessary. The duties and terms of the officers shall be prescribed by the members. A majority of the Board shall constitute a quorum. The Board shall meet at least quarterly or at the call of its chairman or the Chief Information Officer.

E. ~~Legislative members of the Board shall receive no such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their services, but the nongovernmental.~~ All members shall be reimbursed for all reasonable and necessary expenses incurred in the discharge performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of compensation and expenses of the members shall be provided by the Virginia Geographic Information Network Division of the Virginia Information Technologies Agency.*

F. The Geographic Information Network Division shall provide staff support to the Board.

§ 2.2-2424. Virginia-Israel Advisory Board; purpose; membership; terms; compensation and expenses; staff; chairman's executive summary.

A. The Virginia-Israel Advisory Board (the Board) is established as an advisory board, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Board shall be to advise the Governor on ways to improve economic and cultural links between the Commonwealth and the State of Israel, with a focus on the areas of commerce and trade, art and education, and general government.

B. The Board shall consist of 31 members that include 29 citizen members and two ex officio members as follows: six citizen members appointed by the Speaker of the House of Delegates, who may be members of the House of Delegates or other state or local elected officials; six citizen members appointed by the Senate Committee on ~~Privileges and Elections Rules~~, who may be members of the Senate or other state or local elected officials; 13 members appointed by the Governor who represent business, industry, education, the arts, and government; the president, or his designee, of each of the four Jewish Community Federations serving the Richmond, Northern Virginia, Tidewater and Peninsula regions; and the Secretary of Commerce and Trade and the Secretary of Education, or their designees, who shall serve as ex officio voting members of the Board.

C. Nonlegislative citizen members *appointed by the Governor* shall serve for terms of four years *and nonlegislative citizen members appointed by the Senate Committee on Rules and the Speaker of the House of Delegates shall serve for terms of two years.* Legislative members and the Secretaries of Commerce and Trade, and Education, or their designees, shall serve terms coincident with their terms of office. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. Any member may be reappointed for successive terms.

D. The members of the Board shall elect a chairman and vice chairman annually from among its membership. The Board shall meet at such times as it deems appropriate or on call of the chairman. A majority of the members of the Board shall constitute a quorum.

E. Members shall receive no compensation for their services. However, all members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of the expenses of the members shall be provided by the Office of the Governor.

F. The Office of the Governor shall serve as staff to the Board.

G. The chairman of the Board shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 2.2-2434. Virginia Public Buildings Board; purpose; membership; terms; quorum; compensation and expenses.

A. The Virginia Public Buildings Board (the Board) is established as an advisory board, within the meaning of § ~~2.2-2403~~ 2.2-2100, in the executive branch of state government. The purpose of the ~~Council Board~~ shall be to assist and advise the Governor and the Department of General Services in the preparation and maintenance of a long-range site plan at the seat of government, and in the determination of the need for the acquisition of land, buildings and improvements, through purchases or construction.

B. The Board shall consist of ~~nine~~ 10 members to be appointed as follows: ~~three~~ four members shall be appointed by the Speaker of the House of Delegates from the membership of the House of Delegates, two members shall be appointed by the *Senate Committee on Privileges and Elections of the Senate Rules* from the membership of the Senate; three *nonlegislative citizen* members appointed by the Governor from the public at large; and the Director of the Department of General Services who shall serve as an ex officio member of the Board *with voting privileges. Members of the Board shall be*

citizens of the Commonwealth.

C. Legislative members shall serve terms coincident with their terms of office. The *nonlegislative* citizen members shall serve for terms coincident with that of the Governor. The Director of the Department of General Services shall serve a term coincident with his term of office. Vacancies for unexpired terms shall be filled in the same manner as the original appointments. *Members may be reappointed for successive terms.*

D. The members of the Board shall elect a chairman and ~~vice-chairman~~ *vice chairman* annually. A majority of the members of the Board shall constitute a quorum. *The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.*

E. The members of the Board shall ~~receive their actual~~ *not be entitled to compensation, but shall be reimbursed for all reasonable and necessary expenses incurred in the discharge performance of their duties as provided in §§ 2.2-2813 and 2.2-2825, to be paid from the funds transferred from other state departments, agencies or institutions under § 2.2-1139, or by the Department of General Services from any funds that may be appropriated or made available for such purposes.*

§ 2.2-2453. Compensation; expenses.

Legislative members of the Board shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation ~~for the performance of their duties as provided in § 2.2-2813 for the performance of their duties.~~ All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of compensation and expenses of the members shall be provided by the Department of Veterans Services.*

§ 2.2-2457. Information Technology Investment Board; membership; terms; quorum; compensation; staff.

A. The Information Technology Investment Board (the Board) is established as a supervisory board, within the meaning of § 2.2-2100, in the executive branch of state government. The Board shall be responsible for the planning, budgeting, acquiring, using, disposing, managing, and administering of information technology in the Commonwealth.

B. The Board shall consist of 10 members that include eight nonlegislative citizen members and two ex officio members as follows: (i) four nonlegislative citizen members appointed by the Governor, of whom one shall be appointed from a list of not less than seven individuals nominated jointly by the Chairs of the Senate Committee on General Laws and the House Committee on Science and Technology in consultation with their respective committee memberships; (ii) four nonlegislative citizen members appointed by the Joint Rules Committee from a list recommended by the Joint Commission on Technology and Science; (iii) the Secretary of Technology who shall serve ex officio with full voting privileges; and (iv) the Auditor of Public Accounts shall serve ex officio without voting privileges. The individuals jointly nominated by the Chairs of the Senate Committee on General Laws and the House Committee on Science and Technology shall, at a minimum, have experience as senior information technology management personnel for a company with annual gross revenues in excess of \$50 million. The other nonlegislative citizen members shall have experience in information technology systems or other technology systems including but not limited to human resources, environment, transportation, or finance.

The initial appointments of the nonlegislative citizen members shall be staggered as follows: one member for one year, one member for two years, one member for three years, and one member for four years appointed by the Governor; ~~one member for one year, one member for two years, one member for three years, and one member for four years appointed by the Joint Rules Committee.~~ The ex officio members of the Board shall serve terms coincident with their respective terms of office. ~~Thereafter~~ *After the initial staggering of terms,* nonlegislative citizen members shall be appointed for terms of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. However, no nonlegislative citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

C. The Board shall elect its chairman and vice chairman from among its members for two-year terms. A majority of the members shall constitute a quorum. The Board shall meet at least quarterly each year. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.

D. *Nonlegislative* citizen members shall receive compensation, ~~including and shall be reimbursed for~~ all reasonable and necessary expenses incurred in the ~~discharge performance~~ of their duties, as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of compensation and expenses of the members shall be provided by the Virginia Information Technologies Agency.*

E. The disclosure requirements of subsection B of § 2.2-3114 of the State and Local Government Conflict of Interest Act shall apply to citizen members of the Board.

F. The Virginia Information Technologies Agency shall serve as staff to the Board.

§ 2.2-2626. Commonwealth Council on Aging; purpose; membership; terms.

A. The Commonwealth Council on Aging (the Council) is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Council shall be to promote an efficient, coordinated approach by state government to meeting the needs of older Virginians.

B. The Council shall consist of ~~nineteen voting~~ 23 members appointed as follows: one member from each of the ~~eleven~~ 11 congressional districts of the Commonwealth appointed by the Governor subject to confirmation by the General Assembly; four at-large *nonlegislative citizen* members appointed by the Speaker of the House of Delegates; and four at-large *nonlegislative citizen* members appointed by the Senate Committee on Privileges and Elections. The Council shall also include the following ~~nonvoting, ex officio members: Rules; and the Commissioner of the Department for the Aging, the Director of the Department of Medical Assistance Services, the Commissioner of Social Services and the Secretary of Health and Human Resources, or their designees, who shall serve as nonvoting ex officio members.~~ The Council shall be composed of persons selected from the Members of the Council shall be citizens of the Commonwealth appointed at large without regard to political affiliation but with due consideration of geographical representation. Appointees shall be selected for their ability, and all appointments shall be of such nature as to aid the work of the Council and to inspire the highest degree of cooperation and confidence.

C. For initial appointments made by the Governor, the terms shall be as follows: five members shall serve four-year terms, four members shall serve three-year terms and two members shall serve two-year terms. For initial appointments made by the Speaker of the House of Delegates, two members shall be appointed for four-year terms and two members shall be appointed to two-year terms. For the initial appointments by the Senate Committee on Privileges and Elections, two members shall be appointed for four-year terms and two members shall be appointed for two-year terms. Thereafter ~~After the initial staggering of terms,~~ all appointments shall be for four-year terms.

In making initial appointments, the Governor, the Speaker of the House, and the Senate Committee on Privileges and Elections shall give due consideration to the appointment of members of the current Governor's Advisory Board on Aging.

Appointments to fill vacancies shall be for the unexpired term. No person having served on the Council for two consecutive terms shall be eligible for reappointment to the Council for two years thereafter. *The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility to serve.*

D. The Council shall elect a chairman and a ~~vice-chairman~~ *vice chairman* from among its members and shall appoint a secretary and such other officers as it deems necessary and prescribe their duties and terms of office. *The Council may adopt bylaws to govern its operations.*

E. *Members shall receive compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department for the Aging.*

F. *The Department for the Aging shall provide staff support to the Council.*

§ 2.2-2666.1. Council created; composition; compensation and expenses; meetings; chairman's executive summary.

A. The Virginia Military Advisory Council (the Council) is hereby created as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government, to maintain a cooperative and constructive relationship between the Commonwealth and the leadership of the several Armed Forces of the United States and the military commanders of such Armed Forces stationed in the Commonwealth, and to encourage regular communication on continued military facility viability, the exploration of privatization opportunities and issues affecting preparedness, public safety and security.

B. The Council shall be composed of ~~not more than~~ 25 members and ~~shall include as follows:~~ the Lieutenant Governor, the Attorney General, the Adjutant General, the Chairman of the House Committee on Militia, Police and Public Safety and the Chairman of the Senate Committee on General Laws, or their designees; four members, one of whom shall be a representative of the Virginia Defense Force, to be appointed by and serve at the pleasure of the Governor; and ~~not more than~~ 16 members, including representatives of major military commands and installations located in the Commonwealth or in jurisdictions adjacent thereto, who shall be appointed by the Governor ~~from~~ *after consideration of the* persons nominated by the Secretaries of the Armed Forces of the United States and who shall serve at the pleasure of the Governor. *However, any legislative member who is appointed by the Governor shall serve a term coincident with his term of office.* The provisions of § 49-1 shall not apply to federal civilian officials and military personnel appointed to the Council.

C. Legislative members of the Council shall receive such compensation as is ~~set forth~~ *provided* in § 30-19.12, and nonlegislative members shall receive such compensation *as provided in § 2.2-2813* for the performance of their duties as ~~provided in § 2.2-2813.~~ All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Military Affairs.

D. The Council shall elect a chairman and vice chairman from among its membership. The meetings of the Council shall be held at the call of the chairman or whenever the majority of members so request. A majority of the members shall constitute a quorum.

E. The chairman of the Council shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Council no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 2.2-2669. Virginia Workforce Council; purpose; membership; terms; compensation and expenses; staff.

A. The Virginia Workforce Council (the Council) is established as a policy council, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Council shall be to assist the Governor in meeting workforce training needs in the Commonwealth.

B. The Council shall consist of ~~not more than~~ 29 members as follows:

1. The Council shall include two members of the House of Delegates to be appointed by the Speaker of the House of *Delegates*; and two members of the Senate to be appointed by the Senate Committee on ~~Privileges and Elections~~ Rules. Legislative members shall serve terms coincident with their terms of office *and may be reappointed for successive terms*.

2. The Governor; the Secretaries of Commerce and Trade, Education, and Health and Human Resources; the Chancellor of the Virginia Community College System; the Commissioner of the Virginia Employment Commission; and the president of the Virginia AFL-CIO shall serve as members.

3. The Governor shall appoint members as follows: one mayor and one chairperson of a county board of supervisors; one representative of labor in addition to the president of the Virginia AFL-CIO; and ~~not more than~~ 15 *nonlegislative citizen* members representing the business community, to include the presidents of the Virginia Chamber of Commerce and the Virginia Manufacturer's Association, one representative of proprietary employment training schools, one representative of health care employers, and the remaining members who are business owners, chief executive officers, chief operating officers, chief financial officers, senior managers or other business executives or employers with optimum policy-making or hiring authority and who shall represent diverse regions of the state, to include urban, suburban, and rural areas, at least two of whom shall be members of local workforce investment boards. *Nonlegislative citizen members may be nonresidents of the Commonwealth.*

Members appointed in accordance with this subdivision shall serve four-year terms, subject to the pleasure of the Governor, and may be reappointed.

C. If one person appointed to fill one of the enumerated positions in subsection B also qualifies to fill any other of the enumerated positions, such person may, at the discretion of the Governor, be deemed to fill any or all of the enumerated positions for which such person qualifies.

D. The Governor shall select a chairman and vice chairman from among the 15 members representing the business community appointed in accordance with subdivision 3 of subsection B. The Council shall meet upon the call of the chair or the Governor.

E. *Compensation and reimbursement of expenses of the members* shall be as follows:

1. Legislative members appointed in accordance with subdivision B 1 shall receive such *compensation and reimbursement of expenses incurred in the performance of their duties* as provided in §§ ~~2.2-2813 and~~ 30-19.12, ~~2.2-2813 and~~ 2.2-2825.

2. Members of the Council appointed in accordance with subdivision B 2 shall not receive compensation but shall be reimbursed for all reasonable and necessary expenses incurred in the ~~discharge performance~~ of their duties as provided in §§ 2.2-2813 and 2.2-2825.

3. Members of the Council appointed in accordance with subdivision B 3 shall not receive compensation but shall be reimbursed for all reasonable and necessary expenses incurred in the ~~discharge performance~~ of their duties as provided in §§ 2.2-2813 and 2.2-2825.

Funding for the costs of compensation and expenses of the members shall be provided from federal funds received under the Workforce Investment Act of 1998 (P.L. 105-220, as amended) and administered by the Virginia Employment Commission.

F. The Virginia Employment Commission, the Virginia Community College System, and the Department of Business Assistance shall serve as staff to the Council as directed by the Secretary of Commerce and Trade. The Virginia Employment Commission shall act as fiscal agent for the Council and the WIA.

§ 2.2-2676. Virginia Council on Human Resources; membership; terms; compensation and expenses.

A. The Virginia Council on Human Resources (the Council) is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The Council shall consist of ~~seventeen~~ 17 members. Eight *nonlegislative citizen* 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~~ *nonmanagement* positions, one retired state employee, one citizen member *at large*, one member that is either a teacher or a member of a local school board and one member from local government as defined in § 2.2-1204. Four *nonlegislative citizen* members

shall be appointed by the Speaker of the House of Delegates as follows: one state employee, one retired state employee, and two citizens *at large*. Three members shall be appointed by the ~~Privileges and Elections~~ Senate Committee of the Senate on Rules as follows: one state employee, one retired employee, and one citizen *at large*. In addition, the Director of the Department of Human Resource Management and the Director of the Department of Employment Dispute Resolution, *or their designees*, shall serve ~~permanently~~ as ex officio members without voting privileges. *All members shall be citizens of the Commonwealth.*

B. ~~Except as otherwise provided in this subsection~~ *After the initial staggering of terms*, 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~~ *vice chairman* annually from among its membership. A majority of the members of the Council shall constitute a quorum. *Meetings of the Council shall be held upon the call of the chairman or whenever the majority of the members so request.*

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 performance~~ of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of expenses shall be provided by the Department of Human Resources.*

§ 2.2-2685. (Effective until July 1, 2008) Membership; terms; quorum; meetings; compensation and expenses.

A. The Council shall be composed of 18 members that include eight legislative members and 10 nonlegislative members as follows:

1. The Governor;
2. The Speaker of the House;
3. The majority and minority leaders of the House of Delegates;
4. The Chairman of the House Committee on Appropriations;
5. The President Pro Tempore of the Senate;
6. The majority and minority leaders of the Senate;
7. The Chairman of the Senate Finance Committee;
8. One nonlegislative citizen member appointed by the Speaker of the House;
9. One nonlegislative citizen member appointed by the Senate Committee on ~~Privileges and Elections~~ Rules;
10. Two Cabinet Secretaries appointed by the Governor; and
11. Five nonlegislative citizen members appointed by the Governor.

B. Legislative members and the two Cabinet Secretaries appointed by the Governor shall serve terms coincident with their terms of office. In the event that a legislative member holds more than one of the positions listed in subsection A, such legislative member shall designate another legislative member or members, as applicable, to serve as the representative for the other position or positions. ~~The initial appointments of nonlegislative citizen members shall be staggered as follows: one member for a term of three years appointed by the Speaker of the House of Delegates; one member for a term of three years appointed by the Senate Committee on Privileges and Elections; one member for a term of one year, two members for a term of two years, and two members for a term of three years appointed by the Governor. Thereafter~~ *After the initial staggering of terms*, nonlegislative citizen members appointed by the Speaker of the House of Delegates or the Senate Committee on ~~Privileges and Elections~~ Rules shall be appointed for a term of two years, and nonlegislative citizen members appointed by the Governor shall be appointed for a term of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. No nonlegislative citizen member appointed by the ~~Speaker of the House of Delegates or the Senate Committee on Privileges and Elections~~ legislative appointing authorities shall serve more than four consecutive two-year terms and no nonlegislative citizen member appointed by the Governor shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Governor shall serve as the chairman of the Council. The Council shall elect a vice chairman from its membership. A majority of members of the Council shall constitute a quorum. The Council shall meet at least four times each year. The meetings of the Council shall be held at the call of the chairman or whenever four or more members so request.

C. *Legislative members of the Council shall receive such compensation as provided in § 30-19.12*

and nonlegislative citizen members shall receive compensation as provided in § 2.2-2813 for the performance of their duties. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Planning and Budget.

§ 2.2-5601. Appointment, term, compensation and expenses of members of Southern States Energy Board.

The Governor, the Senate Committee on Privileges and Elections, and the Speaker of the House of Delegates shall each appoint one member of the Southern States Energy Board as established by Article II of the compact. The Commonwealth's representatives to the Southern States Energy Board shall be appointed in compliance with Article II of the compact as follows: one member of the House of Delegates appointed by the Speaker of the House of Delegates, one member of the Senate appointed by the Senate Committee on Rules and one nonlegislative citizen member appointed by the Governor. Legislative members shall serve terms coincident with their terms of office and shall not have the authority to designate an alternate in accordance with Article II of the compact. The gubernatorial appointee shall serve at the pleasure of the Governor. If any member appointed is the head of a department or agency of the Commonwealth, he may designate a subordinate officer or employee of his department or agency to serve in his stead as permitted by Article II A. of the compact and in conformity with any applicable bylaws of the Board. All members may be reappointed for successive terms.

Legislative members of the Board shall receive such compensation as is set forth provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. The costs of compensation and expenses of the legislative members shall be paid from appropriations to the Virginia Commission on Intergovernmental Cooperation for the attendance of conferences. The nonlegislative citizen member of the Board shall receive such compensation and reimbursement for all his reasonable and necessary expenses in the performance of his duties as may be appropriated or made available for such purposes.

§ 2.2-5700.1. Appointment, term, compensation and expenses of members of Southern Growth Policies Board.

The Commonwealth's representatives to the Southern Growth Policies Board in compliance with Article II of the compact shall consist of: the Governor; one member of the House of Delegates appointed by the Speaker of the House of Delegates; one member of the Senate appointed by the Senate Committee on Rules; and two nonlegislative citizen members appointed by the Governor. Legislative members shall serve terms coincident with their terms of office and shall not have the authority to designate an alternate in accordance with subdivision D.2. of Article II of the compact. The gubernatorial appointee shall serve at the pleasure of the Governor. All members may be reappointed for successive terms.

Legislative members of the Board shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. The costs of compensation and expenses of the legislative members shall be paid from appropriations to the Virginia Commission on Intergovernmental Cooperation for the attendance of conferences. Nonlegislative citizen members shall receive such compensation and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as may be appropriated or made available for such purposes.

§ 9.1-108. Criminal Justice Services Board membership; terms; vacancies; members not disqualified from holding other offices; designation of chairmen; meetings; compensation.

A. The Criminal Justice Services Board is established as a policy board within the meaning of § 2.2-2100, in the executive branch of state government. The Board shall consist of ~~twenty-seven~~ 27 members as follows: the Chief Justice of the Supreme Court of Virginia, or his designee; the Attorney General or his designee; the Superintendent of the Department of State Police; the Director of the Department of Corrections; the Director of the Department of Juvenile Justice; the Superintendent of the Department of Correctional Education; the Chairman of the Parole Board; and the Executive Secretary of the Supreme Court of Virginia. In those instances in which the Executive Secretary of the Supreme Court of Virginia, the Superintendent of the Department of State Police, the Director of the Department of Corrections, the Director of the Department of Juvenile Justice, the Superintendent of the Department of Correctional Education, or the Chairman of the Parole Board will be absent from a Board meeting, he may appoint a member of his staff to represent him at the meeting.

Fifteen members shall be appointed by the Governor from among ~~residents~~ citizens of the Commonwealth. At least one shall be a representative of a crime victims' organization or a victim of crime as defined in subsection B of § 19.2-11.01. The remainder shall be representative of the broad categories of state and local governments, criminal justice systems, and law-enforcement agencies, including but not limited to, police officials, sheriffs, attorneys for the Commonwealth, defense counsel, the judiciary, correctional and rehabilitative activities, and other locally elected and appointed administrative and legislative officials. Among these members there shall be two sheriffs representing

the Virginia State Sheriffs Association selected from among names submitted by the Association; two representatives of the Chiefs of Police Association ~~selected from among~~ *appointed after consideration of the names submitted by the Association, if any*; one attorney for the Commonwealth ~~selected from among~~ *appointed after consideration of the names submitted by the Association for Commonwealth's Attorneys, if any*; one person who is a mayor, city or town manager, or member of a city or town council representing the Virginia Municipal League ~~selected from among~~ *appointed after consideration of the names submitted by the League, if any*; one person who is a county executive, manager, or member of a county board of supervisors representing the Virginia Association of Counties ~~selected from among~~ *appointed after consideration of the names submitted by the Association, if any*; one member representing the Virginia Crime Prevention Association ~~selected from among~~ *appointed after consideration of the names submitted by the Association, if any*; one member of the Private Security Services Advisory Board; and one representative of the Virginia Association of Regional Jail Superintendents ~~selected from among~~ *appointed after consideration of the names submitted by the Association, if any*.

Four members of the Board shall be members of the General Assembly ~~appointed by the chairmen of legislative committees~~ as follows: one member of the House Committee on Appropriations *appointed by the Speaker of House of Delegates after consideration of the recommendation by the committee's chairman*; ~~one member of the Senate Committee on Finance~~; one member of the House Committee for Courts of Justice *appointed by the Speaker of the House of Delegates after consideration of the recommendation by the committee's chairman*; ~~one member of the Senate Committee on Finance appointed by the Senate Committee on Rules after consideration of the recommendation of the chairman of the Senate Committee on Finance~~; and one member of the Senate Committee for Courts of Justice *appointed by the Senate Committee on Rules after consideration of the recommendation of the chairman of the Senate Committee for Courts of Justice*. The legislative members shall serve for terms coincident with their terms of office and shall serve as ex officio, ~~non-voting~~ *nonvoting* members. *Legislative members may be reappointed for successive terms.*

B. The members of the Board appointed by the Governor shall serve for terms of four years, provided that no member shall serve beyond the time when he holds the office or employment by reason of which he was initially eligible for appointment. *Gubernatorial* appointed members of the Board shall not be eligible to serve for more than two consecutive full terms. Three or more years within a four-year period shall be deemed a full term. Any vacancy on the Board shall be filled in the same manner as the original appointment, but for the unexpired term.

C. The Governor shall appoint a chairman of the Board, and the Board shall designate one or more ~~vice-chairmen~~ *vice chairmen* from among its members, who shall serve at the pleasure of the Board.

D. Notwithstanding any provision of any statute, ordinance, local law, or charter provision to the contrary, membership on the Board shall not disqualify any member from holding any other public office or employment, or cause the forfeiture thereof.

E. The Board shall hold no less than four regular meetings a year. Subject to the requirements of this subsection, the chairman shall fix the times and places of meetings, either on his own motion or upon written request of any five members of the Board.

F. The Board may adopt bylaws for its operation.

G. *Legislative* members of the Board shall receive *such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for the performance of their duties*. All members shall be reimbursed for all reasonable and necessary expenses incurred in the ~~discharge~~ *performance* of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of compensation and expenses of the members shall be provided by the Department of Criminal Justice Services.*

§ 9.1-111. Advisory Committee on Juvenile Justice; membership; terms; quorum; compensation and expenses; duties.

A. ~~There is created a permanent~~ *The* Advisory Committee on Juvenile Justice (the Advisory Committee) ~~that is established as an advisory committee in the executive branch of state government~~. *The Advisory Committee shall have the responsibility for advising and assisting the Board, the Department, all agencies, departments, boards and institutions of the Commonwealth, and units of local government, or combinations thereof, on matters related to the prevention and treatment of juvenile delinquency and the administration of juvenile justice in the Commonwealth.*

~~The Advisory Committee shall consist of no less than fifteen and no more than twenty-five members. The membership of the Advisory Committee shall include persons who have training, experience or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice as follows comply with the membership requirements contained in the Juvenile Justice and Delinquency Prevention Act pursuant to 42 U.S.C. § 5633, as amended, and shall consist of: the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services; the Commissioner of the Department of Social Services; the Director of the Department of Juvenile Justice; and the Superintendent of Public Instruction; two members of the General Assembly, appointed by the chairmen of the following legislative committees: one member of the Senate Committee for~~

Courts of Justice ~~and appointed by the Senate Committee on Rules after consideration of the recommendation of the Chairman of the Senate Committee for Courts of Justice;~~ one member of the House Committee on Health, Welfare and Institutions ~~appointed by the Speaker of the House of Delegates after consideration of the recommendation of the Chairman of the House Committee on Health, Welfare and Institutions;~~ and such number of nonlegislative citizen members appointed by the Governor to comply with the membership range established by such federal act.

Legislative members, the Superintendent of Public Instruction, and the agency directors shall serve terms coincident with their terms of office. All other members shall be ~~residents~~ citizens of the Commonwealth and be appointed by the Governor for a term of four years. However, no member shall serve beyond the time when he holds the office or employment by reason of which he was initially eligible for appointment. ~~The majority of the Advisory Committee shall be private citizens and at least three members of the Advisory Committee, including two private citizens, shall also be members of the Board.~~

The Advisory Committee shall elect its chairman *and vice chairman* from among its members.

B. Gubernatorial appointed members of the Advisory Committee shall not be eligible to serve for more than two consecutive full terms. Three or more years within a four-year period shall be deemed a full term. Any vacancy on the Advisory Committee shall be filled in the same manner as the original appointment, but for the unexpired term.

C. *The majority of the members of the Advisory Committee shall constitute a quorum.* The Advisory Committee shall hold no less than four regular meetings a year. Subject to the requirements of this subsection, the chairman shall fix the times and places of meetings, either on his own motion or upon written request of any five members of the Advisory Committee.

D. The Advisory Committee may adopt bylaws for its operation.

E. Members of the Advisory Committee shall not receive compensation, but shall be reimbursed for all reasonable and necessary expenses incurred in the ~~discharge~~ performance of their duties *as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of the expenses shall be provided from federal funds received for such purposes by the Department of Criminal Justice Services.*

F. The Advisory Committee shall have the following duties and responsibilities to:

1. Review the operation of the juvenile justice system in the Commonwealth, including facilities and programs, and prepare appropriate reports;
2. Review statewide plans, conduct studies, and make recommendations on needs and priorities for the development and improvement of the juvenile justice system in the Commonwealth; and
3. Advise on all matters related to the federal Juvenile Justice and Delinquency Prevention Act of 1974 (P. L. 93-415, as amended), and recommend such actions on behalf of the Commonwealth as may seem desirable to secure benefits of that or other federal programs for delinquency prevention of the administration of juvenile justice.

G. *The Department of Criminal Justice Services shall provide staff support to the Advisory Committee.* Upon request, each administrative entity or collegial body within the executive branch of the state government shall cooperate with the Advisory Committee as it carries out its responsibilities.

§ 10.1-1325. Small Business Environmental Compliance Advisory Panel created; membership; terms; compensation and expenses.

The Small Business Environmental Compliance Advisory ~~Board~~ Panel (*the Panel*) is hereby ~~created~~ established as an advisory panel in the executive branch of state government. It shall be composed of seven members appointed for four years or until their successors have been appointed. ~~Any vacancy should be filled for the duration of the term. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.~~ Appointments shall be made in compliance with the Clean Air Act pursuant to 42 U.S.C. § 7661f, as amended, as follows:

1. Two members, who are not owners, or representatives of owners, of small business stationary sources, appointed by the Governor to represent the general public;
2. Two members appointed by the House of Delegates who are owners, or who represent owners, of small business stationary sources (one member each by the Speaker of the House of Delegates and Minority Leader of the House of Delegates);
3. Two members appointed by the Senate who are owners, or who represent owners, of small business stationary sources (one member each by the Majority and Minority Leaders of the Senate); and
4. One member appointed by the Executive Director.

Members of Panel shall receive no compensation for their service, but shall be entitled to reimbursement for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. The costs of expenses of the members shall be paid from such funds as may be available under Subchapter V (42 U.S.C. § 7661 et seq.) of the Clean Air Act, as amended.

§ 15.2-4503.1. Northern Virginia Transportation District and Commission.

There is hereby created the Northern Virginia Transportation District comprised of the Counties of Arlington, Fairfax, Loudoun, and the Cities of Alexandria, Falls Church, and Fairfax and such other

county or city contiguous to the District that agrees to join the District.

There is hereby established the Northern Virginia Transportation Commission (the Commission) as a transportation commission pursuant to this chapter. The Commission shall consist of five nonlegislative citizen members from Fairfax County, three nonlegislative citizen members from Arlington County; one nonlegislative citizen member from the County of Loudoun, two nonlegislative citizen members from the City of Alexandria, one nonlegislative member from the City of Falls Church, one nonlegislative citizen member from the City of Fairfax, and the Chairman of the Commonwealth Transportation Board or his designee to serve *ex officio* with voting privileges. If a county or city contiguous to the District agrees to join the District, such jurisdiction shall appoint one nonlegislative citizen member to the Commission. Members from the respective counties and cities shall be appointed from their governing bodies. The Commission shall also include four members of the House of Delegates appointed by the Speaker of the House of Delegates for terms coincident with their terms of office and two members of the Senate appointed by the Senate Committee on Rules for terms coincident with their terms of office. Members may be reappointed for successive terms. All members shall be citizens of the Commonwealth. Except for the Chairman of the Commonwealth Transportation Board or his designee, all members of the Commission shall be residents of the localities comprising the Transportation District. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.

§ 15.2-4507. Members of transportation district commissions.

A. ~~The~~ Any transportation district commission created shall consist of the number of members the component governments shall from time to time agree upon, or as may otherwise be provided by law. The governing body of each participating county and city shall appoint from among its members the number of commissioners to which the county or city is entitled; however, for those commissions with powers as set forth in subsection A of § 15.2-4515, the governing body of each participating county or city is not limited to appointing commissioners from among its members. In addition, the governing body may appoint from its number or otherwise, designated alternate members for those appointed to the commission who shall be able to exercise all of the powers and duties of a commission member when the regular member is absent from commission meetings. Each such appointee shall serve at the pleasure of the appointing body; however, no appointee to a commission with powers as set forth in subsection B of § 15.2-4515 may continue to serve when he is no longer a member of the appointing body. Each governing body shall inform the commission of its appointments to and removals from the commission by delivering to the commission a certified copy of the resolution making the appointment or causing the removal.

In the case of a transportation district, *commonly known as the Potomac and Rappahannock Transportation Commission*, which was established on or after July 1, 1986, and which includes more than one jurisdiction located within the Washington, D.C., metropolitan area, ~~the~~ such commission shall also include two members of the House of Delegates and one member of the Senate of Virginia from legislative districts located wholly or in part within the boundaries of the transportation district. The members of the House of Delegates shall be appointed by the Speaker of the House for terms of ~~two~~ years coincident with their terms of office, and the member of the Senate shall be appointed by the Senate Committee on Privileges and Elections Rules for a term of four years; however, the terms of such members shall terminate if they no longer are members of their respective houses coincident with his term of office. The members of the General Assembly shall be eligible for reappointment so long as they remain members of their respective houses for successive terms. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.

In the case of the Transportation District Commission of Hampton Roads, ~~the~~ such commission shall also include one member of the House of Delegates and one member of the Senate, one of whom shall be a resident of the City of Hampton or the City of Newport News and one of whom shall be a resident of the City of Chesapeake, the City of Norfolk, the City of Portsmouth, the City of Suffolk, or the City of Virginia Beach. The member of the House of Delegates shall be appointed by the Speaker of the House for a term of ~~two~~ years coincident with his term of office and the member of the Senate shall be appointed by the Senate Committee on Privileges and Elections Rules for a term of four years coincident with his term of office. The terms of such members shall terminate if they no longer are members of their respective houses. The members of the General Assembly shall be eligible for reappointment so long as they remain members of their respective houses and appointments shall be made for any unexpired terms for successive terms. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.

The Chairman of the Commonwealth Transportation Board, or his designee, shall be a member of the each commission, *ex officio* with voting privileges. The chairman of the Commonwealth Transportation Board may appoint an alternate member who may exercise all the powers and duties of the chairman of the Commonwealth Transportation Board when neither the chairman of the Commonwealth Transportation Board nor his designee is present at a commission meeting.

B. Any appointed member of a commission of a transportation district, *commonly known as the*

Northern Virginia Transportation Commission, which was established prior to July 1, 1986, and which includes jurisdictions located within the Washington, D.C., ~~standard~~ metropolitan statistical area, is authorized to serve as a member of the board of directors of the Washington Metropolitan Area Transit Authority (Chapter 627 of the Acts of Assembly of 1958 as amended) and while so serving the provisions of § 2.2-2800 shall not apply to such member.

§ 15.2-4510. Compensation and expenses of members.

The commission members shall receive no salary but shall be entitled to *reimbursement of all reasonable and necessary expenses and the per diem pay compensation* allowed members of the Commonwealth Transportation Board for each day spent on the performance of their official duties as provided in §§ 2.2-2813 and 2.2-2825.

§ 15.2-4512. Quorum and action by commission.

A majority of the commission, which majority shall include at least one commissioner from a majority of the component governments, shall constitute a quorum. *Members of the commission who are members of the General Assembly shall not be counted in determining a quorum while the General Assembly is in session.* The Chairman of the Commonwealth Transportation Board or his designee may be included for the purposes of constituting a quorum. The presence of a quorum and a vote of the majority of the members ~~present~~, *necessary to constitute a quorum of all the members appointed to the commission*, including an affirmative vote from a majority of the jurisdictions represented, shall be necessary to take any action. *Notwithstanding the provisions of § 2.2-3708, members of the General Assembly may participate in the meetings of the commission through electronic communications while the General Assembly is in session.*

§ 15.2-4832. Composition of Authority; membership; terms.

The Authority shall consist of ~~sixteen~~ 16 members as follows:

The chief elected officer of the governing body of each county and city embraced by the Authority or, in the discretion of the chief elected officer, his designee, who shall be a current elected officer of such governing body;

Two members of the House of Delegates who reside in different counties or cities embraced by the Authority, appointed by the Speaker of the House, to the extent practicable, from the membership of the House Committee on Appropriations, the House Committee on Finance, or the House Committee on Transportation;

One member of the Senate who resides in a county or city embraced by the Authority, appointed by the Senate Committee on ~~Privileges and Elections Rules~~, to the extent practicable, from the membership of the Senate Committee on Finance and the Senate Committee on Transportation; and

Two citizens who reside in counties and cities embraced by the Authority, appointed by the Governor. One gubernatorial appointment shall include a member of the Commonwealth Transportation Board who resides in a county or city embraced by the Authority. The remaining gubernatorial appointment shall be a person who has significant experience in transportation planning, finance, engineering, construction, or management and shall be a resident of a county or city embraced by the Authority, but shall not be a resident of the same county or city as the other gubernatorial appointee to the Authority.

Legislative members shall serve terms coincident with their terms of office. The gubernatorial appointee who is not a member of the Commonwealth Transportation Board shall serve for a term of four years. *Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.*

In addition, the following persons shall serve as nonvoting members of the Authority: the Director of the Virginia Department of Rail and Public Transportation, or his designee, and the Commonwealth Transportation Commissioner, or his designee.

The Authority shall appoint the chairman and ~~vice-chairman~~ vice chairman.

§ 15.2-4836. Payment to members of Authority.

The members of the Authority may be paid for their services a ~~per diem~~ compensation in either (i) the amount provided in the general appropriations act for members of the General Assembly engaged in legislative business between sessions or (ii) a lesser amount as determined by the Authority. *Members may be reimbursed for all reasonable and necessary expenses provided in §§ 2.2-2813 and 2.2-2825, if approved by the Authority. Funding for the costs of compensation and expenses of the members shall be provided by the Authority.*

§ 17.1-700. Composition of Council; committees.

The Judicial Council shall be *established in the judiciary branch of state government and composed of fourteen* 14 members consisting of the Chief Justice of the Supreme Court, one judge of the Court of Appeals, six circuit court judges, one general district court judge, one juvenile and domestic relations district court judge, two attorneys qualified to practice in the Supreme Court, and the Chairmen of the Committees for Courts of Justice of the Senate and the House of Delegates. The Council may appoint committees to aid it in the performance of its duties, and members of such committees need not be members of the Council.

§ 17.1-701. Appointment and terms of members.

The Chief Justice of the Supreme Court and the legislative members shall serve terms coincident with their terms of office. The other members of the Council shall be appointed by the Chief Justice of the Supreme Court, to serve for four years, or during at his pleasure. No member appointed by the Chief Justice shall be eligible to serve more than two consecutive terms. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

§ 17.1-704. Expenses; Secretary and assistants; printing.

Each member of the Council shall serve without compensation, and each member of the Council and of its committees summoned and attending its meetings shall be allowed his actual expenses of travel and also his necessary expenses for subsistence while attending the Council reimbursed for all reasonable and necessary expenses in the performance of his duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be paid by the Virginia Supreme Court. As provided by § 17.1-315 the Executive Secretary of the Supreme Court shall be the Secretary of the Judicial Council. The Council may engage such consultants or other assistants as it deems necessary for the performance of its duties.

§ 17.1-802. Membership; terms; compensation and expenses.

A. The Commission shall be composed of ~~seventeen~~ 17 members as follows:

1. Six judges or justices, who may be judges of a circuit court who regularly hear criminal cases or judges or justices of the Supreme Court or the Court of Appeals, to be appointed by the Chief Justice of the Supreme Court of Virginia;

2. One person who is not an active member of the judiciary, to be appointed as Chairman by the Chief Justice of the Supreme Court of Virginia for a term of four years subject to confirmation by the General Assembly. The Chairman shall designate a ~~vice-chairman~~ vice chairman from among the other members to serve a term commensurate with that of the Chairman;

3. Three persons to be appointed by the Speaker of the House of Delegates;

4. Two persons to be appointed by the Senate Committee on Privileges and Elections Rules;

5. Four persons to be appointed by the Governor, at least one of whom shall be a representative of a crime victims' organization or a victim of crime as defined in subsection B of § 19.2-11.01; and

6. The Attorney General of Virginia or his designee for a term commensurate with his term of office.

All members shall be citizens of the Commonwealth.

B. Except for gubernatorial appointments, appointments to the Commission made on and after January 1, 2001, shall be for terms of four years. Appointments to the Commission made by the Governor on and after January 1, 2006, shall be for terms of four years. Members initially appointed to the Commission prior to January 1, 1998, may serve no more than three consecutive terms. Members initially appointed on and after January 1, 1998, shall not be eligible to serve more than two consecutive terms except for the Attorney General who shall serve by virtue of his office. *Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy or the service of an initial term of three years or less shall not constitute a term in determining the member's eligibility for reappointment.*

C. Members of the Commission shall receive compensation as provided in § ~~30-19.12~~, 2.2-2813 and all members of the Commission shall be paid their reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of compensation and expenses of the members shall be provided by the Virginia Sentencing Commission.*

§ 17.1-901. Commission created; membership and terms of office.

There is created a Judicial Inquiry and Review Commission *in the judiciary branch of government*, composed of seven persons who shall be citizens and residents of the Commonwealth. The members of the Commission shall be chosen by the vote of a majority of the members elected to each house of the General Assembly. The Commission, ~~annually~~, shall elect one of its members to be chairman of the Commission for the ensuing year a chairman and vice chairman annually from its membership.

The Commission shall consist of three judicial members, who shall be (i) one active judge of a circuit court, (ii) one active judge of a general district court and (iii) one active judge of a juvenile and domestic relations district court; two lawyer members, who shall be active members of the Virginia State Bar who are not judges and who have practiced law in the Commonwealth for fifteen 15 or more years immediately preceding their appointment; and two public members who shall not be active or retired judges and shall never have been licensed lawyers.

After the initial appointments, the term of office of each member shall be four years commencing on July 1. No member of the Commission shall be eligible to serve more than two consecutive terms. *The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.*

Commission membership terminates whenever a member resigns or ceases to possess the

qualifications that made him eligible for appointment. During any vacancy, which may exist while the General Assembly is not in session, the Governor may appoint a successor to serve until ~~thirty~~ 30 days after the commencement of the next session of the General Assembly. Upon election of a successor by the General Assembly, the new member of the Commission shall serve for the remainder of the term of office of his predecessor.

Any member of the Commission who is the subject of an investigation or hearing by it or is otherwise personally involved therein shall be disqualified by the Commission from acting in such proceedings. In such a case the Governor shall appoint a person possessing the original qualifications of such member as prescribed by this section to serve temporarily as a substitute member of the Commission in such proceedings.

§ 17.1-904. Compensation and expenses.

Members of the Commission shall receive compensation for their services and shall be allowed all reasonable and necessary expenses for ~~travel, board, and lodging~~ incurred in the performance of their duties as provided in §§ ~~30-19.12~~ 2.2-2813 and 2.2-2825. ~~These~~ *The compensation and expenses of members and all other necessary expenses of the Commission shall be paid by the Commonwealth provided from existing appropriations to the Commission.*

§ 22.1-354.6. Northern Neck-Middle Peninsula Public Education Consortium created; region defined; governing board; membership; terms; compensation and expenses.

A. The Northern Neck-Middle Peninsula Public Education Consortium is hereby established as *an independent local entity without political subdivision status* and shall be referred to in this chapter as the Consortium. For the purposes of this chapter and the work of the Consortium, "Northern Neck-Middle Peninsula" shall include the Counties of Essex, Gloucester, King and Queen, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland. The governing board of the Consortium shall consist of the school superintendents of the named localities, the president or his designee of Rappahannock Community College, the Director of the Virginia Institute of Marine Science, and seven *nonlegislative* citizen members representing business, industry, and community interests in the region, four of whom shall be appointed by the Speaker of the House of Delegates and three of whom shall be appointed by the Senate Committee on ~~Privileges and Elections~~ Rules. The region's legislators, *representing the Fourth and Twenty-eighth Senatorial Districts and the Ninety-eighth, Ninety-ninth and One-hundredth House Districts*, shall serve as nonvoting, advisory members of the board. *Legislative members and members who serve by virtue of their office shall serve terms coincident with their terms of office. The nonlegislative citizen members shall serve terms of two years and may be reappointed for successive terms.* The board may appoint additional nonvoting, advisory members to assist in the performance of its duties. *Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.*

B. No board members shall receive compensation or reimbursement for expenses incurred in the performance of their duties. The board shall elect a chairman and a ~~vice-chairman~~ *vice chairman* from among its members and may provide such rules as it considers appropriate concerning its membership, quorum, and establishment of committees.

CHAPTER 23.

SOUTHERN REGIONAL EDUCATION COMPACT.

§ 22.1-358. Form of Compact.

The General Assembly hereby enacts, and the Commonwealth of Virginia hereby enters into, the Southern Regional Education Compact of 1950 with any and all states legally joining therein according to its terms agreed to in Senate Joint Resolution 22 (1950), as amended by the House Joint Resolution No. 28 (1956), in the form substantially as follows:

§ 1. Agreement.

In consideration of the mutual agreements, covenants and obligations assumed by the respective States who are parties to this compact (hereinafter referred to as States), the States do hereby form a geographical district or region consisting of the areas lying within the boundaries of the contracting States which, for the purposes of this compact, shall constitute an area for regional education supported by public funds derived from taxation by the constituent States and derived from other sources for the establishment, acquisition, operation and maintenance of regional educational schools and institutions for the benefit of citizens of the respective States residing within the region so established as may be determined from time to time in accordance with the terms and provisions of this compact.

§ 2. Southern Regional Education Board established; membership; terms.

The States do further hereby establish and create a joint agency, which shall be known as the Board of Control for Southern Regional Education (hereinafter referred to as the Board). The members of the Board shall consist of the Governor of each State, ex officio, and four additional citizens of each State to be appointed by the Governor thereof, at least one of whom shall be selected from the field of education, and at least one of whom shall be a member of the Legislature of that State. The Governor shall continue as a member of the Board during his tenure of office as Governor of the State, but the members of the Board appointed by the Governor shall hold office for a period of four years following the initial staggering of terms. Vacancies on the Board caused by death, resignation, refusal or inability

to serve, shall be filled by appointment by the Governor for the unexpired portion of the term.

§ 3. Officers and meetings.

The officers of the Board shall be a Chairman, a Vice Chairman, a Secretary, a Treasurer, and such additional officers as may be created by the Board from time to time. The Board shall meet annually and officers shall be elected to hold office until the next annual meeting. The Board shall have the right to formulate and establish by-laws not inconsistent with the provisions of this compact to govern its own actions in the performance of the duties delegated to it including the right to create and appoint an Executive Committee and a Finance Committee with such powers and authority as the Board may delegate to them from time to time. The Board may, within its discretion, elect as its Chairman a person who is not a member of the Board, provided such person resides within a signatory State, and upon such election such person shall become a member of the Board with all the rights and privileges of such membership.

§ 4. Powers and duties.

It shall be the duty of the Board to submit plans and recommendations to the States from time to time for their approval and adoption by appropriate legislative action for the development, establishment, acquisition, operation and maintenance of educational schools and institutions within the geographical limits of the regional area of the States, of such character and type and for such educational purposes, professional, technological, scientific, literary, or otherwise, as they may deem and determine to be proper, necessary or advisable. Title to all such educational institutions when so established by appropriate legislative actions of the States and to all properties and facilities used in connection therewith shall be vested in the Board as the agency of and for the use and benefit of the States and the citizens thereof, and all such educational institutions shall be operated, maintained and financed in the manner herein set out, subject to any provisions or limitations which may be contained in the legislative acts of the States authorizing the creation, establishment and operation of such educational institutions.

In addition, the Board shall have the power to enter into such agreements or arrangements with any of the States and with educational institutions or agencies, as may be required in the judgment of the Board, to provide adequate services and facilities for the graduate, professional, and technical education for the benefit of the citizens of the respective States residing within the region, and such additional and general power and authority as may be vested in the Board from time to time by legislative enactment of the States.

§ 5. Supplemental agreements.

Any two or more States who are parties of the compact shall have the right to enter into supplemental agreements providing for the establishment, financing and operation of regional educational institutions for the benefit of citizens residing within an area that constitutes a portion of the general region created, such institutions to be financed exclusively by such States and to be controlled exclusively by the members of the Board representing such States provided such agreement is submitted to and approved by the Board prior to the establishment of such institutions.

§ 6. Funding.

Each State agrees that, when authorized by the legislature, it will from time to time make available and pay over to the Board such funds as may be required for the establishment, acquisition, operation and maintenance of such regional educational institutions as may be authorized by the States under the terms of this compact, the contribution of each State at all times to be in the proportion that its population bears to the total combined population of the States who are parties as shown from time to time by the most recent official published report of the Bureau of the Census of the United States of America; or upon such other basis as may be agreed upon.

§ 7. Effective date.

This compact shall not take effect or be binding upon any State unless and until it shall be approved by proper legislative action of as many as six or more of the States whose governors have subscribed to this compact within a period of 18 months from the subscribed date. When and if six or more States shall have given legislative approval to this compact within the 18-month period, it shall be and become binding upon the six or more States 60 days after the date of legislative approval by the sixth State and the governors of such six or more States shall name the members of the Board from their States, and the Board shall then meet on call of the governor of any State approving this compact, at which time the Board shall elect officers, adopt bylaws, appoint committees and otherwise fully organize. Other States whose names are subscribed to this compact shall thereafter become parties upon approval of this compact by legislative action within two years from the subscribed date, upon such conditions as may be agreed upon at the time. However, any State whose constitution may require amendment in order to permit legislative approval of the compact, shall become a party upon approval of this compact by legislative action within seven years from the subscribed date, upon such conditions as may be agreed upon at the time.

§ 8. Termination and withdrawal.

After becoming effective this compact shall thereafter continue until terminated by unanimous action of the States. A State may withdraw from this compact if such withdrawal is approved by its legislature.

Such withdrawal shall become effective two years after written notice to the Board accompanied by a certified copy of the requisite legislative action, but such withdrawal shall not relieve the withdrawing State from its obligations accruing up to the effective date of such withdrawal. Any State so withdrawing shall ipso facto cease to have any claim to or ownership of any of the property held or vested in the Board or to any of the funds of the Board held under the terms of this compact.

§ 9. Defaulting states.

If any State shall at any time become in default in the performance of any of its obligations assumed herein or with respect to any obligation imposed upon the State as authorized by and in compliance with the terms and provisions of this compact, all rights, privileges and benefits of such defaulting State, its members on the Board and its citizens shall ipso facto be and become suspended from and after the date of such default. Unless such default shall be remedied and made good within a period of one year immediately following the date of such default this compact may be terminated with respect to such defaulting State by an affirmative vote of three-fourths of the members of the Board (exclusive of the members representing the State in default), from and after which time such State shall cease to be a party to this compact and shall have no further claim to or ownership of any of the property held by or vested in the Board or to any of the funds of the Board held under the terms of this compact, but such termination shall in no manner release such defaulting State from any accrued obligation or otherwise affect this compact or the rights, duties, privileges or obligations of the remaining States.

§ 22.1-359. Southern Regional Education Board; appointment; terms; compensation and expenses.

The Commonwealth's representatives to the Southern Regional Education Board in compliance with the Southern Regional Education Compact shall consist of: the Governor, who shall serve ex officio, and four citizens to be appointed by the Governor of whom one shall be selected from the field of education and one shall be a member of the legislature. The legislative member shall serve a term coincident with his term of office. The gubernatorial appointees shall serve four-year terms. All appointees may be reappointed for successive terms.

Any legislative member of the Board shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of his duties as provided in §§ 2.2-2813 and 2.2-2825. The costs of compensation and expenses of the legislative members shall be provided from existing appropriations to the Virginia Commission on Intergovernmental Cooperation for the attendance of conferences. Nonlegislative citizen members shall receive such compensation and reimbursement for all their reasonable and necessary expenses in the performance of their duties as may be appropriated or made available for such purposes.

§ 23-50.16:5. Board of Directors; appointment; officers; employees.

A. The Authority shall be governed by a Board of Directors consisting of ~~twenty-one~~ 21 members as follows: six nonlegislative citizen members, including two physician-faculty members, to be appointed by the Governor; five members, including two physician-faculty members, to be appointed by the Speaker of the House of Delegates; three members, including one physician-faculty member, to be appointed by the Senate Committee on ~~Privileges and Elections~~ Rules; five nonlegislative citizen members of the Board of Visitors of Virginia Commonwealth University, to be appointed by the Rector, all of whom shall also be members of the Board of Visitors of the University at all times while serving on the Board; the President of the University and the Vice President for Health Sciences of the University, or the person who holds such other title as subsequently may be established by the Board of Visitors of the University for the chief academic and administrative officer for the Health Sciences Campus of the University, both of whom shall serve as ex officio voting members during their respective terms of office.

The five physician-faculty members shall be faculty members of Virginia Commonwealth University with hospital privileges at Medical College of Virginia Hospitals at all times while serving on the Board.

Of the nonfaculty physician appointments to be made on and after July 1, 1996, two gubernatorial appointees shall be appointed for three-year terms, one for a two-year term, and one for a one-year term; one appointee each by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections shall be appointed for three-year terms, and one each for two-year terms; one appointee by the Speaker of the House shall be appointed for a one-year term; and two Board of Visitors members shall be appointed for three-year terms, two for two-year terms, and one for a one-year term. Thereafter, After the initial staggering of terms, all appointments shall be for terms of three years each, except appointments to fill unexpired vacancies which shall be made for the remainder of the unexpired terms.

Of the physician-faculty appointments to be made on and after July 1, 2000, the two appointees of the Governor shall be appointed for initial terms of one and two years, respectively; the two appointees of the Speaker of the House of Delegates shall be appointed for initial terms of two and three years, respectively; the one appointee of the Senate Committee on Privileges and Elections shall be appointed for an initial term of three years. Thereafter, all appointments shall be for terms of three years each, except appointments to fill unexpired vacancies which shall be made for the remainder of the unexpired terms. The Governor, the Speaker of the House of Delegates, and the Senate Committee on Privileges and Elections Rules shall appoint faculty physicians after consideration of the names from lists submitted by the faculty physicians of the School of Medicine of Virginia Commonwealth University

through the Vice President for Health Sciences of the University. The initial list submitted to the Governor shall be a list of not less than four names. The initial list submitted to the Speaker of the House of Delegates shall be a list of not less than four names. The initial list submitted to the Senate Committee on Privileges and Elections shall be a list of not less than two names. Thereafter, The list shall be a list of *contain* not less than two names for each expired or unexpired vacancy that occurs.

No person shall be eligible to serve more than two consecutive full three-year terms as an appointed member, but after the expiration of a term of two years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, or after one year following the expiration of a second full three-year term, two additional three-year terms may be served by a member if so appointed. The terms of members serving by virtue of their office shall expire upon termination of their holding such office. All members shall continue to hold office until their successors have been appointed and have qualified.

All appointed members, other than those who are members of the Board of Visitors, shall have demonstrated experience or expertise in business, health-care management or legal affairs. Immediately after their appointments, members shall enter upon the performance of their duties. The Board members appointed from the Board of Visitors and the ex officio members shall not vote on matters that ~~would~~ *shall* require them to breach their fiduciary duties to the University or to the Authority.

B. All appointments, including the initial appointments to the Board and appointments to fill vacancies, are subject to confirmation by the affirmative vote of a majority of those voting in each house of the General Assembly if in session when such appointments are made and, if not in session, at its first regular session subsequent to such appointment. Any member whose nomination is subject to confirmation during a regular session of the General Assembly shall be deemed terminated when the General Assembly rejects the nomination or when it adjourns without confirming the nomination, whichever is earlier. No such termination shall affect the validity of any action taken by such member prior to such termination.

C. A Board member may be removed for malfeasance, misfeasance, incompetence or gross neglect of duty by the individual or entity that appointed him or, if such appointing individual no longer holds the office creating the right of appointment, by the current holder of that office.

D. The Board of Directors of the Authority shall elect annually ~~one of their number as a chairman and another as vice-chairman~~ *a vice chairman from among its membership*. The Board shall also elect a secretary and treasurer and such assistant secretaries and assistant treasurers as the Board may authorize for terms determined by the Board, each of whom may or may not be a member of the Board. The same person may serve as both secretary and treasurer. The Board may also appoint an executive committee and other standing or special committees and prescribe their duties and powers, and any executive committee may exercise all such powers and duties of the Board under this chapter as the Board may delegate.

E. The Board may provide for the appointment, employment, *term, compensation*, and removal of a director, officers, employees and agents of the Authority, including engineers, consultants, lawyers and accountants; ~~for such compensation and upon other terms~~ as the Board deems appropriate.

F. The Board shall meet at least four times each year and may hold such special meetings as it deems appropriate. The Board may adopt, amend and repeal such rules, regulations, procedures and bylaws, not contrary to law or inconsistent with this chapter, as it deems expedient for its own governance and for the governance and management of the Authority. A majority of the Board shall constitute a quorum for meetings, and the Board may act by a majority of those present at any meeting.

G. *Legislative board members shall be entitled to such compensation as provided § 30-19.12 and nonlegislative citizen board members shall be entitled to such compensation as provided in § 2.2-2813 for their services. All members shall be entitled to reimbursement for all reasonable and necessary and reasonable travel and other expenses incurred while engaged in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Authority.*

H. The provisions of the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) shall apply to the members of the Board and the employees of the Authority.

§ 23-231.2. Southwest Virginia Higher Education Center created; duties.

From such funds as may be appropriated, the Southwest Virginia Higher Education Center is hereby established *as an educational institution in the Commonwealth* and shall be referred to in this chapter as the "Center". The Center shall:

1. Encourage the expansion of higher education, including adult and continuing education, associate degrees to be offered by Virginia Highlands Community College, undergraduate degrees to be offered by the University of Virginia's College at Wise, and graduate degree programs, in the Southwest region of the Commonwealth and foster partnerships between the public and private sectors to enhance higher education in the region;

2. Coordinate the development and delivery of continuing education programs offered by those educational institutions serving the region;

3. Facilitate the delivery of teacher training programs leading to licensure and graduate degrees;

4. Serve as a resource and referral center by maintaining and disseminating information on existing educational programs and resources; and

5. Develop, in coordination with the State Council of Higher Education for Virginia, specific goals for higher education in Southwest Virginia.

§ 23-231.3. Membership of governing board; terms; compensation; officers.

A. The Center shall be governed by a *21-member* Board of Trustees, consisting of the Director of the State Council of Higher Education for Virginia or his designee; the Chancellor of the Virginia Community College System or his designee; the presidents or chancellors, as appropriate, or their designees of Virginia Polytechnic Institute and State University, Radford University, the University of Virginia, the University of Virginia's College at Wise, Old Dominion University, Emory and Henry College, Virginia Intermont College, and Virginia Highlands Community College; *four members of the House of Delegates to be appointed by the Speaker of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; and; five nonlegislative* citizen members to be appointed by the Governor, representing Southwest public education and area business and industry, including one school division superintendent ~~and one~~ or public school teacher. ~~Five members of the General Assembly, including three members of the House of Delegates to be appointed by the Speaker and two members of the Senate to be appointed by the Senate Committee on Privileges and Elections,~~ shall serve as *ex officio* members of the Board with full voting privileges. *Nonlegislative* citizen members of the Board shall be chosen from among residents of the Southwest region of the Commonwealth *and shall be citizens of the Commonwealth*.

B. Legislative members and the representatives of the State Council, the Virginia Community College System, and the named institutions of higher education shall serve ~~on the Board until the expiration of their terms of office or until their successors shall qualify terms coincident with their terms of office.~~ ~~Of the five citizen members to be appointed in 1991, two shall be appointed for three-year terms, and three shall be appointed for four-year terms.~~ *Thereafter After the initial staggering of terms, all such nonlegislative* citizen appointments shall be for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms. *Vacancies shall be filled in the same manner as the original appointments.*

No *nonlegislative* citizen member of the Board shall be eligible to serve ~~for or during~~ more than two successive four-year terms, but ~~after the expiration of a term of three years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy,~~ two additional four-year terms may be served by such member if appointed thereto.

C. *Nonlegislative citizen members shall not be entitled to compensation for their services.* Legislative members of the Board shall be compensated as ~~specified provided in § 30-19.12,~~ and all members of the Board shall be reimbursed for ~~their actual all reasonable and necessary~~ expenses incurred in the performance of their duties in the work of the Center *as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided by the Center.*

D. The Board shall elect a chairman and a ~~vice-chairman~~ *vice chairman* from among its members.

§ 23-231.15. Board of Trustees; appointments; terms; compensation; officers.

A. The Authority shall be governed by a Board of Trustees consisting of ~~twenty-four~~ 25 members as follows: the Director of the State Council of Higher Education for Virginia or his designee; the Chancellor of the Virginia Community College System or his designee; and the presidents or their designees of Averett College, Bluefield College, the College of Health Sciences, Ferrum College, Hampton University, Hollins University, Mary Baldwin College, Old Dominion University, Radford University, Roanoke College, University of Virginia, Virginia Polytechnic Institute and State University, and Virginia Western Community College; the Executive Director of the Fifth District Employment and Training Consortium ~~and;~~ the Director of TAP This Valley Works; *two members of the House of Delegates to be appointed by the Speaker of the House of Delegates; one member of the Senate to be appointed by the Senate Committee on Rules; and five nonlegislative* citizen members representing business and industry in the Roanoke Valley to be appointed by the Governor; ~~and two members of the General Assembly, one to be appointed from the Senate by the Senate Committee on Privileges and Elections and one to be appointed from the House of Delegates by the Speaker of the House.~~ *Nonlegislative* citizen members of the Board shall be *citizens of the Commonwealth and* residents of the Roanoke region.

B. The legislative members, the Director of the State Council of Higher Education for Virginia, the Chancellor of the Virginia Community College System, *the Executive Director of the Fifth District Employment and Training Consortium, the Director of TAP This Valley Works,* and the presidents or their designees of the named institutions of higher education shall serve ~~on the Board until the expiration of their terms of office or until their successors shall qualify terms coincident with their terms of office.~~ ~~Of the five citizen members to be appointed in 1997, two shall be appointed for three-year terms, and three shall be appointed for four-year terms.~~ *Thereafter After the initial staggering of terms,* all ~~such~~ *nonlegislative* citizen members shall be appointed for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms. *Vacancies shall be filled in the same manner as the original appointments.* No *nonlegislative* citizen member of the Board shall be eligible to

serve ~~for or during~~ more than two successive four-year terms; however, ~~after the expiration of a term of three years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy,~~ two additional four-year terms may be served by such member, if appointed thereto.

C. *Nonlegislative citizen members shall not be entitled to compensation for their services.* Legislative members of the Board shall be ~~compensated~~ receive such compensation as specified provided in § 30-19.12, and all members of the Board shall be reimbursed for ~~their actual~~ all reasonable and necessary expenses incurred in the performance of their duties in the work of the Authority as provided in §§ 2.2-2813 and 2.2-2825. Funding for the compensation and expenses of the members shall be provided by the Authority.

D. The Board shall elect a chairman and a ~~vice-chairman~~ vice chairman from among its members and may establish bylaws as necessary.

§ 23-231.20. Board of trustees; membership; appointments; terms; compensation and expenses; officers.

A. The Institute shall be governed by a ~~nine~~ 15-member Board of Trustees consisting of the presidents or their designees of Averett University, Danville Community College, and Virginia Polytechnic Institute and State University; the chairman or his designee of the Board of the Future of the Piedmont Foundation; a *one* resident of the City of Danville to be appointed by the Danville City Council; a *one* resident of Pittsylvania County to be appointed by the Pittsylvania County Board of Supervisors; and ~~three~~ *nine* citizens representing business and industry and residing in Southside Virginia, ~~one~~ *three* to be appointed by the Governor, ~~one~~ *three* to be appointed by the Senate Committee on Privileges and Elections Rules, and ~~one~~ *three* to be appointed by the Speaker of the House of Delegates. *All members appointed shall be nonelected citizens of the Commonwealth.*

B. The presidents or their designees of the named institutions of higher education and the chairman or his designee of the Board of the Future of the Piedmont Foundation shall serve ~~on the Board until the expiration of their terms of office or until their successors shall qualify~~ Of the initial citizen appointees, the City of Danville appointee shall serve for one year, the Pittsylvania County appointee shall serve for one year, the Governor's appointee shall serve for two years, the Senate Committee on Privileges and Elections' appointee shall serve for two years, and the appointee of the Speaker of the House of Delegates shall serve for ~~three years.~~ *terms coincident with their terms of office. Of the initial citizen appointments to be made in 2004, one appointee each by the Governor, the Speaker of the House of Delegates, and the Senate Committee on Rules shall serve for one-year terms and one appointee each by the Governor, the Speaker of the House of Delegates, and the Senate shall serve for two-year terms.*

~~Thereafter~~ *After the initial staggering of terms,* all such citizen appointments shall be for terms of three years, except that appointments to fill vacancies shall be for the unexpired terms. No citizen member of the Board shall be eligible to serve ~~for or during~~ more than two successive three-year terms; however, after expiration of a term of less than three years, or after the remainder of a three-year term to which a member was appointed to fill a vacancy, a member may serve two additional three-year terms, if so appointed.

C. The Board shall elect a chairman and ~~vice-chairman~~ vice chairman from among its members and may establish bylaws as necessary.

D. *Members of the Board shall not be entitled to receive compensation. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the cost of expenses of the members shall be provided by the Institute.*

§ 24.2-306. Changes not to be enacted within 60 days of general election; notice requirements.

A. No change in any local election district, precinct, or polling place shall be enacted within 60 days next preceding any general election. Notice shall be published prior to enactment in a newspaper having general circulation in the election district or precinct once a week for two successive weeks. The published notice shall state where descriptions and maps of proposed boundary and polling place changes may be inspected.

B. Notice of any adopted change in any election district, town, precinct, or polling place shall be mailed to all registered voters whose election district, town, precinct, or polling place is changed at least 15 days prior to the next general, special, or primary election in which the voters will be voting in the changed election district, town, precinct, or polling place.

C. Each county, city, and town shall comply with the applicable requirements of law, including §§ ~~24.2-301 and~~ 24.2-304.3 and 30-249, and send copies of enacted changes to the local electoral board, the State Board, and the Division of Legislative Services.

§ 30-34.1. Legislative Support Commission; membership; officers; compensation and expenses.

There is hereby created the Legislative Support Commission in the legislative branch of state government, hereafter referred to as "Commission." The Commission shall consist of seven members: two members of the ~~Rules~~ Committee on Rules of the House of Delegates who shall be appointed by and serve at the pleasure of the chairman of such Committee; one member of the ~~Rules~~ Committee on Rules of the Senate who shall be appointed by and serve at the pleasure of the chairman of such Committee; the Clerk of the House of Delegates; the Clerk of the Senate; the Director of the Division of

Legislative Services; and the Director of the Division of Legislative Automated Systems. The Commission shall name from its members a chairman and such other officers as are deemed necessary.

Legislative members shall receive such compensation for the performance of their duties as provided in § 30-19.12 and all members shall be reimbursed for all reasonable and necessary expenses as provided in §§ 2.2-2813 and 2.2-2825. The Office of the Clerk of the House of Delegates and the Office of the Clerk of the Senate shall provide funding for the costs of compensation and expenses of their respective members.

§ 30-56. Joint Legislative Audit and Review Commission; composition; terms; compensation and expenses; office space; quorum; voting on recommendations.

There is hereby created the Joint Legislative Audit and Review Commission *in the legislative branch of state government*. The Commission shall consist of nine members of the House of Delegates appointed by the Speaker thereof, of whom at least five shall be members of the House Appropriations Committee on Appropriations, and five members from the Senate appointed by the Privileges and Elections Rules Committee of the Senate, of whom at least two shall be members of the Finance Senate Committee on Finance, and the Auditor of Public Accounts, *who shall serve as a nonvoting ex officio; who shall have no vote member. Members shall serve terms coincident with their terms of office. Members may be reappointed for successive terms.*

Members of the Commission shall receive *such* compensation as provided in § 30-19.12 and *their shall be reimbursed for all reasonable and necessary expenses incident to their work upon incurred in the performance of their duties on the Commission. Funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission.* Adequate office space shall be provided by the Commonwealth.

The Commission shall elect a chairman and vice chairman from among its membership. A majority of the members shall constitute a quorum. Meetings of the Commission shall be held upon the call of the chairman or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-58.3. Annual report on state spending.

A. No later than November 15 of each year, the Commission shall provide to the Governor and the General Assembly an annual report on state spending *to be published as a state document* that shall include, among other things, (i) an identification and analysis of spending functions and programs that could be consolidated with other programs without diminishing the quality of the services provided to the citizens of the Commonwealth; (ii) an identification and analysis of those spending functions or programs which no longer have a distinct and discernible mission or are not performing their missions efficiently; (iii) an identification and analysis of the state programs that have had the largest impact on the growth of state spending over the prior five biennia, in dollar terms; (iv) an identification and analysis of the programs growing the fastest in percentage terms; (v) for the programs identified as the largest or fastest-growing, comparisons of the growth in spending on those programs to the rate of increase in inflation and the growth in populations served by those programs over a comparable time period; (vi) an analysis of the causes for the growth in spending on the largest and fastest-growing programs and whether the growth in spending appears rationally related to the rates of increase in inflation, tax relief measures, mandated expenditures, populations served, or any other related matter; and (vii) such other related issues as it deems appropriate.

B. All agencies of the Commonwealth shall provide assistance to the Commission in the preparation of this report, upon request.

§ 30-112. Senate and House Ethics Advisory Panels; membership; terms; quorum; compensation and expenses.

A. The Senate Ethics Advisory Panel and the House Ethics Advisory Panel are ~~continued~~ *established in the legislative branch of state government*. The provisions of §§ 30-112 through 30-119 shall be applicable to each panel.

B. The Senate Ethics Advisory Panel shall be composed of five *nonlegislative citizen* members: three of whom shall be former members of the Senate; and two of whom shall be citizens of the Commonwealth *at large* who have not previously held such office. *All members of the Panel shall be citizens of the Commonwealth.*

The members shall be nominated by the Committee on ~~Privileges and Elections Rules~~ of the Senate and confirmed by the Senate. After initial appointments, all appointments shall be for terms of four years each except for unexpired terms. Nominations shall be made so as to assure bipartisan representation on the Panel.

C. The House Ethics Advisory Panel shall be composed of five *nonlegislative citizen* members: one of whom shall be a retired justice or judge of a court of record; two of whom shall be former members of the House of Delegates; and two of whom shall be citizens of the Commonwealth *at large*, at least one of whom shall not have previously held such office. *All members of the Panel shall be citizens of the Commonwealth.*

The members shall be nominated by the Speaker of the House of Delegates and confirmed by the House of Delegates. After initial appointments, all appointments shall be for terms of four years each except for unexpired terms. Nominations shall be made so as to assure bipartisan representation on the Panel.

D. Each panel shall elect its own chairman *and vice chairman from among its membership.*

E. No member shall serve more than three successive four-year terms. Vacancies shall be filled only for the unexpired term. *Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.*

F. Three members shall constitute a quorum ~~of the Panel on each panel~~. A vacancy shall not impair the right of the remaining members to exercise all powers of the Panel. *Meetings of each panel shall be held at the call of the chairman or whenever the majority of the members so request.*

G. The ~~chairman and members of the Panel each panel~~, while serving on the business of the Panel, are performing legislative duties and shall be entitled to the ~~subsistence compensation and travel allowances~~ *reimbursement of expenses* to which members of the General Assembly are entitled when performing legislative duties pursuant to §§ 30-19.12, 2.2-2813 and 2.2-2825. *Funding for the cost of compensation and expenses of the members of the Senate Ethics Advisory Panel shall be provided by the Office of the Clerk of the Senate and the funding for the cost of compensation and expenses of the House Ethics Advisory Panel shall be provided by the Office of the House of Delegates.*

§ 30-145. Virginia Code Commission; membership, terms; compensation; staff; quorum.

A. The Virginia Code Commission (the Commission) is established in the legislative branch of state government. The Commission shall consist of 10 members as follows:

1. Two members of the Senate appointed by the Senate Committee on ~~Privileges and Elections Rules~~ for terms coincident with their terms as members of the Senate, and two members of the House of Delegates appointed by the Speaker of the House of Delegates for terms coincident with their terms as members of the House of Delegates;

2. Two circuit court judges, both of whom may be retired or inactive, appointed by the Governor for terms of four years each. If the Governor fails to make such appointment within ~~ninety~~ 90 days of the expiration of the term or the occurrence of a vacancy, the Speaker shall make the appointment. If the Governor fails a second time to make such appointment, the Senate Committee on ~~Privileges and Elections Rules~~ shall make the appointment, and the Speaker and ~~Privileges and Elections Senate Committee on Rules~~ shall alternate such appointments thereafter;

3. One former member of the House of Delegates appointed by the Speaker and one former member of the Senate appointed by the Senate Committee on ~~Privileges and Elections Rules~~, both for four-year terms, who shall be entitled to all the rights granted under § 30-5; and

4. The Attorney General, or an assistant Attorney General designated by the Attorney General, and the Director of the Division of Legislative Services.

B. All members of the Commission shall serve until the expiration of their terms or until their successors qualify. Subsequent appointments shall be made for similar terms, and vacancies shall be filled for the unexpired terms in the manner of the original appointments.

C. *Current legislative members of the Commission shall receive compensation as provided in § 30-19.12. Other members of the Commission shall receive compensation as provided in § 2.2-2813 for their services.* All members shall ~~receive their~~ *be reimbursed for all reasonable and necessary expenses* incurred in the performance of their duties *as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission.*

D. The Division of Legislative Services shall provide staff support to the Commission. The Commission may also directly employ part-time or full-time personnel as needs occur, including experts who have special knowledge of specific titles of the Code being revised.

E. *A majority of the members of the Commission shall constitute a quorum. The Commission shall elect a chairman and vice chairman from among its membership. Meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.*

§ 30-156. Virginia State Crime Commission; purpose; membership; terms; compensation and expenses; quorum; voting on recommendations.

A. The Virginia State Crime Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission shall be to study, report and make recommendations on all areas of public safety and protection. In so doing it shall endeavor to ascertain the causes of crime and recommend ways to reduce and prevent it, explore and recommend methods of rehabilitation of convicted criminals, study compensation of persons in law enforcement and related fields and study other related matters including apprehension, trial and punishment of criminal offenders. The Commission shall make such recommendations as it deems appropriate with respect to the foregoing matters, and shall coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting crimes, crime control and criminal procedure. The Commission shall cooperate with the executive branch of state government, the Attorney General's office and the judiciary who are in turn

encouraged to cooperate with the Commission. The Commission ~~will~~ *shall* cooperate with governments and governmental agencies of other states and the United States.

B. The Commission shall consist of 13 members that include nine legislative members, three nonlegislative citizen members, and one state official as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Privileges and Elections Rules; three nonlegislative citizen members to be appointed by the Governor; and the Attorney General or his designee. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved by the chairman of the Commission, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

C. The term of each appointee shall be for two years, except that the Attorney General and legislative members shall serve terms coincident with their terms of office. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

D. The Commission shall elect a chairman and vice chairman annually, who shall be members of the General Assembly. *A majority of the members of the Commission shall constitute a quorum. Meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.*

E. *Legislative members of the Commission shall receive such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. All such compensation and expense payments, however, shall come from existing appropriations to the Virginia Crime Commission.*

F. ~~At the option of~~ *No recommendation of the Commission shall be adopted if a majority of the Senate members appointed to the Commission or a majority of the members of the House of Delegates members appointed to the Commission; no recommendation of the Commission shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates. For the purpose of this provision, a "majority" constitutes a majority of members present and voting at the meeting (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.*

G. The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-158. Powers and duties of Commission.

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

1. Maintain offices, hold meetings and functions at any place within the Commonwealth that it deems necessary;

2. Conduct private and public hearings, and designate a member of the Commission to preside over such hearings. Pursuant to a resolution adopted by a majority of the Commission, witnesses appearing before the Commission may be examined privately and the Commission shall not make public the particulars of such examination. The Commission shall not have the power to take testimony at private or public hearings unless at least three of its members are present at such hearings. Witnesses appearing before the Commission at its request shall be entitled to receive the same fees and mileage as persons summoned to testify in the courts of the Commonwealth, if such witnesses request such fees and mileage.

3. Conduct studies and gather information and data in order to accomplish its purposes as set forth in § 30-156, and in connection with the faithful execution and effective enforcement of the laws of the Commonwealth with particular reference but not limited to organized crime and racketeering, and formulate its recommendations to the Governor and the General Assembly.

4. Submit an annual report of its recommendations to the ~~Governor and the~~ General Assembly *and the Governor*. The Commission shall make such further interim reports to the Governor and the General Assembly as it deems advisable or as required by the Governor or by concurrent resolution of the General Assembly. *The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.*

B. At the direction or request of the legislature by concurrent resolution or of the Governor, the Commission shall, or at the request of any department, board, bureau, commission, authority or other

agency created by the Commonwealth, or to which the Commonwealth is a party, the Commission may study the operations, management, jurisdiction, powers and interrelationship of any such department, board, bureau, commission, authority or other agency that has any direct responsibility for enforcing the criminal laws of the Commonwealth.

§ 30-171. Virginia Commission on Intergovernmental Cooperation; membership; staff; compensation and expenses; quorum.

A. The Virginia Commission on Intergovernmental Cooperation (the Commission) is established in the legislative branch of state government. The Commission shall consist of the following 14 members: (i) the six members of the Commission on Interstate Cooperation of the Senate, (ii) the six members of the Commission on Interstate Cooperation of the House of Delegates, and (iii) the Clerk of the Senate and the Clerk of the House of Delegates who shall serve as ex officio, nonvoting members of the Commission.

B. The chairman and ~~vice-chairman~~ *vice chairman* of the Commission shall serve for a period of two years, and the chairmanship and ~~vice-chairmanship~~ *vice chairmanship* shall alternate between the chairman of the Senate Commission on Interstate Cooperation and the chairman of the House Commission on Interstate Cooperation.

C. The Commission on Intergovernmental Cooperation shall select such officials of state government as it deems proper to serve as ex officio, nonvoting members of the Commission for terms of four years each.

D. The Division of Legislative Services shall furnish upon request such staff assistance and services to the Commission and its committees as may be required to carry forth the charge of the Commission.

E. *Members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission.*

F. *A majority of the members of the Commission shall constitute a quorum. The Commission shall elect a chairman and vice chairman from among its membership. Meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.*

§ 30-173. Commission of Senate and Commission of House of Delegates on Interstate Cooperation; membership; compensation and expenses; quorum.

A. There is established a Commission on Interstate Cooperation of the Senate *in the legislative branch of state government*, to consist of six senators: *as follows: the President pro tempore of the Senate, who shall serve as Chairman of the Commission, and five members shall be appointed and the chairman of the Commission shall be designated from among the membership of the Commission by the Senate Committee on Privileges and Elections Rules.*

B. There is established a Commission on Interstate Cooperation of the House of Delegates *in the legislative branch of state government*, also to consist of six members; and the members shall be appointed and the chairman of the Commission shall be designated from among the membership of the Commission by the Speaker of the House of Delegates in accordance with the principles of proportional representation as contained in the Rules of the House of Delegates.

C. Such bodies of the Senate and of the House of Delegates shall function during the regular sessions of the General Assembly and also during the interim periods between such sessions. Members appointed and designated shall serve terms coincident with their terms of office.

D. Members of the commissions shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties pursuant to § 30-171 and this section as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Virginia Commission on Intergovernmental Cooperation.*

E. *A majority of the members shall constitute a quorum on each commission. Meetings of each commission shall be held at the call of the chairman or whenever a majority of the members so request.*

§ 30-174. Virginia Commission on Youth; purpose; membership; terms; compensation and expenses; quorum; voting on recommendations.

A. The Virginia Commission on Youth (the Commission) is established in the legislative branch of state government. The purpose of the Commission shall be to study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families. In so doing, it shall encourage the development of uniform policies and services to youth across the Commonwealth and provide a forum for continuing review and study of such services. In addition to its own proposals, the Commission shall coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting youth.

B. The Commission shall consist of ~~twelve~~ 12 members to be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; and three *nonlegislative* citizen members to be appointed by the Governor. *Nonlegislative citizen members shall be citizens of the Commonwealth.*

C. All appointments shall be for a term of four years each. *Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen members shall serve four-year terms. Members may be reappointed for successive terms.* Vacancies shall be filled for the unexpired terms. Whenever any legislative member fails to retain his membership in the house from which he was appointed, he shall relinquish his membership on the Commission and the appointing authority who appointed such member shall make an appointment from his respective house to complete the term. *Vacancies shall be filled in the same manner as the original appointments.*

D. The Commission shall elect its chairman and vice chairman annually. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

E. Members of the Commission shall receive compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the discharge performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expense payments shall come from existing appropriations to the Commission.

F. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-175. Powers and duties of the Commission.

The Commission shall have the power and duty to:

1. Undertake studies and to gather information and data in order to accomplish its purposes as set forth in § 30-174, and to formulate and ~~present~~ report its recommendations to the General Assembly and the Governor and the General Assembly. The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

2. At the direction or request of the legislature by concurrent resolution or of the Governor, or at the request of any department, board, bureau, commission, authority or other agency created by the Commonwealth or to which the Commonwealth is a party, study the operations, management, jurisdiction or powers of any such department, board, bureau, commission, authority or other agency which has responsibility for services to youth.

§ 30-178. Virginia Freedom of Information Advisory Council; membership; terms; quorum; expenses.

A. The Virginia Freedom of Information Advisory Council (the Council) is hereby created as an advisory council in the legislative branch to encourage and facilitate compliance with the Freedom of Information Act.

B. The Council shall consist of ~~twelve~~ 12 members as follows: the Attorney General or his designee; the Librarian of Virginia or his designee; the Director of the Division of Legislative Services or his designee; four members appointed by the Speaker of the House of Delegates, one of whom shall be a member of the House of Delegates, and three nonlegislative citizen members, at least one of whom shall be or have been a representative of the news media; three members appointed by the Senate Committee on Privileges and Elections Rules, one of whom shall be a member of the Senate, one of whom shall be or have been an officer of local government, and one nonlegislative citizen at-large member; and two nonlegislative citizen members appointed by the Governor, one of whom shall not be a state employee. The local government representative shall may be selected from a list recommended by the Virginia Association of Counties and the Virginia Municipal League, after due consideration of such list by the Senate Committee on Rules. The citizen members may be selected from a list recommended by the Virginia Press Association, the Virginia Association of Broadcasters, and the Virginia Coalition for Open Government, after due consideration of such list by the appointing authorities.

C. Initial appointments to the Council shall be for the following terms: of those nonlegislative members appointed by the Speaker of the House of Delegates, one shall serve a four-year term, one shall serve a three-year term and one shall serve a two-year term; of those nonlegislative members appointed by the Senate Committee on Privileges and Elections, one shall serve a four-year term and one shall serve a three-year term; and of those members appointed by the Governor, one shall serve a four-year term and one shall serve a three-year term. Thereafter, All such appointments following the initial staggering of terms shall be for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms in the same manner as the original appointment. No nonlegislative citizen member shall be eligible to serve for more than two successive four-year terms. However, after the expiration of a term of three years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional terms may be served by such member if appointed thereto. Legislative members and other state government officials shall serve terms coincident with their terms of office. *Legislative members may be reappointed for successive terms.*

D. The members of the Council shall elect from among their membership a chairman and a vice-chairman vice chairman for two-year terms. The chairman and vice-chairman vice chairman may

not succeed themselves to the same position. The Council shall hold meetings quarterly or upon the call of the chairman. A majority of the Council shall constitute a quorum.

E. 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~~ *performance* of their duties as provided in §§ 2.2-2813, 2.2-2825 and 30-19.12, as appropriate. *Funding for expenses of the members shall be provided from existing appropriations to the Council.*

§ 30-179. Powers and duties of the Council.

The Council shall:

1. Furnish, upon request, advisory opinions or guidelines, and other appropriate information regarding the Freedom of Information Act (§ 2.2-3700 et seq.) to any person or agency of state or local government, in an expeditious manner;

2. Conduct training seminars and educational programs for the members and staff of public bodies and other interested persons on the requirements of the Freedom of Information Act (§ 2.2-3700 et seq.);

3. Publish educational materials as it deems appropriate on the provisions of the Freedom of Information Act (§ 2.2-3700 et seq.);

4. Request from any agency of state or local government such assistance, services and information as will enable the Council to effectively carry out its responsibilities. Information provided to the Council by an agency of state or local government shall not be released to any other party unless authorized by such agency; and

5. Report annually on or before December 1 of each year on its activities and findings regarding the Freedom of Information Act, including recommendations for changes in the law, to the ~~Governor and the General Assembly and the Governor.~~ *The annual report shall be published as a state document.*

§ 30-182. Small Business Commission; purpose; membership; terms; compensation and expenses; staff; voting on recommendations.

A. The Small Business Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission shall be to study, report and make recommendations on issues of concern to small businesses in the Commonwealth.

B. The Commission shall consist of 14 members that include 10 legislative members and four nonlegislative citizen members. Members shall be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; and four nonlegislative citizen members, each of whom shall have previously demonstrated small business experience or expertise, to be appointed by the Governor. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. ~~Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.~~

All gubernatorial appointments to the Commission shall be for terms of two years. Legislative members shall serve terms coincident to their terms of office. All members may be reappointed *for successive terms*. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

C. The members of the Commission shall elect a chairman and a vice chairman annually, who shall be members of the General Assembly. A majority of the members of the Commission shall constitute a quorum. The Commission shall meet at the call of the chairman or whenever a majority of the members so request.

D. Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing appropriations to the Commission ~~and, if unfunded, shall be approved by the Joint Rules Committee.~~

E. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. All agencies of the Commonwealth shall assist the Commission, upon request.

F. ~~At the option of~~ *No recommendation of the Commission shall be adopted if a majority of the Senate members appointed to the Commission or a majority of the members of the House of Delegates members appointed to the Commission; no recommendation of the Commission shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates. For the purpose of this provision, a "majority" constitutes a majority of members present and voting at the meeting (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.*

G. The chairman of the Commission shall submit to the General Assembly and the Governor an

annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-183. Powers and duties of the Commission.

The Commission shall have the power and duty to:

1. Evaluate the impact of existing statutes and proposed legislation on small businesses.
2. Assess the Commonwealth's small business assistance programs and examine ways to enhance their effectiveness.
3. Provide small business owners and advocates with a forum to address their concerns.
4. Report annually its findings and recommendations to the ~~Governor and the~~ General Assembly and the Governor. *The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.*

§ 30-186. State Water Commission; membership; terms; compensation and expenses; staff; quorum; voting on recommendations.

A. The State Water Commission (the Commission) is established in the legislative branch of state government. The Commission shall consist of ~~fifteen~~ 15 members to be appointed as follows: the Chairmen of the House Committee on ~~Conservation~~ Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources; seven ~~additional~~ members of the House of Delegates ~~at large~~ appointed by the Speaker of the House of Delegates; four ~~additional~~ members of the Senate ~~at large~~ appointed by the Committee on Privileges and Elections Rules; and two nonlegislative citizen members to be appointed by the Governor, who shall be citizens of the Commonwealth.

B. Legislative members shall serve terms coincident with their terms of office and may be reappointed to successive terms. Gubernatorial appointees shall serve for terms of four years and may succeed themselves, but vacancies during their terms shall be filled only for the unexpired portion of the term. *Vacancies shall be filled in the same manner as the original appointments.*

C. The members of the Commission shall elect a chairman and a ~~vice-chairman~~ vice chairman.

D. Commission members shall be compensated as ~~specified~~ provided in § 30-19.12, and shall be reimbursed for all reasonable and necessary expenses incurred in the ~~discharge~~ performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the compensation and expenses of the members shall be provided by the Commission from existing appropriations to the Commission.*

E. ~~The Division of Legislative Services shall serve as staff to the Commission.~~

F. *Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. All agencies of the Commonwealth shall assist the Commission upon request.*

F. *A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of members so request.*

G. *No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.*

§ 30-187. Powers and duties of the Commission.

The Commission shall have the power and duty to:

1. Study all aspects of water supply and allocation problems in the Commonwealth, whether these problems are of a quantitative or qualitative nature;
2. Coordinate the legislative recommendations of all other state entities having responsibilities with respect to water supply and allocation issues; and
3. Report annually its findings and recommendations to the ~~Governor and the~~ General Assembly and the Governor. *The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.*

§ 30-188. Virginia Coal and Energy Commission; membership; terms; compensation and expenses; staff; quorum; voting on recommendations.

A. The Virginia Coal and Energy Commission (the Commission) is established in the legislative branch of state government. The Commission shall consist of ~~twenty~~ 20 members to be appointed as follows: five members of the Senate to be appointed by the Senate Committee on Privileges and Elections Rules; eight members of the House of Delegates to be appointed by the Speaker of the House

of Delegates; and seven *nonlegislative* citizen members to be appointed by the Governor. The *nonlegislative* citizen members shall be citizens of the Commonwealth and shall include representatives of industry, government and groups or organizations identified with production and conservation of coal, natural gas, and energy.

B. Legislative members shall serve terms coincident with their terms of office. Members appointed by the Governor shall serve for terms of four years. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Any member may be reappointed for successive terms.

C. The members of the Commission shall elect ~~their own~~ a chairman and vice chairman annually from among its membership.

D. Legislative members of the Commission shall receive such compensation as is set forth in provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the discharge performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for compensation and expenses of the members shall be provided from existing appropriations to the Commission.

E. The Division of Legislative Services shall serve the Commission as its secretariat and central administrative office and shall furnish the Commission with such services as the Commission deems necessary. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. All agencies of the Commonwealth shall assist the Commission upon request.

F. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever a majority of the members so request.

G. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-189. Powers and duties of Commission.

A. The Commission shall generally study all aspects of coal as an energy resource and endeavor to stimulate, encourage, promote, and assist in the development of renewable and alternative energy resources other than petroleum. The Commission shall have no authority to adopt regulations. All agencies of the Commonwealth shall assist the Commission in its work. In addition to the aforementioned general powers, the Commission shall also perform the following functions:

1. Act in an advisory capacity to the Governor and executive branch agencies upon energy related matters;

2. Investigate and consider such questions and problems relating to the field of coal and energy utilization and alternative energy sources as may be submitted;

3. Make recommendations to the Governor and General Assembly on its own initiative;

4. Consult with applicable state agencies on all matters regarding energy conservation, including the promotion and implementation of initiatives for the public-at-large to conserve energy;

5. Endeavor to encourage research designed to further new and more extensive use of the coal as well as alternative and renewable energy resources of the Commonwealth;

6. Effectively disseminate any such proposals to groups and organizations, both state and local, so as to stimulate local governing bodies and private business initiative in the field of energy related matters;

7. Coordinate its efforts with those of the Virginia Solar Energy Center established pursuant to § 45.1-391 and the Virginia Center for Coal and Energy Research established pursuant to Article 2.01 (§ 23-135.7:1 et seq.) of Chapter 11 of Title 23;

8. Actively seek federal and other funds to be used to carry out its functions;

9. Seek to establish alternative fuel capability within the Commonwealth; and

10. Investigate and make recommendations regarding the development of nuclear power. The Commission shall periodically address (i) encouraging the reprocessing of spent fuel for reuse, (ii) incentives to encourage the study of nuclear engineering at state colleges and universities, (iii) the storage of nuclear waste, (iv) the transportation of nuclear waste, (v) security needs of nuclear power plants, and (vi) on-site temporary storage facilities for spent nuclear fuel.

B. The Commission shall report its findings and recommendations to the Governor and the General Assembly and the Governor on an annual basis. The Chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-192.1. Membership; terms.

The Commission shall be composed of 18 members that includes consist of 10 legislative members and eight nonlegislative citizen members. Members shall be appointed as follows: four members of the

Senate, to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; six members of the House of Delegates, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~four the Executive Director of Living the Dream; the President of the Foundation for the Humanities and Public Policy;~~ *three* nonlegislative citizen members, of whom one shall be ~~the Executive Director of Living the Dream, Inc.,~~ one shall be a representative of the Southern Christian Leadership Conference of Virginia, and two shall be nonlegislative citizens at-large, to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; and ~~four three~~ nonlegislative citizen *at-large* members, of whom one shall be the President of the Foundation for the Humanities and Public Policy, and three shall be nonlegislative citizens at-large, to be appointed by the Speaker of the House of Delegates. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. The Senate Committee on ~~Privileges and Elections Rules~~ and the Speaker of the House shall ensure, to the extent possible, that their respective appointments to the Commission reflect the demographic population of the Commonwealth.

Legislative members ~~of~~ *and nonlegislative citizen members serving by virtue of their office on* the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed *for successive terms*. ~~The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.~~ Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and a vice chairman from among its membership who shall be members of the General Assembly.

§ 30-192.2. Quorum; meetings; voting on recommendations.

A majority of the ~~voting~~ members shall constitute a quorum. The Commission shall meet ~~not~~ no more than four times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the ~~voting~~ members so request.

~~At the option of a majority of the Senate members appointed to the Commission or a majority of the members of the House of Delegates appointed to the Commission, no recommendation of the Commission shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates. For the purpose of this provision, a "majority" constitutes a majority of the members present and voting at the meeting of the Commission. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

§ 30-192.8. Martin Luther King, Jr. Living History and Public Policy Center created; purpose.

There is created and constituted within the legislative branch of *state* government as a separate component of the Dr. Martin Luther King, Jr. Memorial Commission, the Martin Luther King, Jr. Living History and Public Policy Center, hereinafter referred to as the "Center." For the purpose of implementing the provisions of subdivision 6 of § 30-192.4, the Commission, in conjunction with the Board of Trustees of the Center, shall ~~apply for~~ *seek*, receive, and expend such gifts, grants, donations, bequests, and other funds as may be received or made available for the establishment, administration, operation and maintenance of the Center. The Center shall be funded solely through nonstate funds. Initially, the Center shall be composed of nine four-year public and private institutions of higher education in the Commonwealth as partner and regional institutions to ensure full access to the Center's programs, activities, scholarship, and resources throughout the Commonwealth. The partner institutions shall be Norfolk State University, Old Dominion University, the University of Virginia, Virginia Commonwealth University, and Virginia Polytechnic Institute and State University. The regional institutions shall be Eastern Virginia Medical School, Hampton University, James Madison University, and Virginia State University. Virginia Commonwealth University shall be designated as the home site and coordinator of the Center for administrative purposes.

§ 30-192.9. Board of Trustees membership; terms; vacancies; chairman and vice chairman.

The Center shall be governed by a 19-member Board of Trustees consisting of six legislative members and 13 nonlegislative citizen members to be appointed as follows: two members of the Senate, of whom one member shall be the chairman or vice chairman of the Dr. Martin Luther King, Jr. Memorial Commission if the chairman or vice chairman is a member of the Senate, to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; four members of the House of Delegates, of whom one member shall be the chairman or the vice chairman of the Dr. Martin Luther King, Jr. Memorial Commission if the chairman or vice chairman is a member of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; the president or his designee of Eastern Virginia Medical School, Hampton University, James Madison University, *and* Norfolk State University;

and; two nonlegislative citizen members who shall represent the business and corporate community, to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; and the president or his designee of Old Dominion University, the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, and Virginia State University;; and two nonlegislative citizen members who shall represent private, nonprofit foundations in the Commonwealth, to be appointed by the Speaker of the House of Delegates.

Legislative members and the presidents or their designees of the named institutions of higher education shall serve terms coincident with their terms of office ~~or until their successors shall qualify~~. Nonlegislative citizen members shall serve two-year terms. All members may be reappointed ~~for successive terms~~. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

The Board shall elect a chairman and, vice chairman, *secretary, and such other officers as it may determine necessary* from among its members and may establish bylaws as necessary.

§ 30-192.10. Quorum; meetings of the Board.

A majority of the voting members shall constitute a quorum. ~~The Board shall meet not more than four times each year~~. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the voting members so request.

§ 30-192.12. Powers and duties of the Board of Trustees and the Center.

A. The Board of Trustees shall:

1. Manage, control, maintain, and operate the Martin Luther King, Jr. Living History and Public Policy Center;

2. Establish the Center as a nonprofit corporation exempt from taxation pursuant to § 501(c) (3) of the Internal Revenue Code to conduct the activities, within existing available funds, enumerated in this section;

3. Establish the Center, initially, as a virtual center to facilitate statewide access and links to the partner institutions and regional participants;

4. Employ and establish the qualifications and duties, and fix salaries and compensation of staff for the Center from such funds as may be received. Technical support for the Center shall be provided through the assistance of one of the partner institutions with high technological capabilities;

5. Establish a procedure to allow additional institutions to apply to become participants in the Center with appropriate roles and responsibilities;

6. Seek, receive, and expend gifts, grants, donations, or bequests from public or private sources on behalf of the Center for its support and to enable it to carry out its duties pursuant to this section;

7. Receive, expend, and administer donations, bequests, or devises of real and personal property for the endowment of the Center or for any special purpose designated by the donor that is consistent with the purposes of the Center set forth in this chapter;

8. Have, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1, ~~except in those cases where, by the express terms of its provisions, the law is confined to corporations created under that title~~. The Board shall also have the power to accept, execute, and administer any trust in which it may have an interest under the terms of the instrument creating the trust;

9. Enter into contracts with respect to the duties and responsibilities imposed upon the Center herein; ~~all such contracts shall be approved by the Attorney General~~;

10. Have the authority to enter into and administer agreements with institutions of higher education in the Commonwealth to effectuate the provisions of this section;

11. Have the authority to request and accept the cooperation of agencies of the Commonwealth or local governments in the performance of its duties;

12. Adopt a logo or other emblems for use in connection with the Center;

13. Adopt policies, set fees as may be necessary, for the use of the Center, and determine revenue generating programs and activities that may be conducted by the Center;

14. Provide a comprehensive report to the Commission at least annually on the activities and cooperative relationships of the Center, and confer with the Commission to provide informal updates on the status and sources of funding on a quarterly basis until the funding and implementation of the Center are assured; and

15. Perform any lawful acts necessary or appropriate to carry out the purposes of the Center.

B. The Center shall:

1. Preserve and advance Dr. King's philosophy and memory through the analysis of public policy relative to principles associated with Dr. King of justice, nonviolence, peace, equality, and the concept of the "Beloved Community;"

2. Determine and implement programs and services consistent with the King legacy and principles. To commence the Center's activities and future endeavors, such programs and services shall include, but not be limited to, education, social policy, politics, economics, and culture and shall be designed to

make a permanent contribution to embedding the principles associated with Dr. King into the fabric of Virginia life;

3. Develop and implement programs and services that facilitate fund-raising and revenue generation and provide visibility to the Center. The programs and services shall be a collaborative effort between the partner institutions, regional participants, and the Commission;

4. Serve as a catalyst for social, economic, and community transformation by leveraging and brokering resources that support scholarly, multidisciplinary research consistent with the purposes of the Center;

5. Promote public education, dialogue, research, scholarship, and the acquisition and preservation of memorabilia to (i) foster an understanding and appreciation of the totality of Dr. King, (ii) enable the examination of a range of matters relevant to King principles and his legacy, (iii) provide available resources to supplement and support the curricula of public and private schools, and (iv) aid the conduct of various research and other projects focused on K-12 education and minority students to promote a better understanding of the needs of educationally at-risk students and the identification of successful strategies to promote their academic achievement;

6. Extend the Center's educational, cultural, and community outreach programs to public and private schools, institutions of higher education, public libraries, appropriate public and private educational and cultural organizations, the religious community, and the public through various media and available technologies such as, TELETECHNET, an interactive distance education program, digital website links, online degree programs, digital exhibits, and other state-of-the-art technologies;

7. Provide for affiliations with undergraduate and graduate degree programs at all participating institutions of higher education, and, through the existing technological infrastructure and capacity of the institutions, enable the delivery of online degree programs, and make available the academic resources and staff of the Center to assist and support such programs;

8. Expand access to higher education in Virginia by providing undergraduate, graduate and professional programs through partnerships with the Commonwealth's private and public institutions of higher education;

9. Support research in areas consistent with the mission of the Center by eminent or visiting scholars, nationally and internationally, and collaborate with other national and international institutions of higher education and public policy centers on matters of mutual concern;

10. Establish a doctoral fellowship program in which one doctoral or faculty fellowship is supported at each partner institution annually. These fellows shall examine issues relevant to the principles of Martin Luther King, Jr., and shall be recruited carefully to ensure, as much as possible, that scholarly publications that will endure are produced. At least once each year, the Center shall convene a forum or other appropriate setting in which the work of such fellows may be shared with other scholars and the public;

11. Produce policy analyses of issues specific to Virginia and contemporary issues relative to principles associated with Dr. King to further the development of sound, feasible, and fair policies for all Virginians. These analyses may involve, but not be limited to, the assessment of education and health care for the poor and minorities, economic development, the nexus between public policies and quality of life, and other issues with the intent to provide viable and important decision-making information;

12. Conduct public forums, conferences, lectures, and research to address contemporary issues and public policies, including, but not limited to, disparity in health care, economic development, education, ethics, religion, social and environmental justice, civil and human rights, the criminal justice system, the global economic system, community and race relations, and racial, ethnic and cultural diversity;

13. Design and implement a comprehensive database to provide information on minority populations in Virginia. The database shall include, but not be limited to, accurate and reliable information and data concerning demographics, educational attainment, labor and economic development statistics, housing and criminal justice data, a profile of minority businesses, social and cultural issues, health status and chronic conditions and diseases prevalent among minority groups represented in Virginia. The database shall be accessible to researchers, the business and corporate community, and policy makers, in a centralized location, to facilitate and enhance planning and the targeting of resources. Significant works on the history, culture, achievements, and contributions of minorities to society shall be acquired to provide access for research, educational and cultural purposes;

14. Serve as a resource and referral center and living history museum in which electronic media, including, but not limited to, films, digital audio and video recordings, and a digital library, as well as records, oral histories, and memorabilia documenting Dr. King's relationship with and impact on the Commonwealth shall be acquired and preserved. In addition to information concerning his life, work, teachings, writings, and philosophy, the Center shall acquire and maintain historical documents, records, artifacts, and memorabilia related to the Civil Rights Movement, the African Diaspora, and African-Americans and other minority populations in the United States for educational purposes. The Center shall establish a working relationship with and a website link to the King Center in Atlanta, the King Papers Project at Stanford University, and Boston University to facilitate research and scholarship;

15. Actively seek and obtain nonstate funding through gifts, public and private grants, donations,

federal support, endowments, in-kind services, and revenue-generating enterprises, such as contract research or subscription processes with local governments, local school boards, private organizations, and other entities, creative collaborations between various public and private institutions, and the provision of local programming, and training modules for public and private entities. All such funds and resources as may be received or made available to the Center shall be used to provide the financial support for the Center, its staff, and its work in accordance with the provisions of this section; and

16. Submit to the Board of Trustees such reports concerning the status of the Center's programs, activities, cooperative relationships, and fund-raising endeavors as the Board may require.

§ 30-193. Capitol Square Preservation Council; membership; terms; compensation and expenses; quorum; "Capitol Square" defined.

A. The Capitol Square Preservation Council (the Council) is established in the legislative branch of state government. The Council shall consist of ~~fourteen~~ 14 members including ~~three ex officio members~~ as follows: three members ~~selected~~ *appointed* by the Speaker of the House ~~one each from of Delegates,~~ *after consideration of the* lists of nominations provided by the governing bodies of The Garden Club of Virginia, the Historic Richmond Foundation and the Association for the Preservation of Virginia Antiquities, *if any*; two members ~~selected~~ *appointed* by the Senate Committee on ~~Privileges and Elections Rules,~~ *one each from after consideration of the* lists of nominations provided by the governing bodies of the Virginia Society of the American Institute of Architects and the Virginia Museum of Fine Arts, *if any*; ~~and six nonlegislative citizen members selected~~ *appointed* by the Governor, ~~one each from two after consideration of the~~ lists of nominations provided by the governing bodies of the Virginia Chapter of the American Society of Landscape Architects and the Virginia Historical Society, *if any*, one each from the memberships of the Virginia Public Buildings Board and the Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion and two citizens at large; *and the Secretary of Administration, or his designee, and the Clerks of the House of Delegates and the Senate who shall serve ex officio with voting privileges. Nonlegislative citizen members shall be citizens of the Commonwealth.*

B. *Following the initial staggering of terms,* all appointments to the Council shall be for terms of three years, except that ~~initial appointments shall be for the following terms: of those appointed by the Speaker of the House, one shall have a three-year term, one shall have a two-year term and one shall have a one-year term; of those appointed by the Senate Committee on Privileges and Elections, one shall have a three-year term and one shall have a two-year term; of those appointed by the Governor, two shall have three-year terms, two shall have two-year terms and two shall have one-year terms~~ *any legislative member appointed shall serve a term coincident with his terms of office.* Vacancies occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment. No member shall be eligible to serve more than two successive three-year terms, *except any legislative member appointed may be reappointed for successive terms without limitation.* 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.

C. The members of the Council shall elect from among its membership a chairman and a ~~vice-chairman~~ *vice chairman* for two-year terms. The chairman and ~~vice-chairman~~ *vice chairman* may not succeed themselves to the same position. The Council shall hold meetings quarterly, or upon the call of the chairman. A majority of the members of the Council shall constitute a quorum.

D. Members of the Council shall not receive compensation, but shall be reimbursed for ~~their all~~ reasonable and necessary expenses incurred ~~by them~~ in the ~~discharge~~ *performance* of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of expenses of the members shall be provided from existing appropriations to the Council.*

E. For the purposes of this article, "Capitol Square" means the grounds and the interior and exterior of all buildings in that area in the City of Richmond bounded by Bank, Governor, Broad and Ninth Streets. The term also includes the exterior of all state buildings that are at least ~~fifty~~ 50 years old and bordering the boundary streets. The term does not include the interiors of the General Assembly Building, the Washington Building, the Jefferson Building or the Governor's Mansion.

§ 30-198. (Effective until July 1, 2007) Advisory Council on Career and Technical Education; purpose; membership; compensation and expenses; quorum.

A. The Advisory Council on Career and Technical Education (Council) is established as an advisory council in the legislative branch *of state government* to recommend an integrated and coordinated ~~multi-agency~~ *multiagency* approach for the delivery of quality career and technical education programs and services in the public schools.

B. The Council shall consist of ~~seventeen~~ 17 members, to be appointed as follows: one member each of the House Committees on Finance, Education, and Appropriations, and two members of the House of Delegates at-large, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one each of the Senate Committees on Finance and Education and Health, and one member of the Senate at-large, to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; four representatives of

business and industry from companies of varying size, geographically distributed from among the eight superintendents' regions of the Commonwealth, to be appointed by the Governor; and the President of the Board of Education, the Chancellor of the Virginia Community College System, the Chairman of the Board of Correctional Education, the Secretary of Commerce and Trade, and the Secretary of Education or their designees shall serve as ex officio members with full voting privileges. *Members appointed by the Governor shall be citizens of the Commonwealth.*

C. Legislative members and state government officials shall serve terms coincident with their terms of office. ~~The initial appointments of the Governor shall be as follows: two members shall serve a four-year term, one member shall serve a three-year term and one member shall serve a two-year term.~~ Thereafter, All appointments of *nonlegislative* citizen members shall be for four-year terms, *following the initial staggering of terms.* Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and citizen members may be reappointed; however, ~~no member of the House of Delegates shall serve more than four consecutive two-year terms; no member of the Senate shall serve more than two consecutive four-year terms; and no citizen member shall serve more than two consecutive four-year terms.~~ The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's term limit. Vacancies shall be filled in the same manner as the original appointments.

Legislative members of the Council shall receive such compensation as provided in § 30-19.12, and *nonlegislative* citizen members shall receive such compensation *as provided in § 2.2-2813* for the ~~discharge of their duties as provided in the appropriations act their services.~~ All members shall be reimbursed for *all* reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such *compensation and* expense payments shall be paid from existing appropriations to the Council.

D. The Council shall elect a chairman and *vice chairman* annually from among its legislative members. A majority of the members of the Council shall constitute a quorum. The Council shall meet ~~at least no more than~~ four times a year, upon the call of the chairman *or the majority of the members.*

E. *No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.*

§ 30-202. (Expires July 1, 2008) Membership; terms.

The Commission shall consist of 10 legislative members. Members shall be appointed as follows: four members of the Senate to be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules* and six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates.

Members of the Commission shall serve terms coincident with their terms of office. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice chairman from among its membership. The chairman of the Commission shall be authorized to designate one or more members of the Commission to observe and participate in the discussions of any work group convened by the State Corporation Commission in furtherance of its duties under the Virginia Electric Utility Restructuring Act (§ 56-576 et seq.) and this chapter. Members participating in such discussions shall be entitled to compensation and reimbursement provided in § 30-204, if approved by the Joint Rules Committee or its Budget Oversight Subcommittee.

§ 30-203. (Expires July 1, 2008) Quorum; meetings; voting on recommendations.

A majority of the ~~voting~~ members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the ~~voting~~ members so request.

~~At the option of~~ *No recommendation of the Commission shall be adopted if a majority of the Senate members appointed to the Commission or a majority of the members of the House of Delegates members appointed to the Commission; no recommendation of the Commission shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates. For the purpose of this provision, a "majority" constitutes a majority of members present and voting at the meeting (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.*

§ 30-219. (Expires July 1, 2006) Membership; terms; vacancies; chairman and vice chairman.

The Commission shall consist of eight legislative members. Members shall be appointed as follows: three members of the Senate, to be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules* and five members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates.

Members of the Commission shall serve terms coincident with their terms of office. Members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice chairman from among its membership.

§ 30-220. (Expires July 1, 2006) Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The Commission shall meet at least two times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the ~~voting~~ members so request.

~~At the option of~~ No recommendation of the Commission shall be adopted if a majority of the Senate members appointed to the Commission or a majority of the members of the House of Delegates members appointed to the Commission; ~~no recommendation of the Commission shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates.~~ For the purpose of this provision, a "majority" constitutes a majority of members present and voting at the meeting (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

CHAPTER 34.

CHESAPEAKE BAY COMMISSION.

§ 30-226. Chesapeake Bay Commission created.

The Chesapeake Bay Commission, hereinafter designated as "Commission," is hereby created as a tristate legislative commission.

§ 30-227. Members.

The Commission shall consist of 21 members, seven from Virginia, seven from Maryland and seven from Pennsylvania. In each state, five of the members shall be members of the General Assembly. In Virginia, two Senators appointed by the Senate Committee on Rules and three Delegates appointed by the Speaker of the House of Delegates shall serve as members. The Governor of Virginia or his designee shall serve as a member. In addition, the Senate Committee on Rules and the Speaker of the House of Delegates shall jointly appoint one Virginia member who is not a legislator or an employee of the executive branch. In Maryland, two senators designated by the President of the Senate and three delegates designated by the Speaker of the House of Delegates shall serve as members. The Governor of Maryland or his designee shall serve as a member. In addition, the President of the Senate and the Speaker of the House of Delegates shall jointly select one Maryland member who is not a legislator or an employee of the executive branch. In Pennsylvania, two senators designated by the President pro tempore of the Senate and three representatives designated by the Speaker of the House of Representatives shall serve as members. The Governor of Pennsylvania or his designee shall serve as a member. In addition, the President pro tempore of the Senate shall select one Pennsylvania member who is not a legislator or an employee of the executive branch.

§ 30-228. Terms.

Legislators serving as members of the Commission shall serve terms coterminous with their current terms of office. The nonlegislative members shall serve at the pleasure of their respective appointing authorities for a term of not more than four years. Nonlegislative members may be reappointed at the end of the four-year term.

§ 30-229. Compensation and expenses; generally.

The Commission members shall serve without compensation from the Commission but may be reimbursed by the Commission for necessary expenses incurred in and incident to the performance of their duties. In addition, Commission members from each state may receive from their respective states, any other compensation to which they may be entitled under the laws of the respective states.

§ 30-229.1. Compensation and expenses; Virginia delegation.

The legislative representatives of Virginia to the Commission shall receive such compensation as provided in § 30-19.12 and the nonlegislative citizen representatives of Virginia shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be entitled to reimbursement for all reasonable and necessary expenses incurred in their performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission for such purpose.

§ 30-230. Meetings and voting.

Commission meetings shall be held at least once each quarter, and at such other times as the Commission may determine. In order to constitute a quorum for the transaction of any business, at least 11 Commission members, including at least three Commission members from each state, must be present. Approval of proposed action shall require the majority vote of the Commission members present.

§ 30-231. Organization, internal procedures and delegation of powers; officers and employees as state employees.

A. The Commission members shall serve as the governing body of the Commission, and, except as hereinafter provided, shall exercise and discharge all powers, functions and responsibilities assigned to the Commission. The Commission shall provide for the organization of internal procedures of the Commission and to this end shall adopt suitable bylaws. The Commission shall have a chairman and two vice chairmen, chosen by the respective delegation, whose offices shall rotate annually among the signatory states and may at no time be held by members from the same signatory. The Commission may

maintain one or more offices for the transaction of its business. The Commission may, without regard to the civil service or the laws of any signatory relative to public officers and employees, create and abolish offices, employments and positions as it deems necessary for the purposes of the Commission, affix and provide for the duties, conditions of employment, qualifications, appointment, removal, term, compensation, and other rights and benefits of the Commission's officers and employees, and shall appoint the principal officers of the Commission and allocate among them administrative functions, powers, and duties. The Commission may delegate to the officers and employees of the Commission any powers, functions and responsibilities under this agreement as it deems suitable, except that it may not delegate its power to make recommendations to the respective legislatures, to issue reports or to adopt the annual expense budget.

B. Every full-time officer or employee of the Commission on a salary basis shall be eligible for pension and health and related insurance offered to employees of one of the member states, provided that such officer or employee so elects within 30 days of commencing employment; and provided that the Commission allocates funds in its budget for the employer share of these benefits.

§ 30-232. Purposes.

The purposes of the signatories in enacting this Agreement are to assist the legislatures of Virginia, Maryland, and Pennsylvania in evaluating and responding to problems of mutual concern relating to the Chesapeake Bay; to promote intergovernmental cooperation; to encourage cooperative coordinated resource planning and action by the signatories and their agencies; to provide, where appropriate, through recommendation to the respective legislature, uniformity of legislative application; to preserve and enhance the functions, powers and duties of existing offices and agencies of government; and to recommend improvements in the existing management system for the benefit of the present and future inhabitants of the Chesapeake Bay region.

§ 30-233. Powers.

In pursuit of the purposes and duties set forth in this article, the Commission may exercise the following powers:

1. Collect, compile, analyze, interpret, coordinate, tabulate, summarize, and distribute technical and other data relative to the Chesapeake Bay and its environs. It may conduct or contract for studies, except those for primary scientific research, and may prepare reports on existing or potential problems within the Bay region;
2. Prepare, publish and disseminate information in reports related to the resources of the region;
3. Serve as an advisory board to any requesting agency of the member states on matters of interstate concern;
4. Make application for grants, services or other aids as may be available from public or private sources to finance or assist in effectuating any purposes of this Agreement; and receive and accept the same on such terms and conditions as may be required by the law of the respective signatory states;
5. Purchase administrative supplies and lease sufficient office space if such space is not otherwise made available for its use; and
6. Exercise such other powers as are granted by this Agreement and take such actions as are necessary or appropriate for performing the duties set forth in this Agreement.

§ 30-234. Duties.

In carrying out the purposes set forth in this article, the Commission shall have the following duties:

1. Identify specific Bay management concerns requiring intergovernmental coordination and cooperation; and recommend to the federal, state and local governments that are involved in the Chesapeake Bay region legislative and administrative actions necessary to effectuate coordinated and cooperative management for the Bay;
2. Consider, in administering the provisions of this Agreement, the needs of the region for industrial and agricultural development and for gainful employment and maintenance of a high-quality environment;
3. Respect and support the primary role of the respective signatory states and their administrative agencies in managing the resources of the region;
4. Collect, analyze and disseminate information pertaining to the region and its resources for the respective legislative bodies. The Commission shall prepare an annual report indicating the status of environmental and economic Bay issues involving the Chesapeake Bay and the progress of coordinative efforts by the member states;
5. Represent common interests of the signatories as they are affected by the activities of the federal government and shall assist in the monitoring of those activities in the Chesapeake Bay region; and
6. Provide, as may be determined, a forum to serve as an advisory mediator for programmatic conflicts between or among the member states when such action is requested by the conflicting member states.

§ 30-235. Annual budget.

The Commission shall annually adopt a budget, which shall include the Commission's estimated expenses for administration and operation. In establishing the annual current expense budget, the Commission shall balance total expenses against the Commission's estimate of revenues from all

sources, either previously appropriated by a signatory state or receivable from any person or governmental agency by contract or grant with that person or governmental agency. The chairman of the Commission shall certify to the respective signatories, and submit to persons in other governmental agencies, statements of the amounts requested from them in accordance with existing cost-sharing established by this Agreement or by the parties. The chairman of the Commission shall transmit certified copies of such budgets to the principal budget officer of the respective signatory parties at such time and in such manner as may be required under their respective budgetary procedures.

§ 30-236. Apportionment of cost.

The amount required for the Commission's current expense budget shall be apportioned equally among the signatory parties unless a different apportionment is agreed to by unanimous vote of the Commission.

§ 30-237. Modification.

This Agreement shall not be amended or modified except with the concurrence of the legislatures of the Commonwealth of Virginia, the state of Maryland, and the Commonwealth of Pennsylvania. Amendments shall not become effective until adopted in the same manner as the original Agreement.

§ 30-238. Term.

The duration of this Agreement among the Commonwealth of Virginia, the state of Maryland, and the Commonwealth of Pennsylvania shall be for an initial period of 10 years from its effective date, and it shall be continued for additional periods of 10 years unless one or more of the signatory states, by authority of an act of its legislature, notifies the Commission of intention to terminate the Agreement at the end of the current 10-year term. However, any signatory, by act of its legislature, can withdraw from the Agreement at the end of any calendar year or fiscal year.

§ 30-239. Dissolution.

In the event that this Agreement shall be terminated by operation of § 30-238, the Commission shall be dissolved, its assets and liabilities transferred, and its corporate affairs wound up in accordance with the unanimous agreement of its signatories, or failing unanimous agreement, in such manner that the assets and liabilities of the Commission shall be shared by the respective states.

§ 30-240. Governor to execute agreement.

The Governor of the Commonwealth of Virginia is authorized and directed to: (i) execute and deliver, on behalf of the Commonwealth, all agreements and modifications of agreements that relate to the Chesapeake Bay Commission; and (ii) take those actions that may be necessary to effectuate the Agreement.

CHAPTER 35.

CHESAPEAKE BAY RESTORATION FUND ADVISORY COMMITTEE.

§ 30-241. Chesapeake Bay Restoration Fund Advisory Committee; membership; terms; expenses; staff.

A. There is hereby established in the legislative branch of state government the Chesapeake Bay Restoration Fund Advisory Committee to be known as the "Committee." The Committee shall advise the General Assembly on the expenditure of moneys received in the Chesapeake Bay Restoration Fund (the Fund).

B. The Committee shall consist of seven persons as follows: two members of the House of Delegates appointed by the Speaker of the House of Delegates; one member of the Senate appointed by the Senate Committee on Rules; two nonlegislative citizen members appointed by the Speaker of the House of Delegates, one of whom shall be a representative of the Chesapeake Bay Foundation; and two nonlegislative citizen members appointed by the Senate Committee on Rules, one of whom shall be a representative of the Virginia Association of Soil and Water Conservation Districts. All persons appointed to the Committee shall be representative of the interests associated with the restoration and conservation of the Chesapeake Bay and shall be citizens of the Commonwealth.

Nonlegislative citizen members of the Committee shall serve for terms of four years. Legislative members shall serve terms coincident with their terms of office and may be reappointed for successive terms. Appointments to fill vacancies shall be for the unexpired term and shall be made in the same manner as the original appointment. Nonlegislative citizen members shall not be eligible to serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

Members shall receive no compensation for their services, but shall be reimbursed out of the Fund for all reasonable and necessary expenses as provided in §§ 2.2-2813 and 2.2-2825 incurred in the performance of their duties. The Division of Legislative Services shall be reimbursed from the Fund for costs, as shall be approved by the Committee, incurred in providing administrative assistance to the Committee.

C. The Committee shall elect a chairman and vice chairman from among its legislative membership. A majority of the members of the Committee shall constitute a quorum. The Committee shall meet at least one time each year, and additional meetings may be held at the call of the chairman.

D. The Committee shall develop goals and guidelines for the use of the Fund, which may include but not be limited to cooperative programs with, or project grants to, state agencies, the federal

government, or any not-for-profit agency, institution, organization, or entity, public or private, whose purpose is to provide environmental education and projects relating to the restoration and conservation of the Chesapeake Bay. Moneys in the Fund may not be used to supplant existing general fund appropriations except as provided in subsection B.

E. No later than December 1 of each year, the Committee shall present to the General Assembly and the Governor a plan for expenditure of any amounts in the Fund.

F. Staffing of the Committee shall be provided by the Division of Legislative Services.

CHAPTER 36.

VIRGINIA HOUSING COMMISSION.

§ 30-242. Virginia Housing Commission; purpose.

The Virginia Housing Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to study and provide recommendations to ensure and foster the availability of safe, sound affordable housing for every Virginian. The Commission may also study and make recommendations relating to such other housing, real property, and community development issues as it may be called upon to consider or as may be desirable.

§ 30-243. Membership; terms.

The Commission shall consist of 11 members. Of these members, there shall be eight legislative members and three nonlegislative citizen members as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; and three nonlegislative citizen members appointed by the Governor. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.

Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed for successive terms. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice chairman every two years from among its membership, who shall be members of the General Assembly.

§ 30-244. Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-245. Compensation and expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for the performance of their duties. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be provided from existing appropriations to the Commission.

§ 30-246. Powers and duties.

The Commission shall have the following powers and duties:

1. Undertake studies, gather information and data, and pursue such other activities as may be desirable to accomplish its purposes as set forth in § 30-242; and

2. Report annually on its activities during the preceding year and include a discussion of studies made and recommendations for administrative or legislative action. The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-247. Staffing.

The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties as set forth in this chapter. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts as may be appropriated from general or nongeneral funds. Nongeneral funds may include, but not be limited to, federal grants and private donations or contributions. All other agencies and governing bodies and agencies of political subdivisions of the Commonwealth shall provide assistance to the Commission, upon request.

CHAPTER 37.

JOINT REAPPORTIONMENT COMMITTEE.

§ 30-248. Joint Reapportionment Committee; membership; terms; quorum; compensation and

expenses.

A. The Joint Reapportionment Committee is established in the legislative branch of state government. The Committee shall consist of five members of the Committee on Privileges and Elections of the House of Delegates and three members of the Committee on Privileges and Elections of the Senate appointed by the respective chairmen of the two committees. Members shall serve terms coincident with their terms of office.

B. The Joint Committee shall elect a chairman and vice chairman from among its membership. A majority of the members of the Committee shall constitute a quorum. The meetings of the Committee shall be held at the call of the chairman or whenever the majority of the members so request.

C. The Joint Committee shall supervise activities required for the tabulation of population for the census and for the timely reception of precinct population data for reapportionment, and perform such other duties and responsibilities and exercise such supervision as may promote the orderly redistricting of congressional, state legislative, and local election districts.

D. Members shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Office of the Clerk of the House of Delegates and the Office of Clerk of the Senate for their respective members.

§ 30-249. Staff to Joint Reapportionment Committee; census liaison.

A. The Division of Legislative Services shall serve as staff to the Joint Reapportionment Committee. The Director of the Division, or his designated representative, shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to United States Public Law 94-171. The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division of Legislative Services in the exchange of all statistical and other information pertinent to preparation for the census.

B. The Division shall maintain the current election district and precinct boundaries of each county and city as a part of the General Assembly's computer-assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance which changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with maps and other evidence documenting the boundary, to the Division.

C. The Division shall prepare and maintain a written description of the boundaries for the congressional, senatorial, and House of Delegates districts set out in Article 2 (§ 24.2-302 et seq.) of Chapter 3 of Title 24.2. The descriptions shall identify each district boundary, insofar as practicable, by reference to political subdivision boundaries or to physical features such as named roads and streets. The Division shall furnish to each general registrar the descriptions for the districts dividing his county or city. The provisions of Article 2, including the statistical reports referred to in Article 2, shall be controlling in any legal determination of a district boundary.

§ 30-250. Reapportionment of congressional and state legislative districts; United States Census population counts.

For the purposes of redrawing the boundaries of the congressional, state Senate, and House of Delegates districts after the United States Census for the year 2000 and every 10 years thereafter, the General Assembly shall use the population data provided by the United States Bureau of the Census identical to those from the actual enumeration conducted by the Bureau for the apportionment of the Representatives of the United States House of Representatives following the United States decennial census, except that the census data used for this apportionment purpose shall not include any population figure which is not allocated to specific census blocks within the Commonwealth, even though that population may have been included in the apportionment population figures of the Commonwealth for the purpose of allocating United States House of Representatives seats among the states.

§ 32.1-357. Board of Trustees; appointment; officers; quorum; compensation and expenses.

A. The Foundation shall be governed and administered by a Board of Trustees consisting of ~~twenty-three~~ 23 members. Two members shall be appointed by the Speaker of the House of Delegates from among the membership of the House of Delegates, one representing rural interests and one representing urban interests; ~~for terms concurrent with the term for which they have been elected to office~~; two members shall be appointed by the Senate Committee on Privileges and Elections Rules, one representing rural interests and one representing urban interests, from among the membership of the Senate ~~for terms concurrent with the term for which they have been elected to office~~; two members shall be the Commissioner of the Department of Health or his designee and the Chairman of the Alcoholic Beverage Control Board or his designee; and ~~seventeen~~ 17 nonlegislative citizen members shall be appointed by the Governor, subject to confirmation by the General Assembly, as follows: (i) five designated representatives of public health organizations, such as the American Cancer Society, American Heart Association, Virginia Pediatric Society, Virginia Academy of Family Physicians, Virginia Dental Association, American Lung Association of Virginia, Medical Society of Virginia, Virginia Association of School Nurses, Virginia Nurses Association, and the Virginia Thoracic Society; (ii) four health professionals in the fields of oncology, cardiology, pulmonary medicine, and pediatrics;

and (iii) eight citizens *at large*, including two youths. Of the eight citizen *at large* members, three adults shall be appointed by the Governor from a list of six provided by members of the General Assembly appointed to the Foundation and one member who is under the age of ~~eighteen~~ 18 years shall be appointed by the Governor from a list of three provided by the members of the General Assembly appointed to the Foundation.

~~Except as otherwise provided herein, appointments shall be for four years. Legislative members and the Commissioner of the Department of Health and the Chairman of the Alcoholic Beverage Control Board shall serve terms coincident with their terms of office. Following the initial staggering of terms, nonlegislative citizen members shall serve four-year terms.~~ Vacancies in the membership of the Board shall be filled by appointment of the entity initially making the appointment for the unexpired portion of the term. ~~Vacancies shall be filled in the same manner as the original appointments. Legislative members may be reappointed for successive terms.~~ No nonlegislative citizen member shall be eligible to serve for more than two successive four-year terms; however, after the 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. Immediately after such appointment, the members shall enter upon the performance of their duties.

The initial appointments of the representatives of the public health organizations, the health professionals, and the citizen members shall be as follows: one representative of a public health organization, two health professionals and three citizen members shall be appointed for terms of two years; two representatives of public health organizations, one health professional and three citizen members shall be appointed for terms of three years; and two representatives of public health organizations, one health professional and two citizen members shall be appointed for terms of four years. Thereafter All appointments shall be for terms of four years.

B. The Foundation shall appoint from the membership of the Board a chairman and ~~vice-chairman~~ vice chairman, both of whom shall serve in such capacities at the pleasure of the Foundation. The chairman, or in his absence, the ~~vice-chairman~~ vice chairman, shall preside at all meetings of the Board. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business. The Board shall meet annually or more frequently at the call of the chairman.

C. ~~Members of the Board shall receive compensation for their services at the rate provided in the appropriation act and reimbursement for actual~~ Legislative members shall receive such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties on behalf of the Board as provided by §§ 2.2-2813 and 2.2-2825. Such compensation and expenses shall be paid from the Fund.

D. Notwithstanding the provisions of any other law, no officer or employee of the Commonwealth shall be deemed to have forfeited or shall forfeit his office or employment by reason of his acceptance of membership on the Board or his service to the Foundation.

E. Members of the Board and employees of the Foundation shall be subject to the standards of conduct set forth in the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and may be removed from office for misfeasance, malfeasance, nonfeasance, neglect of duty, or misconduct in the manner set forth therein.

§ 51.1-124.20. Board of Trustees; membership; terms; quorum; compensation and expenses.

A. The Board of Trustees of the Virginia Retirement System holding office on the effective date of this section is dissolved and the appointees are discharged from any further duties and shall exercise no further powers or authority by virtue of their office.

B. The Board of Trustees is hereby reestablished and reconstituted as follows:

1. The Board shall be established as an independent board in state government and shall consist of nine members. The Governor shall appoint as follows: five members of the Board who shall be appointed by the Governor and confirmed by the affirmative vote of a majority of those voting in each house of the General Assembly; and four members appointed by the Joint Rules Committee shall appoint the other four members of the Board who shall be and confirmed by the affirmative vote of a majority of those voting in each house of the General Assembly. The Joint Rules Committee shall designate the term of its appointees under subdivision B 3 below for the term for which each appointee is a candidate.

2. Members shall be appointed for five-year terms with such members leaving the Board on a staggered basis.

3. For the initial term of the Board of Trustees, the schedule below shall be followed:

a. One gubernatorial appointee, who shall be the Governor's designee to serve as chairman, shall be appointed for a term of one year;

b. One gubernatorial and one legislative appointee shall be appointed for a term of two years;

c. One gubernatorial and one legislative appointee shall be appointed for a term of three years;

d. One gubernatorial and one legislative appointee shall be appointed for a term of four years; and

e. One gubernatorial and one legislative appointee shall be appointed for a term of five years.

C B. Members shall be appointed for five-year terms with such members leaving the Board on a

staggered basis as initially provided. Appointments to fill vacancies shall be for the unexpired terms. A vacancy of a legislatively appointed trustee shall be filled by the Joint Rules Committee, and any such appointee shall enter upon and continue in office, subject to confirmation at the next session of the General Assembly. If the General Assembly refuses or fails to confirm his appointment, such person shall not be eligible for reappointment.

Ð C. No member shall be eligible to serve for more than two successive five-year terms. After the expiration of an unexpired term to which appointed, or for an *initial staggered* appointment ~~described in subdivision B 3 a, b, c, or d of this section~~ of less than five years, a member may serve one additional five-year term.

Ð D. Subject to confirmation by the affirmative vote of a majority of those voting in each house of the General Assembly, the Governor shall designate the chairman of the Board from among the Board members described in subsection B A above. A chairman may be reappointed and confirmed for additional two-year terms, not to exceed a total of two. However, the initial chairman's one-year term shall not be counted against the two-term limitation, and such person may serve as chairman for five successive years if appointed and confirmed as aforesaid. The chairman shall (i) preside over meetings of the Board; (ii) communicate on behalf of the Board to outside entities interested in the Retirement System; and (iii) perform additional duties as may be set by resolution of the Board. The Board shall elect one of its members as ~~vice-chairman~~ *vice chairman* and appoint a secretary who may or may not be a member of the Board. A majority of the members of the Board shall constitute a quorum. *The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.*

Ð E. Trustees shall receive an initial stipend of \$3,000 for each calendar quarter they may serve and a per diem of \$300 for each Board meeting attended not to exceed one meeting per day. Commencing July 1, 1995, the stipend shall be increased annually by a percentage equal to the most recent salary structure adjustment as provided in the general appropriation act. The chairman shall receive an additional \$1,500 for each calendar quarter served in such capacity. Government employees, still actively employed by any governmental entity, shall receive a per diem of \$300 for each Board meeting attended, not to exceed one meeting per day, but shall receive no stipend for their service. Retired government employees shall be entitled to receive a stipend of \$3,000 for each calendar quarter they may serve and a per diem of \$300 for each Board meeting attended not to exceed one meeting per day. Each Board member shall be entitled to receive reimbursement for ~~his actual~~ *all* reasonable and necessary expenses incurred for attending Board meetings *as provided in §§ 2.2-2813 and 2.2-2825.* Any member of the Board who also serves as an officer, director, or member of the board of any corporation organized by the Virginia Retirement System shall be entitled to receive compensation and expenses pursuant to this subsection in addition to any remuneration to which he is entitled by virtue of his service as an officer, director, or member of the board of any corporation organized by the Virginia Retirement System. *Funding for the costs of compensation and expenses of the members shall be provided by the Virginia Retirement System.*

Ð F. No elected or appointed official shall serve on the Board of Trustees. Except for the faculty member or employee of a state-supported institution of higher education, none of the gubernatorial appointees shall be an employee of state government.

Ð G. The gubernatorial appointees shall be as follows: two shall have a minimum of five years of experience in the direct management, analysis, supervision, or investment of assets; one shall have at least five years of direct experience in the management and administration of employee benefit plans; one shall be a local employee; and one shall be a faculty member or employee of a state-supported institution of higher education.

Ð H. The legislative appointees shall be as follows: two shall have a minimum of five years of experience in the direct management, analysis, supervision, or investment of assets; and one shall be a state employee and one shall be a teacher, as such terms are defined in § 51.1-124.3.

Ð I. State and local government employees appointed to the Board pursuant to this section shall be members of the Retirement System at the time of their appointment, may be actively employed or retired, and if actively employed, shall be given administrative leave from their employment to attend Board and advisory committee meetings.

Ð J. Members of the Board shall be subject to removal from office only as set forth in Article 7 (§§ 24.2-230 through 24.2-238) of Chapter 2 of Title 24.2. The Circuit Court of the City of Richmond shall have exclusive jurisdiction over all proceedings for such removal.

Ð K. Faculty members of state-supported institutions of higher education shall be eligible to serve on the Board pursuant to this section if they are members of the Retirement System at the time of their confirmation to the Board or become members of the Retirement System within ~~eighteen~~ 18 months after their confirmation to the Board.

L. *All members of the Board shall be citizens of the Commonwealth.*

§ 51.5-39.2. The Virginia Office for Protection and Advocacy; governing board; terms; quorum; expenses; summary of annual work.

A. The Department for Rights of Virginians with Disabilities is hereby ~~reestablished~~ *established* as

an independent state agency to be known as the Virginia Office for Protection and Advocacy. The Office is designated as the agency to protect and advocate for the rights of persons with mental, cognitive, sensory, physical or other disabilities and to receive federal funds on behalf of the Commonwealth of Virginia to implement the federal Protection and Advocacy for Individuals with Mental Illness Act, the federal Developmental Disabilities Assistance and Bill of Rights Act, the federal Rehabilitation Act, the Virginians with Disabilities Act and such other related programs as may be established by state and federal law. Notwithstanding any other provision of law, the Office shall be independent of the Office of the Attorney General and shall have the authority, pursuant to subdivision 5 of § 2.2-510, to employ and contract with legal counsel to carry out the purposes of this chapter and to employ and contract with legal counsel to advise and represent the Office, to initiate actions on behalf of the Office, and to defend the Office and its officers, agents and employees in the course and scope of their employment or authorization, in any matter, including state, federal and administrative proceedings. Compensation for legal counsel shall be paid out of the funds appropriated for the administration of the Office. However, in the event defense is provided under Article 5 (§ 2.2-1832 et seq.) of Chapter 18 of Title 2.2, counsel shall be appointed pursuant to subdivision 4 of § 2.2-510. The Office shall provide ombudsman, advocacy and legal services to persons with disabilities who may be represented by the Office. The Office is authorized to receive and act upon complaints concerning discrimination on the basis of disability, abuse and neglect or other denial of rights, and practices and conditions in institutions, hospitals, and programs for persons with disabilities, and to investigate complaints relating to abuse and neglect or other violation of the rights of persons with disabilities in proceedings under state or federal law, and to initiate any proceedings to secure the rights of such persons.

B. The Office shall be governed by an 11-member board consisting of 11 nonlegislative citizen members. The members shall be appointed as follows: five citizens at large, of whom one shall be a person with a developmental disability or the parent, family member, guardian, advocate, or authorized representative of such an individual, one shall be a person with a physical disability or the parent, family member, guardian, advocate, or authorized representative of such an individual, one shall be a person who represents persons with cognitive disabilities, one shall be a person who represents persons with developmental disabilities, and one shall be a person who represents persons with sensory or physical disabilities, to be appointed by the Speaker of the House of Delegates; three citizens at large, of whom one shall be a person with a cognitive disability or the parent, family member, guardian, advocate, or authorized representative of such an individual, one shall be a person who represents persons with mental illnesses, and one shall be a person who represents people with mental or neurological disabilities, to be appointed by the Senate Committee on *Privileges and Elections Rules*; and three citizens at large, of whom one shall be a person with a mental illness or the parent, family member, guardian, advocate, or authorized representative of such an individual, one shall be a person with a sensory disability or the parent, family member, guardian, advocate, or authorized representative of such an individual, and one shall be a person with a mental or neurological disability or the parent, family member, guardian, advocate, or authorized representative of such an individual, to be appointed by the Governor. Persons appointed to the board to represent individuals with a disability shall be knowledgeable of the broad range of needs of such persons served by the Office. Persons appointed to the board who have a disability shall be individuals who are eligible for, are receiving, or have received services through the state system that protects and advocates for the rights of individuals with disabilities. In appointing the members of the Board, consideration shall be given to persons nominated by statewide groups that advocate for the physically, developmentally, and mentally disabled. *The Virginia Office for Protection and Advocacy shall coordinate and provide to the appointing authorities the lists of nominations for each appointment.* The Speaker of the House of Delegates, the Senate Committee on *Privileges and Elections Rules* and the Governor shall not be limited in their appointments to persons so nominated; however, such appointing authorities shall seriously consider the persons nominated and appoint such persons whenever feasible.

No member of the General Assembly, elected official, or current employee of the Department of Mental Health, Mental Retardation and Substance Abuse Services, State Health Department, Department of Rehabilitative Services, Department for the Blind and Vision Impaired, Virginia Department for the Deaf and Hard-of-Hearing, a community services board, a behavioral health authority, or a local government department with a policy-advisory community services board shall be appointed to the Board.

C. Appointments of nonlegislative citizen members shall be staggered as follows: two members for a term of one year, one member for a term of two years, one member for a term of three years, and one member for a term of four years appointed by the Speaker of the House of Delegates; one member for a term of two years, one member for a term of three years, and one member for a term of four years appointed by the Senate Committee on *Privileges and Elections*; and one member for a term of two years, one member for a term of three years, and one member for a term of four years appointed by the Governor. Thereafter, Nonlegislative citizen members shall be appointed for a term of four years, following the initial staggering of terms. All members may be reappointed, except that any member

appointed ~~initially~~ *during the initial staggering of terms* to a four-year term shall not be eligible for reappointment for two years after the expiration of his term. However, no nonlegislative citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All appointments and reappointments shall be subject to confirmation at the next session of the General Assembly. All appointments shall be confirmed by the affirmative vote of a majority of those voting in each house of the General Assembly. Members shall continue to serve until such time as their successors have been appointed and duly qualified to serve.

D. The Board shall elect a chairman and a vice chairman from among its members and appoint a secretary who may or may not be a member of the Board. A majority of the members of the Board shall constitute a quorum.

The Board shall meet at least four times each year. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the voting members so request. The chairman shall perform such additional duties as may be established by resolution of the Board.

E. Members shall serve without compensation for their services; however, all members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Virginia Office for Protection and Advocacy.

F. Members of the Board shall be subject to removal from office only as set forth in Article 7 (§ 24.2-230 et seq.) of Chapter 2 of Title 24.2. The Circuit Court of the City of Richmond shall have exclusive jurisdiction over all proceedings for such removal.

G. The chairman of the Board shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted to the General Assembly's website.

§ 58.1-202.2. Public-private partnerships; Public Private Partnership Oversight Committee.

A. The Tax Commissioner is hereby authorized through the Department of General Services in accordance with the Virginia Public Procurement Act to enter into public-private partnership contracts to finance agency technology needs. The Tax Commissioner may issue a request for information to seek out potential private partners interested in providing programs pursuant to an agreement under this section. The compensation for such services shall be computed with reference to and paid from the increased revenue attributable to the successful implementation of the technology program for the period specified in the contract.

B. ~~An external oversight group including, but not limited to, the State Comptroller, the Director of the Department of Planning and Budget, the State Internal Auditor, one representative appointed by the President pro tempore of the Senate, and one representative appointed by the Speaker of the House of Delegates shall be responsible for reviewing and approving~~ *The Public Private Partnership Oversight Committee, hereinafter referred to as the "Committee" is established as an advisory committee in the executive branch of state government to review and approve the terms of contracts under this section relating to the measurement of the revenue attributable to the technology program. The Committee shall consist of five members as follows: one legislative employee appointed by the Senate Committee on Rules after the consideration of the recommendation of the President pro tempore of the Senate, if any; one legislative employee appointed by the Speaker of the House of Delegates; and the State Comptroller, the Director of the Department of Planning and Budget, and the State Internal Auditor, as ex officio voting members. All members shall be citizens of the Commonwealth.*

Ex officio members shall serve terms coincident with their terms of office. Legislative employee members shall be appointed for a term of two years and may be reappointed for successive terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

The Tax Commissioner shall preside over the meetings of the Committee. The Committee may select an alternative to preside in the absence of the Tax Commissioner. A majority of the members shall constitute a quorum. The meetings of the Committee shall be held at the call of the Tax Commissioner or whenever the majority of the members so request.

The Tax Commissioner shall ~~prepare~~ submit an annual executive summary and report no later than November 30 to the Governor and General Assembly on all agreements under this section, describing each technology program, its progress, revenue impact, and such other information as may be relevant. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

C. The Tax Commissioner shall determine annually the total amount of increased revenue attributable to the successful implementation of a technology program under this section and such amount shall be

deposited in a special fund known as the Technology Partnership Fund (the Fund). The Tax Commissioner is authorized to use moneys deposited in the Fund to pay private partners pursuant to the terms of contracts under this section. All moneys in excess of that required to be paid to private partners, as determined by the Department, shall be reported to the Comptroller and transferred to the appropriate general or nongeneral fund.

§ 65.2-1301. Statewide Coordinating Committee; membership; terms.

A. ~~There shall be a~~ *The Statewide Coordinating Committee composed is established as an independent state committee and shall consist of nine nonlegislative citizen residents of the Commonwealth appointed by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections of the Senate of Virginia Rules.* Five of the Committee members shall be physicians who have patients whose costs of treatment are reimbursed in whole or in part pursuant to this title; each physician member shall be appointed from and represent a different health systems area. One member shall be a representative of employers in the Commonwealth, one member shall be a representative of employees in the Commonwealth, one member shall be a representative of the Virginia Hospital and Healthcare Association and one member shall be a representative of insurance carriers that provide workers' compensation insurance in the Commonwealth. The physician members of the Committee may be appointed from nominations submitted by The Medical Society of Virginia. The chairman of the Statewide Coordinating Committee shall be a physician member of and selected by the Committee.

B. ~~Of the members first appointed to the Statewide Coordinating Committee, three members shall be appointed for a term of one year, three members shall be appointed for a term of two years and the remaining members shall be appointed for a term of three years. Thereafter, After the initial staggering of terms, appointments shall be made for terms of three years or the unexpired portions thereof.~~ A vacancy other than by expiration of term shall be filled for the unexpired term by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections of the Senate Rules. No person shall be eligible to serve more than two consecutive three-year terms. *The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.*

C. *The term of the members of the Statewide Coordinating Committee shall lapse, if such Committee fails to meet within 60 days following the written request of the Virginia Workers' Compensation Commission for such Committee to hold a meeting. Vacancies created by this subsection shall be filled in the same manner as the original appointments and shall be for the unexpired terms.*

§ 65.2-1302. Compensation and expenses of members of Statewide Coordinating Committee and regional peer review committees.

Each member of the Statewide Coordinating Committee and regional peer review committees shall receive for each day actually employed in the ~~discharge~~ *performance* of his official duties such compensation as may be fixed by the Virginia Workers' Compensation Commission, ~~together with and~~ all *reasonable and* necessary expenses incurred *in the performance of such duties*. The compensation and expenses of the members and the necessary expenses of the Committee shall be paid ~~out of the state treasury upon the warrants of the Comptroller by the Virginia Workers' Compensation Commission.~~

§ 65.2-1303. Regional peer review committees.

A. The Statewide Coordinating Committee shall establish a regional peer review committee in each health systems area. Each regional peer review committee shall be composed of five physicians appointed by the Statewide Coordinating Committee from nominations submitted by The Medical Society of Virginia. Each committee member shall practice in the health systems area and have patients the costs of whose treatment is reimbursed in whole or in part pursuant to this title. The term of each member of each regional peer review committee shall be established by the Statewide Coordinating Committee.

B. *The term of the members of any regional peer review committee shall lapse, if such committee fails to meet within 60 days following the written request of the Virginia Workers' Compensation Commission for such committee to hold a meeting. Vacancies created by this subsection shall be filled in the same manner as the original appointments and shall be for the unexpired terms.*

2. That the third enactment clauses of Chapters 749 and 766 of the Acts of Assembly of 2003 are amended as follows:

3. Notwithstanding § 2.2-720, current members of the Alzheimer's Disease and Related Disorders Commission shall continue to serve until the expiration of their terms July 1, 2004. Thereafter, terms established by § 2.2-720 shall apply.

3. That § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2, and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the Acts of Assembly of 1964, Chapter 449 of the Acts of Assembly of 1968, Chapters 295 of the Acts of Assembly of 1970, Chapter 422 of the Acts of Assembly of 1972, Chapters 251 and 520 of the Acts of Assembly of 1974, Chapter 141 of the Acts of Assembly of 1976, Chapter 144 of the Acts of Assembly of 1980, Chapter 227 of the Acts of Assembly of 1981, and Chapter 149 of the Acts of Assembly of 1989 are repealed.

4. That the provisions of § 30-229.1 shall become effective on July 1, 2005.
5. That this act shall not be construed to affect existing appointments for which the terms have not expired. However, any new appointments or appointments to fill vacancies made after the effective date of this act shall be made in accordance with the provisions of this act.