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HOUSE BILL NO. 12**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on General Laws
on January 15, 2004)

(Patrons Prior to Substitute—Delegates Cox [HB 12] and Athey [HB 204])

A BILL to amend and reenact § 51.5-72 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 51.5-72.1, relating to consolidation of the Advisory Boards for the Virginia Industries for the Blind of Charlottesville and Richmond.

Be it enacted by the General Assembly of Virginia:

1. That § 51.5-72 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 51.5-72.1 as follows:

§ 51.5-72. Establishment of schools and manufacturing and service industries; expenditures.

A. The Department may (i) establish, equip and maintain schools for manufacturing and service industrial training for the employment of suitable blind persons, (ii) pay its employees suitable wages and contribute five percent of the creditable compensation of those employees who elect to participate in a before-tax payroll deduction to a tax deferred retirement savings plan established under the United States Internal Revenue Code for nonprofit agencies, and (iii) devise means for the sale and distribution of the products thereof. However, any expenditures made under §§ 51.5-63, 51.5-66, 51.5-68, and 51.5-72 through 51.5-76 shall not exceed the annual appropriation or the amount received by way of bequest or donation during any one year, and no part of the funds appropriated by the Commonwealth for the purposes of §§ 51.5-63, 51.5-66, 51.5-68, and 51.5-72 through 51.5-76 shall be used for solely charitable purposes.

B. The Board shall establish an advisory board for each of the manufacturing and services industries established pursuant to this section. Each board shall consist of nine persons, at least two of whom shall be blind persons or parents of blind persons, at least two of whom shall represent human service agencies, and the remainder of whom shall represent local business and manufacturing entities and other employers. The Board shall initially appoint the members of each advisory board. As each member's term expires, the advisory board shall itself make subsequent appointments for terms of three years. No member shall serve for more than two consecutive three-year terms. The powers and duties of each advisory board shall include but not be limited to advising managers of the manufacturing plants on business trends, product development, contract opportunities, and other business matters and reviewing and commenting on fiscal and budgetary matters concerning the operations of the manufacturing and service industries.

§ 51.5-72.1. *The State Advisory Board for the Virginia Industries for the Blind.*

A. *The State Advisory Board for the Virginia Industries for the Blind (the "Board") is established as an advisory board in the executive branch of state government. The purpose of the Board is to provide advice for creating opportunities in career development and employment-related services to blind and visually impaired individuals.*

B. *The Board shall consist of 12 nonlegislative citizen members appointed by the Board for the Blind and Vision Impaired as follows: (i) three persons who shall be blind persons or parents of blind persons; (ii) three representatives of human service agencies; and (iii) six persons who represent local business and manufacturing entities and other employees. Members shall be appointed for a term of three 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 member shall 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. Vacancies shall be filled in the same manner as the original appointments.*

C. *The Board shall elect a chairman and vice chairman from among its membership. A majority of the voting members 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.*

D. *Members shall not receive compensation for their service or travel expenses.*

E. *The Board shall have the following powers and duties:*

1. *Advise managers of the manufacturing plants on business trends, product development, contract opportunities, and other business matters;*

2. *Review and comment on fiscal and budgetary matters concerning the operations of the manufacturing and service industries; and*

3. *Perform such other advisory acts that are in accord with the purposes of this section.*

F. *The Department for the Blind and Vision Impaired shall provide staff support to the Board. All agencies of the Commonwealth shall provide assistance to the Board, upon request.*

60 2. All members of the Advisory Boards for the Virginia Industries for the Blind of Charlottesville
61 and Richmond shall be eligible to complete their current terms as members of the State Advisory
62 Board for the Virginia Industries for the Blind. Thereafter, the Board for the Blind and Vision
63 Impaired shall stagger the terms of the members as may be appropriate to account for the
64 reduced membership.