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SENATE BILL NO. 1115

Offered January 12, 2005

Prefiled January 12, 2005

A *BILL to amend and reenact §§ 2.2-720, 2.2-2452, 2.2-2503, 2.2-2514, 2.2-2621, 2.2-2628, 2.2-2705, 3.1-1108, 10.1-1018, 18.2-271.2, 19.2-163.02, 20-108.2, 22.1-337, 22.1-346.1, 23-287, 23-297, 30-73.2, 30-85 through 30-88, 30-168.1, 30-172, 30-178, 30-208, 30-212, and 53.1-176.3 of the Code of Virginia, relating to the appointment and organization of certain collegial bodies.*

Patron—Norment

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-720, 2.2-2452, 2.2-2503, 2.2-2514, 2.2-2621, 2.2-2628, 2.2-2705, 3.1-1108, 10.1-1018, 18.2-271.2, 19.2-163.02, 20-108.2, 22.1-337, 22.1-346.1, 23-287, 23-297, 30-73.2, 30-85 through 30-88, 30-168.1, 30-172, 30-178, 30-208, 30-212, and 53.1-176.3 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-720. (Expires July 1, 2006) Alzheimer's Disease and Related Disorders Commission.

A. The Alzheimer's Disease and Related Disorders Commission (Commission) is established as an advisory commission in the executive branch of state government. The purpose of the entity is to assist people with Alzheimer's disease and related disorders and their caregivers.

B. The Commission shall consist of 15 nonlegislative citizen members. Members shall be appointed as follows: three members to be appointed by the Speaker of the House of Delegates; two members to be appointed by the Senate Committee on Privileges and Elections; and 10 members to be appointed by the Governor, of whom seven shall be from among the boards, staffs, and volunteers of the Virginia chapters of the Alzheimer's Disease and Related Disorders Association and three shall be from the public at large.

Initial appointments of nonlegislative citizen members shall be staggered as follows:

1. Two gubernatorial appointees shall be appointed for a term of one year each;

2. One member appointed by the Speaker of the House of Delegates and two gubernatorial appointees shall be appointed for a term of two years each;

3. Two members, one appointed by the Speaker of the House of Delegates and one appointed by the Senate Committee on Privileges and Elections; and three gubernatorial appointees shall be appointed for a term of three years each; and

4. Two members, one appointed by the Speaker of the House of Delegates and one appointed by the Senate Committee on Privileges and Elections; and three gubernatorial appointees shall be appointed for a term of four years each.

Thereafter, after the initial staggering of terms, 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. 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.

The Commission shall elect a chairman and vice-chairman from among its membership. A majority of the voting members shall constitute a quorum. The Commission shall meet at least 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.

C. Members shall receive such compensation for the discharge of their duties as provided in § 2.2-2813. All members shall be reimbursed for 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 for the Aging.

D. The Commission shall have the following powers and duties:

1. Examine the needs of persons with Alzheimer's disease and related disorders, as well as the needs of their caregivers, and ways that state government can most effectively and efficiently assist in meeting those needs;

2. Advise the Governor and General Assembly on policy, funding, regulatory and other issues related to persons suffering from Alzheimer's disease and related disorders and their caregivers;

3. Develop the Commonwealth's plan for meeting the needs of patients with Alzheimer's disease and related disorders and their caregivers, and advocate for such plan;

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59 4. Submit a report by October 1 of each year to the Governor and General Assembly regarding the
60 activities and recommendations of the Commission; and

61 5. Establish priorities for programs among state agencies related to Alzheimer's disease and related
62 disorders and criteria to evaluate these programs.

63 E. The Department for the Aging shall provide staff support to the Commission. All agencies of the
64 Commonwealth shall provide assistance to the Commission, upon request.

65 F. The Commission may apply for and expend such grants, gifts or bequests from any source as may
66 become available in connection with its duties under this section, and may comply with such conditions
67 and requirements as may be imposed in connections therewith.

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

73 H. This section shall expire on July 1, 2006.

74 § 2.2-2452. Board of Veterans Services; membership; terms; quorum; compensation; staff.

75 A. The Board of Veterans Services (the Board) is established as a policy board, within the meaning
76 of § 2.2-2100, in the executive branch of state government. The Board shall ~~consist of~~ have a total
77 membership of 19 members that ~~includes~~ shall consist of five legislative members, 11 nonlegislative
78 citizen members, and three ex officio members. Members shall be appointed as follows: three members
79 of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with
80 the principles of proportional representation contained in the Rules of the House of Delegates; two
81 members of the Senate to be appointed by the Senate Committee on ~~Privileges and Elections~~ Rules; and
82 11 nonlegislative citizen members to be appointed by the Governor; ~~the~~ The Commissioner of the
83 Department of Veterans Services ~~to~~ shall serve ex officio with full voting privileges; and the Chairman
84 of the Board of Trustees of the Veterans Services Foundation and the Chairman of the Joint Leadership
85 Council of Veterans Service Organizations ~~to~~ shall serve ex officio without voting privileges.
86 Nonlegislative citizen members of the Board shall be citizens of the Commonwealth.

87 Initial appointments of the Governor shall include at least three members who, as of January 1, 2003,
88 were members of the Board of Veterans' Affairs, the Virginia Veterans Cemetery Board, or the Virginia
89 Veterans Care Center Board of Trustees. In making appointments, the Governor shall endeavor to ensure
90 a balanced geographical representation on the Board while at the same time selecting appointees of such
91 qualifications and experience as will allow them to provide expertise and insight into:

92 1. Best practices in benefits claims services, medical and health care management, or cemetery
93 operations;

94 2. Performance measurements and general management principles; and

95 3. Nonprofit volunteer operations and management.

96 Each of the three areas of expertise shall be represented on the Board by at least two different
97 appointees per area of expertise in order to allow for the Board to be capable of developing reasonable
98 and effective policy recommendations related to the services provided to veterans of the armed forces of
99 the United States and their Virginia-domiciled surviving spouses, orphans, and dependents by the
100 Department of Veterans Services.

101 Legislative members and the Commissioner of the Department of Veterans Services shall serve terms
102 coincident with their terms of office. ~~Initial appointments of nonlegislative citizen members by the~~
103 ~~Governor shall be staggered as follows: three members for a term of one year, four members for a term~~
104 ~~of two years and four members for a term of three years. Thereafter,~~ After the initial staggering of terms,
105 nonlegislative citizen members shall be appointed for a term of four years. Appointments to fill
106 vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be
107 reappointed. However, no House member shall serve more than four consecutive two-year terms, no
108 Senate member shall serve more than two consecutive four-year terms, and no nonlegislative citizen
109 member shall serve more than two consecutive four-year terms.

110 The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a
111 term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same
112 manner as the original appointments.

113 B. The Board shall select a chairman from its membership and, pursuant to rules adopted by it, may
114 elect one of its members as vice-chairman. The Commissioner of the Department of Veterans Services
115 shall not be eligible to serve as chairman. The Board shall also elect one of its members as secretary.
116 The Board shall meet at least three times a year at such times as it deems appropriate or on call of the
117 chairman. A majority of the members of the Board shall constitute a quorum.

118 C. The Board shall be organized with at least three subcommittees that shall be responsible for (i)
119 veterans benefits, (ii) veterans care services, and (iii) veterans cemeteries.

120 D. The Department of Veterans Services shall provide staff to the Board.

§ 2.2-2503. Special Advisory Commission on Mandated Health Insurance Benefits; membership; terms; meetings; compensation and expenses; staff; chairman's executive summary.

A. The Special Advisory Commission on Mandated Health Insurance Benefits (the "Commission") is established as an advisory commission within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Commission shall be to advise the Governor and the General Assembly on the social and financial impact of current and proposed mandated benefits and providers, in the manner set forth in this article.

B. The Commission shall consist of 18 members that include six legislative members, 10 nonlegislative citizen members, and two ex officio members as follows: one member of the Senate Committee on Education and Health and one member of the Senate Committee on Commerce and Labor appointed by the Senate Committee on Privileges and Elections~~Rules~~; two members of the House Committee on Health, Welfare and Institutions and two members of the House Committee on Commerce and Labor 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; 10 nonlegislative citizen members appointed by the Governor that include one physician, one chief executive officer of a general acute care hospital, one allied health professional, one representative of small business, one representative of a major industry, one expert in the field of medical ethics, two representatives of the accident and health insurance industry, and two nonlegislative citizen members; and the State Commissioner of Health and the State Commissioner of Insurance, or their designees, who shall serve as ex officio nonvoting members.

C. All nonlegislative citizen members shall be appointed for terms of four years. Legislative and ex officio members shall serve terms coincident with their terms of office. All members may be reappointed. However, no House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, and no nonlegislative citizen member shall serve more than two consecutive four-year terms. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the 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.

D. The Commission shall meet at the request of the chairman, the majority of the voting members or the Governor. The Commission shall elect a chairman and a vice-chairman, as determined by the membership. A majority of the members of the Commission shall constitute a quorum.

E. Legislative members of the Commission 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. 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 compensation and costs of expenses of the members shall be provided by the State Corporation Commission.

F. The Bureau of Insurance, the State Health Department, and such other state agencies as may be considered appropriate by the Commission shall provide staff assistance to the Commission.

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

§ 2.2-2514. Membership; terms; vacancies; chairmen.

A. Persons appointed to the Board shall be selected for their knowledge of, background in, or experience with basic and applied research, emerging technologies, commercialization of the results and outputs of research activities, and the development and financing of technology intensive enterprises.

B. The Commission shall consist of ~~twenty-nine~~29 members to be appointed as follows: two members of the House Committee on Science and Technology appointed by the Speaker of the House of Delegates; the chairman of the Senate Committee on General Laws or his designee; and ~~twelve~~ 12 citizen members representing research- and technology-intensive industries, four of whom shall be appointed by the Speaker of the House of Delegates, two of whom shall be appointed by the Senate Committee on Privileges and Elections~~Rules~~, and six of whom shall be appointed by the Governor; the Secretaries of Commerce and Trade, Education, and Technology, or their designees; and the President of the Center for Innovative Technology or his designee. The following members shall serve as ex officio members with voting privileges: the Vice-Provosts of Research, or their designees, at the University of Virginia, Virginia Polytechnic Institute and State University, George Mason University, James Madison University, The College of William and Mary, Old Dominion University, and Virginia Commonwealth University; the Director of Jefferson Laboratories or his designee, the Executive Director of the Naval Surface Warfare Center, Dahlgren Division or his designee, and the Director of the NASA Langley

182 Research Center or his designee. Legislative members shall be appointed to serve terms coincident with
183 their terms of office. The citizen members shall be appointed for terms of four years, except that
184 appointments to fill vacancies shall be for the unexpired term. Vacancies shall be filled in the manner of
185 the original appointments.

186 C. The Governor shall designate one member representing Virginia's research universities and one
187 member representing the private sector as cochair.

188 D. A majority of the members of the Commission shall constitute a quorum. Commission meetings
189 shall be upon the call of the cochair.

190 E. Members of the Commission shall receive compensation and be entitled to be reimbursed for all
191 reasonable and necessary expenses incurred in the ~~discharge~~ *performance* of their duties as provided in
192 §§ 2.2-2104, 2.2-2813, 2.2-2823, 2.2-2825 and 30-19.12.

193 § 2.2-2621. Commonwealth Competition Council; membership; terms; chairman; quorum;
194 compensation; staff.

195 A. The Commonwealth Competition Council (the "Council") is established as an advisory council,
196 within the meaning of § 2.2-2100, in the executive branch of state government. The Council shall be
197 composed of ~~fifteen~~ 15 members to be appointed as follows: four employees of executive branch
198 agencies to be appointed by the Governor; two members of the House of Delegates to be appointed by
199 the Speaker of the House of Delegates *in accordance with the principles of proportional representation*
200 *contained in the Rules of the House of Delegates*; two members of the Senate to be appointed by the
201 Senate Committee on ~~Privileges and Elections~~ *Rules*; three members of the private sector to be appointed
202 by the Governor; two *nonlegislative* members of the private sector to be appointed by the Speaker of the
203 House of Delegates; and two *nonlegislative* members of the private sector, who shall be private sector
204 members of the Small Business Commission, to be appointed by the Senate Committee on ~~Privileges~~
205 *and Elections* *Rules*.

206 B. Legislative members shall serve on the Council until the expiration of their terms of office or
207 until their successors shall qualify. ~~Two of the members who are employees of executive branch~~
208 ~~agencies and one member from the private sector appointed by the Governor shall be appointed for~~
209 ~~terms of one year. Two of the members who are employees of executive branch agencies and two~~
210 ~~members from the private sector appointed by the Governor shall be appointed for terms of two years.~~
211 ~~The nonlegislative members appointed by the Speaker of the House of Delegates and the Senate~~
212 ~~Committee on Privileges and Elections shall be appointed for terms of three years. Thereafter~~ *Executive*
213 *branch agency members shall serve only as long as they retain their positions. After the initial*
214 *staggering of terms*, all nonlegislative members of the Council shall be appointed for terms of three
215 years.

216 C. Appointments to fill vacancies shall be for the unexpired terms. No ~~person~~ *nonlegislative citizen*
217 *member* shall be eligible to serve ~~for or during~~ more than two successive three-year terms. ~~Executive~~
218 ~~branch agency members shall serve only as long as they retain their positions.~~ *The remainder of any term*
219 *to which a member is appointed to fill a vacancy shall not constitute a term in determining the*
220 *member's eligibility for reappointment.*

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

223 E. Legislative members shall be compensated as specified in § 30-19.12, and *nonlegislative citizen*
224 *members, who are private sector members of the Small Business Commission, shall be compensated as*
225 *specified in § 30-182.* All members of the Council shall be reimbursed for their reasonable and necessary
226 expenses incurred in the ~~discharge~~ *performance* of their duties as provided in §§ 2.2-2813 and 2.2-2825.

227 F. The Council shall employ such staff as necessary to enable it to perform its duties as directed in
228 the appropriation act.

229 § 2.2-2628. Council on Indians; membership; terms; chairman; compensation and expenses;
230 chairman's executive summary.

231 A. The Council on Indians (the Council) is established as an advisory council, within the meaning of
232 § 2.2-2100, in the executive branch of state government. The Council shall be composed of *a total of* 16
233 members that ~~includes~~ *shall consist of* four legislative members and 12 nonlegislative citizen members
234 as follows: (i) the eight Virginia tribes officially recognized by the Commonwealth shall be entitled but
235 not required to be represented by one member from each tribe, (ii) three members at large from the
236 Indian population residing in Virginia, and (iii) one member from the Commonwealth at large, all of
237 whom shall be appointed by the Governor; (iv) three members of the House of Delegates appointed by
238 the Speaker of the House of Delegates in accordance with the principles of proportional representation
239 contained in the Rules of the House of Delegates; and (v) one member of the Senate appointed by the
240 Senate Committee on ~~Privileges and Elections~~ *Rules*. If a recognized tribe elects not to be represented,
241 then that seat on the Council shall be filled by appointment of an additional member from the at-large
242 Indian population of Virginia. Each at-large member from the Indian population residing in the
243 Commonwealth shall be required, as a condition of his appointment to the Council, to provide

verification of his status as an enrolled member of a tribe recognized by either the Commonwealth, another state, or territory. Such verification shall consist of a valid tribal identification card, confirmation of membership through a central tribal registry, a written statement of a tribal chief or council confirming membership, or certification of the enrolled member status from a tribal office.

B. After the original appointments, all nonlegislative citizen appointments shall be for terms of three years except appointments to fill vacancies, which shall be for the unexpired terms. Legislative members shall serve terms coincident with their terms of office. All members may be reappointed. However, no nonlegislative citizen member shall be eligible to serve more than three successive three-year terms, no member of the Senate shall be eligible to serve more than two successive four-year terms, and no member of the House of Delegates shall be eligible to serve more than four successive two-year terms, provided that no appointments to fill vacancies for an unexpired term shall be included in determining the term limit.

C. The Governor shall appoint one of the members appointed pursuant to clause (i) or (ii) of subsection A as chairman, who shall serve in such position at the pleasure of the Governor. The Council shall elect a 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 the voting members so request. A majority of the nonlegislative members shall constitute a quorum.

D. Members of the Council shall receive no compensation for their services, but shall be reimbursed for all reasonable and necessary expenses incurred in the 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 Office of the Governor.

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.

§ 2.2-2705. Virginia War Memorial Foundation; purpose; membership; terms; compensation and expenses; staff; chairman's executive summary.

A. The Virginia War Memorial Foundation (the Foundation) is established to serve as a policy foundation, within the meaning of § 2.2-2100, in the executive branch of state government. The Foundation shall be governed and administered by a board of trustees for the purpose of honoring patriotic Virginians who rendered faithful service and sacrifice in the cause of freedom and liberty for the Commonwealth and the nation in time of war.

B. The board of trustees shall ~~consist of~~ *have a total membership of* 19 members that ~~include~~ *shall consist of* eight legislative members, 10 nonlegislative citizen members, and one ex officio member 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 House of Delegates; three members of the Senate to be appointed by the Senate Committee on Privileges and Elections; 10 nonlegislative citizen members appointed by the Governor, subject to confirmation by the General Assembly; and the Secretary of Administration who shall serve ex officio with voting privileges. A majority of the trustees shall be members or veterans of the armed forces of the United States or the Virginia National Guard. Members appointed should include representatives of some or all of the various veterans organizations active in Virginia, as the Governor deems appropriate.

C. Except for initial appointments, all nonlegislative citizen member appointments shall be for terms of three years. Legislative members and the Secretary of Administration shall serve terms coincident with their terms of office. All members may be reappointed. However, no nonlegislative citizen member shall be eligible to serve for more than four successive three-year terms. No Senate member shall be eligible to serve more than three successive four-year terms and no member of the House of Delegates shall be eligible to serve more than six successive two-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. Trustees appointed by the Governor shall serve at his pleasure.

D. Legislative members of the Foundation shall receive such compensation as is set forth in § 30-19.12. 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 of legislative members shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates, as appropriate. Funding for the costs of expenses of all members shall be provided by the Foundation.

E. The Department of General Services shall provide the Foundation with administrative and other services.

305 F. The trustees shall adopt bylaws governing their organization and procedures and may amend the
306 same. The trustees shall elect from their number a chairman, vice-chairman, and such other officers as
307 their bylaws may provide. They shall also appoint an executive committee, composed of not less than
308 five trustees, which committee shall exercise the powers and duties imposed on the Foundation by this
309 section to the extent permitted by the trustees in their bylaws. Meetings of the board of trustees shall be
310 held at the call of the chairman or whenever a majority of the members so request. A majority of
311 members shall constitute a quorum.

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

317 § 3.1-1108. Membership; terms; vacancies; compensation and expenses; chairman; chairman's
318 executive summary.

319 A. The Commission shall be composed of 31 members as follows:

320 1. Six members of the House of Delegates appointed by the Speaker of the House of Delegates in
321 accordance with the principles of proportional representation contained in the Rules of the House of
322 Delegates;

323 2. Four members of the Senate appointed by the Senate Committee on ~~Privileges and Elections~~ Rules;

324 3. The Secretary of Commerce and Trade or his designee;

325 4. The Secretary of Finance or his designee;

326 5. The Commissioner of Agriculture and Consumer Services or his designee;

327 6. Three nonlegislative citizen members who shall be active flue-cured tobacco producers appointed
328 by the Governor. Of the active flue-cured tobacco producers, two shall be appointed by the Governor
329 from a list of six persons provided by the members of the General Assembly appointed to the
330 Commission;

331 7. Three nonlegislative citizen members who shall be active burley tobacco producers appointed by
332 the Governor. Of the active burley tobacco producers, one member shall be appointed by the Governor
333 from a list of three persons provided by the members of the General Assembly appointed to the
334 Commission;

335 8. One nonlegislative citizen member who shall be a representative of the Virginia Farm Bureau
336 Federation appointed by the Governor from a list of at least three persons provided by Virginia Farm
337 Bureau Federation; and

338 9. Eleven members shall be nonlegislative citizens appointed by the Governor. Of the 11
339 nonlegislative citizen members, three shall be appointed by the Governor from a list of nine provided by
340 the members of the General Assembly appointed to the Commission.

341 With the exception of the Secretary of Commerce and Trade or his designee, the Secretary of
342 Finance or his designee and the Commissioner of Agriculture and Consumer Services or his designee,
343 all members of the Commission shall reside in the Southside and Southwest regions of the
344 Commonwealth and shall be subject to confirmation by the General Assembly. To the extent feasible,
345 appointments representing the Southside and Southwest regions shall be proportional to the tobacco
346 quota production of each region.

347 Except as otherwise provided herein, all appointments shall be for terms of four years each.
348 Legislative members, the Secretary of Commerce and Trade, the Secretary of Finance, and the
349 Commissioner of Agriculture and Consumer Services shall serve terms coincident with their terms of
350 office. *Legislative members may be reappointed.* No nonlegislative citizen member shall be eligible to
351 serve more than two successive four-year terms; however, after expiration of a term of three years or
352 less, two additional four-year terms may be served by such member if appointed thereto. Appointments
353 to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Any
354 appointment to fill a vacancy shall be made in the same manner as the original appointment. The
355 remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in
356 determining the member's eligibility for reappointment.

357 The initial appointments of the active flue-cured tobacco producers, the active burley tobacco
358 producers, and other nonlegislative citizen members shall be as follows: one active flue-cured tobacco
359 producer, one active burley tobacco producer and four nonlegislative citizen members shall be appointed
360 for terms of two years; one active flue-cured tobacco producer, one active burley tobacco producer and
361 four nonlegislative citizen members shall be appointed for terms of three years; and one active
362 flue-cured tobacco producer, one active burley tobacco producer and three nonlegislative citizen
363 members shall be appointed for terms of four years. Thereafter all appointments shall be for terms of
364 four years.

365 B. The Commission shall appoint from its membership a chairman and a vice-chairman, both of
366 whom shall serve in such capacities at the pleasure of the Commission. The chairman, or in his absence,

the vice-chairman, shall preside at all meetings of the Commission. The meetings of the Commission shall be held on the call of the chairman or whenever the majority of the members so request. A majority of members of the Commission serving at any one time shall constitute a quorum for the transaction of business.

C. Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12, and nonlegislative 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. Such compensation and expenses shall be paid from the Fund.

D. Members and employees of the Commission 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.

E. Except as otherwise provided in this chapter, members and employees of the Commission shall be subject to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

F. 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.

§ 10.1-1018. Virginia Land Conservation Board of Trustees; membership; terms; vacancies; compensation and expenses; chairman's executive summary.

A. The Foundation shall be governed and administered by a Board of Trustees. The Board shall ~~consist of~~ *have a total membership of* 18 members that ~~include~~ *shall consist of* 17 citizen members and one ex officio voting member as follows: four citizen members, who may be members of the House of Delegates, to be appointed by the Speaker of the House of Delegates and, if such members are members of the House of Delegates, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two citizen members, who may be members of the Senate, to be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules*; 11 nonlegislative citizen members, one from each congressional district, to be appointed by the Governor; and the Secretary of Natural Resources, or his designee, to serve ex officio with voting privileges. Nonlegislative citizen members shall be appointed for four-year terms, except that initial appointments shall be made for terms of one to four years in a manner whereby no more than six members shall have terms that expire in the same year. Legislative members and the ex officio member shall serve terms coincident with their terms of office. 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 members may be reappointed. However, no Senate member shall serve more than two consecutive four-year terms, no House member shall serve more than four consecutive two-year terms and 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. Nonlegislative citizen members shall have experience or expertise, professional or personal, in one or more of the following areas: natural resource protection and conservation, construction and real estate development, natural habitat protection, environmental resource inventory and identification, forestry management, farming, farmland preservation, fish and wildlife management, historic preservation, and outdoor recreation. At least one of the nonlegislative citizen members shall be a farmer. Members of the Board shall post bond in the penalty of \$5,000 with the State Comptroller prior to entering upon the functions of office.

B. The Secretary of Natural Resources shall serve as the chairman of the Board of Trustees. The chairman shall serve until his successor is appointed. The members appointed as provided in subsection A shall elect a vice-chairman annually from among the members 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 at the call of the chairman or whenever a majority of the members so request.

C. Trustees of the Foundation shall receive no compensation 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 Foundation 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 Conservation and Recreation.

D. The chairman of the Board and any other person designated by the Board to handle the funds of the Foundation shall give bond, with corporate surety, in such penalty as is fixed by the Governor, conditioned upon the faithful discharge of his duties. The premium on the bonds shall be paid from funds available to the Foundation for such purpose.

E. The Board shall seek assistance in developing grant criteria and advice on grant priorities and any

other appropriate issues from a task force consisting of the following agency heads or their designees: the Director of the Department of Conservation and Recreation, the Commissioner of Agriculture and Consumer Services, the State Forester, the Director of the Department of Historic Resources, the Director of the Department of Game and Inland Fisheries and the Executive Director of the Virginia Outdoors Foundation. The Board may request any other agency head to serve on or appoint a designee to serve on the task force.

F. The chairman of the Board shall submit to the Governor and the General Assembly a biennial executive summary of the interim activity and work of the Board no later than the first day of each even-numbered year 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.

§ 18.2-271.2. Commission on VASAP; purpose; membership; terms; meetings; staffing; compensation and expenses; chairman's executive summary.

A. There is hereby established in the legislative branch of state government the Commission on the Virginia Alcohol Safety Action Program (VASAP). The Commission shall administer and supervise the state system of local alcohol and safety action programs, develop and maintain operation and performance standards for local alcohol and safety action programs, and allocate funding to such programs. The Commission shall ~~consist of~~ *have a total membership of* 15 members that ~~include~~ *shall consist of* six legislative members and nine nonlegislative citizen members. Members shall be appointed as follows: four current or former members of the House Committee for Courts of Justice, 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; two members of the Senate Committee for Courts of Justice, to be appointed by the Senate ~~Privileges and Elections~~ *Committee on Rules*; three sitting or retired judges, one each from the circuit, general district and juvenile and domestic relations district courts, who regularly hear or heard cases involving driving under the influence and are familiar with their local alcohol safety action programs, to be appointed by the Chairman of the Committee on District Courts; two directors of local alcohol safety action programs, to be appointed by the legislative members of the Commission; one representative from the law-enforcement profession, to be appointed by the Speaker of the House and one nonlegislative citizen at large, to be appointed by the Senate ~~Committee on Privileges and Elections~~ *Rules*; one representative from the Virginia Department of Motor Vehicles whose duties are substantially related to matters to be addressed by the Commission to be appointed by the Commissioner of the Department of Motor Vehicles, and one representative from the Department of Mental Health, Mental Retardation and Substance Abuse Services whose duties also substantially involve such matters, to be appointed by the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services. Legislative members shall serve terms coincident with their terms of office. In accordance with the staggered terms previously established, nonlegislative citizen members shall serve two-year terms. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Any appointment to fill a vacancy shall be made in the same manner as the original appointment.

B. The Commission shall meet at least four times each year at such places as it may from time to time designate. A majority of the members shall constitute a quorum. The Commission shall elect a chairman and vice-chairman from among its membership.

The Commission shall be empowered to establish and ensure the maintenance of minimum standards and criteria for program operations and performance, accounting, auditing, public information and administrative procedures for the various local alcohol safety action programs and shall be responsible for overseeing the administration of the statewide VASAP system. Such programs shall be certified by the Commission in accordance with procedures set forth in the Commission on VASAP Certification Manual. The Commission shall also oversee program plans, operations and performance and a system for allocating funds to cover deficits that may occur in the budgets of local programs.

C. The Commission shall appoint and employ and, at its pleasure, remove an executive director and such other persons as it may deem necessary, and determine their duties and fix their salaries or compensation.

D. The Commission shall appoint a Virginia Alcohol Safety Action Program Advisory Board to make recommendations to the Commission regarding its duties and administrative functions. The membership of such Board shall be appointed in the discretion of the Commission and include personnel from (i) local safety action programs, (ii) state or local boards of mental health and mental retardation and (iii) other community mental health services organizations. An assistant attorney general who provides counsel in matters relating to driving under the influence shall also be appointed to the Board.

E. Legislative members of the Commission shall receive compensation as provided in § 30-19.12. Funding for the costs of compensation of legislative members shall be provided by the Commission. All members shall be reimbursed for all reasonable and necessary expenses as provided in §§ 2.2-2813 and 2.2-2825 to be paid out of that portion of moneys paid in VASAP defendant entry fees which is

forwarded to the Virginia Alcohol Safety Action Program.

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

§ 19.2-163.02. Membership of Indigent Defense Commission; expenses.

The Virginia Indigent Defense Commission shall consist of 12 members; ~~including~~ *as follows*: the chairmen of the House and Senate Committees for Courts of Justice; the chairman of the Virginia State Crime Commission; the Executive Secretary of the Supreme Court or his designee; two attorneys officially designated by the Virginia State Bar; two persons appointed by the Governor; two persons appointed by the Speaker of the House of Delegates; and two persons appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules*. At least one of the appointments made by the Governor, one of the appointments made by the Speaker, and one of the appointments made by the Senate Committee on ~~Privileges and Elections~~ *Rules*, shall be an attorney in private practice with a demonstrated interest in indigent defense issues. Persons who are appointed by virtue of their office shall hold terms coincident with their terms of office. All other ~~appointments~~ *members* shall be *appointed* for terms of three years *and may be reappointed*.

The Commission shall elect a chairman and a vice-chairman from among its membership. A majority of the members shall constitute a quorum. The Commission shall meet at least four times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

Members shall be paid reasonable and necessary expenses incurred in the performance of their duties. Legislative members shall receive compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive compensation for their services as provided in §§ 2.2-2813 and 2.2-2825.

§ 20-108.2. Guideline for determination of child support; quadrennial review by Child Support Guidelines Review Panel; executive summary.

A. There shall be a rebuttable presumption in any judicial or administrative proceeding for child support under this title or Title 16.1 or 63.2, including cases involving split custody or shared custody, that the amount of the award which would result from the application of the guidelines set forth in this section is the correct amount of child support to be awarded. In order to rebut the presumption, the court shall make written findings in the order as set out in § 20-108.1, which findings may be incorporated by reference, that the application of the guidelines would be unjust or inappropriate in a particular case as determined by relevant evidence pertaining to the factors set out in §§ 20-107.2 and 20-108.1. The Department of Social Services shall set child support at the amount resulting from computations using the guidelines set out in this section pursuant to the authority granted to it in Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 and subject to the provisions of § 63.2-1918.

B. For purposes of application of the guideline, a basic child support obligation shall be computed using the schedule set out below. For combined monthly gross income amounts falling between amounts shown in the schedule, basic child support obligation amounts shall be extrapolated. However, unless one of the following exemptions applies where the sole custody child support obligation as computed pursuant to subdivision G 1 is less than \$65 per month, there shall be a presumptive minimum child support obligation of \$65 per month payable by the payor parent. Exemptions from this presumptive minimum monthly child support obligation shall include: parents unable to pay child support because they lack sufficient assets from which to pay child support and who, in addition, are institutionalized in a psychiatric facility; are imprisoned with no chance of parole; are medically verified to be totally and permanently disabled with no evidence of potential for paying child support, including recipients of Supplemental Security Income (SSI); or are otherwise involuntarily unable to produce income. "Number of children" means the number of children for whom the parents share joint legal responsibility and for whom support is being sought.

SCHEDULE OF MONTHLY BASIC CHILD SUPPORT OBLIGATIONS COMBINED MONTHLY GROSS ONE TWO THREE FOUR FIVE SIX INCOME CHILD CHILDREN CHILDREN CHILDREN
CHILDREN CHILDREN 0-599 65 65 65 65 65 65 600 110 111 113 114 115 116 650 138 140 142
143 145 146 700 153 169 170 172 174 176 750 160 197 199 202 204 206 800 168 226 228 231 233
236 850 175 254 257 260 263 266 900 182 281 286 289 292 295 950 189 292 315 318 322 325 1000
196 304 344 348 351 355 1050 203 315 373 377 381 385 1100 210 326 402 406 410 415 1150 217
337 422 435 440 445 1200 225 348 436 465 470 475 1250 232 360 451 497 502 507 1300 241 373
467 526 536 542 1350 249 386 483 545 570 576 1400 257 398 499 563 605 611 1450 265 411 515
581 633 645 1500 274 426 533 602 656 680 1550 282 436 547 617 672 714 1600 289 447 560 632
689 737 1650 295 458 573 647 705 754 1700 302 468 587 662 721 772 1750 309 479 600 676 738
789 1800 315 488 612 690 752 805 1850 321 497 623 702 766 819 1900 326 506 634 714 779 834

551 1950 332 514 645 727 793 848 2000 338 523 655 739 806 862 2050 343 532 666 751 819 877 2100
 552 349 540 677 763 833 891 2150 355 549 688 776 846 905 2200 360 558 699 788 860 920 2250 366
 553 567 710 800 873 934 2300 371 575 721 812 886 948 2350 377 584 732 825 900 963 2400 383 593
 554 743 837 913 977 2450 388 601 754 849 927 991 2500 394 610 765 862 940 1006 2550 399 619 776
 555 874 954 1020 2600 405 627 787 886 967 1034 2650 410 635 797 897 979 1048 2700 415 643 806 908
 556 991 1060 2750 420 651 816 919 1003 1073 2800 425 658 826 930 1015 1085 2850 430 667 836 941
 557 1027 1098 2900 435 675 846 953 1039 1112 2950 440 683 856 964 1052 1125 3000 445 691 866 975
 558 1064 1138 3050 450 699 876 987 1076 1152 3100 456 707 886 998 1089 1165 3150 461 715 896
 559 1010 1101 1178 3200 466 723 906 1021 1114 1191 3250 471 732 917 1032 1126 1205 3300 476 740
 560 927 1044 1139 1218 3350 481 748 937 1055 1151 1231 3400 486 756 947 1067 1164 1245 3450 492
 561 764 957 1078 1176 1258 3500 497 772 967 1089 1189 1271 3550 502 780 977 1101 1201 1285 3600
 562 507 788 987 1112 1213 1298 3650 512 797 997 1124 1226 1311 3700 518 806 1009 1137 1240 1326
 563 3750 524 815 1020 1150 1254 1342 3800 530 824 1032 1163 1268 1357 3850 536 834 1043 1176
 564 1283 1372 3900 542 843 1055 1189 1297 1387 3950 547 852 1066 1202 1311 1402 4000 553 861
 565 1078 1214 1325 1417 4050 559 871 1089 1227 1339 1432 4100 565 880 1101 1240 1353 1448 4150
 566 571 889 1112 1253 1367 1463 4200 577 898 1124 1266 1382 1478 4250 583 907 1135 1279 1396
 567 1493 4300 589 917 1147 1292 1410 1508 4350 594 926 1158 1305 1424 1523 4400 600 935 1170
 568 1318 1438 1538 4450 606 944 1181 1331 1452 1553 4500 612 954 1193 1344 1467 1569 4550 618
 569 963 1204 1357 1481 1584 4600 624 972 1216 1370 1495 1599 4650 630 981 1227 1383 1509 1614
 570 4700 635 989 1237 1395 1522 1627 4750 641 997 1247 1406 1534 1641 4800 646 1005 1257 1417
 571 1546 1654 4850 651 1013 1267 1428 1558 1667 4900 656 1021 1277 1439 1570 1679 4950 661 1028
 572 1286 1450 1582 1692 5000 666 1036 1295 1460 1593 1704 5050 671 1043 1305 1471 1605 1716 5100
 573 675 1051 1314 1481 1616 1728 5150 680 1058 1323 1492 1628 1741 5200 685 1066 1333 1502 1640
 574 1753 5250 690 1073 1342 1513 1651 1765 5300 695 1081 1351 1524 1663 1778 5350 700 1088 1361
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 576 1111 1389 1566 1709 1827 5550 719 1118 1398 1576 1720 1839 5600 724 1126 1407 1587 1732 1851
 577 5650 729 1133 1417 1598 1743 1864 5700 734 1141 1426 1608 1755 1876 5750 739 1148 1435 1619
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 579 1463 1650 1801 1925 5950 758 1178 1473 1661 1813 1937 6000 763 1186 1482 1672 1824 1950 6050
 580 768 1193 1491 1682 1836 1962 6100 773 1201 1501 1693 1847 1974 6150 778 1208 1510 1703 1859
 581 1987 6200 783 1216 1519 1714 1870 1999 6250 788 1223 1529 1724 1882 2011 6300 792 1231 1538
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 583 1253 1566 1767 1928 2060 6500 812 1261 1575 1777 1940 2073 6550 816 1267 1583 1786 1949 2083
 584 6600 820 1272 1590 1794 1957 2092 6650 823 1277 1597 1801 1965 2100 6700 827 1283 1604 1809
 585 1974 2109 6750 830 1288 1610 1817 1982 2118 6800 834 1293 1617 1824 1990 2127 6850 837 1299
 586 1624 1832 1999 2136 6900 841 1304 1631 1839 2007 2145 6950 845 1309 1637 1847 2016 2154 7000
 587 848 1315 1644 1855 2024 2163 7050 852 1320 1651 1862 2032 2172 7100 855 1325 1658 1870 2041
 588 2181 7150 859 1331 1665 1878 2049 2190 7200 862 1336 1671 1885 2057 2199 7250 866 1341 1678
 589 1893 2066 2207 7300 870 1347 1685 1900 2074 2216 7350 873 1352 1692 1908 2082 2225 7400 877
 590 1358 1698 1916 2091 2234 7450 880 1363 1705 1923 2099 2243 7500 884 1368 1712 1931 2108 2252
 591 7550 887 1374 1719 1938 2116 2261 7600 891 1379 1725 1946 2124 2270 7650 895 1384 1732 1954
 592 2133 2279 7700 898 1390 1739 1961 2141 2288 7750 902 1395 1746 1969 2149 2297 7800 905 1400
 593 1753 1977 2158 2305 7850 908 1405 1758 1983 2164 2313 7900 910 1409 1764 1989 2171 2320 7950
 594 913 1414 1770 1995 2178 2328 8000 916 1418 1776 2001 2185 2335 8050 918 1423 1781 2007 2192
 595 2343 8100 921 1428 1787 2014 2198 2350 8150 924 1432 1793 2020 2205 2357 8200 927 1437 1799
 596 2026 2212 2365 8250 929 1441 1804 2032 2219 2372 8300 932 1446 1810 2038 2226 2380 8350 935
 597 1450 1816 2045 2232 2387 8400 937 1455 1822 2051 2239 2395 8450 940 1459 1827 2057 2246 2402
 598 8500 943 1464 1833 2063 2253 2410 8550 945 1468 1839 2069 2260 2417 8600 948 1473 1845 2076
 599 2266 2425 8650 951 1478 1850 2082 2273 2432 8700 954 1482 1856 2088 2280 2440 8750 956 1487
 600 1862 2094 2287 2447 8800 959 1491 1868 2100 2294 2455 8850 962 1496 1873 2107 2300 2462 8900
 601 964 1500 1879 2113 2307 2470 8950 967 1505 1885 2119 2314 2477 9000 970 1509 1891 2125 2321
 602 2484 9050 973 1514 1896 2131 2328 2492 9100 975 1517 1901 2137 2334 2498 9150 977 1521 1905
 603 2141 2339 2503 9200 979 1524 1909 2146 2344 2509 9250 982 1527 1914 2151 2349 2514 9300 984
 604 1531 1918 2156 2354 2520 9350 986 1534 1922 2160 2359 2525 9400 988 1537 1926 2165 2365 2531
 605 9450 990 1541 1930 2170 2370 2536 9500 993 1544 1935 2175 2375 2541 9550 995 1547 1939 2179
 606 2380 2547 9600 997 1551 1943 2184 2385 2552 9650 999 1554 1947 2189 2390 2558 9700 1001 1557
 607 1951 2194 2396 2563 9750 1003 1561 1956 2198 2401 2569 9800 1006 1564 1960 2203 2406 2574
 608 9850 1008 1567 1964 2208 2411 2580 9900 1010 1571 1968 2213 2416 2585 9950 1012 1574 1972
 609 2218 2421 2590 10000 1014 1577 1977 2222 2427 2596
 610 For gross monthly income between \$10,000 and \$20,000, add the amount of child support for
 611 \$10,000 to the following percentages of gross income above \$10,000: ONE TWO THREE FOUR FIVE
 612 SIX CHILD CHILDREN CHILDREN CHILDREN CHILDREN CHILDREN 3.1% 5.1% 6.8% 7.8%

613 8.8% 9.5%

614 For gross monthly income between \$20,000 and \$50,000, add the amount of child support for
 615 \$20,000 to the following percentages of gross income above \$20,000: ONE TWO THREE FOUR FIVE
 616 SIX CHILD CHILDREN CHILDREN CHILDREN CHILDREN CHILDREN 2% 3.5% 5% 6% 6.9%
 617 7.8%

618 For gross monthly income over \$50,000, add the amount of child support for \$50,000 to the
 619 following percentages of gross income above \$50,000: ONE TWO THREE FOUR FIVE SIX CHILD
 620 CHILDREN CHILDREN CHILDREN CHILDREN CHILDREN 1% 2% 3% 4% 5% 6%

621 C. For purposes of this section, "gross income" means all income from all sources, and shall include,
 622 but not be limited to, income from salaries, wages, commissions, royalties, bonuses, dividends, severance
 623 pay, pensions, interest, trust income, annuities, capital gains, social security benefits except as listed
 624 below, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits,
 625 veterans' benefits, spousal support, rental income, gifts, prizes or awards.

626 If a parent's gross income includes disability insurance benefits, it shall also include any amounts
 627 paid to or for the child who is the subject of the order and derived by the child from the parent's
 628 entitlement to disability insurance benefits. To the extent that such derivative benefits are included in a
 629 parent's gross income, that parent shall be entitled to a credit against his or her ongoing basic child
 630 support obligation for any such amounts, and, if the amount of the credit exceeds the parent's basic child
 631 support obligations, the credit may be used to reduce arrearages.

632 Gross income shall be subject to deduction of reasonable business expenses for persons with income
 633 from self-employment, a partnership, or a closely held business. "Gross income" shall not include:

634 1. Benefits from public assistance and social services programs as defined in § 63.2-100;

635 2. Federal supplemental security income benefits;

636 3. Child support received; or

637 4. Income received by the payor from secondary employment income not previously included in
 638 "gross income," where the payor obtained the income to discharge a child support arrearage established
 639 by a court or administrative order and the payor is paying the arrearage pursuant to the order.
 640 "Secondary employment income" includes but is not limited to income from an additional job, from
 641 self-employment, or from overtime employment. The cessation of such secondary income upon the
 642 payment of the arrearage shall not be the basis for a material change in circumstances upon which a
 643 modification of child support may be based.

644 For purposes of this subsection: (i) spousal support received shall be included in gross income and
 645 spousal support paid shall be deducted from gross income when paid pursuant to an order or written
 646 agreement and (ii) one-half of any self-employment tax paid shall be deducted from gross income.

647 Where there is an existing court or administrative order or written agreement relating to the child or
 648 children of a party to the proceeding, who are not the child or children who are the subject of the
 649 present proceeding, then there is a presumption that there shall be deducted from the gross income of
 650 the party subject to such order or written agreement, the amount that the party is actually paying for the
 651 support of a child or children pursuant to such order or agreement.

652 Where a party to the proceeding has a natural or adopted child or children in the party's household
 653 or primary physical custody, and the child or children are not the subject of the present proceeding,
 654 there is a presumption that there shall be deducted from the gross income of that party the amount as
 655 shown on the Schedule of Monthly Basic Child Support Obligations contained in subsection B that
 656 represents that party's support obligation based solely on that party's income as being the total income
 657 available for the natural or adopted child or children in the party's household or primary physical
 658 custody, who are not the subject of the present proceeding. Provided, however, that the existence of a
 659 party's financial responsibility for such a child or children shall not of itself constitute a material change
 660 in circumstances for modifying a previous order of child support in any modification proceeding. Any
 661 adjustment to gross income under this subsection shall not create or reduce a support obligation to an
 662 amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and
 663 provide other basic necessities for the child, as determined by the court.

664 In cases in which retroactive liability for support is being determined, the court or administrative
 665 agency may use the gross monthly income of the parties averaged over the period of retroactivity.

666 D. Except for good cause shown or the agreement of the parties, in addition to any other child
 667 support obligations established pursuant to this section, any child support order shall provide that the
 668 parents pay in proportion to their gross incomes, as used for calculating the monthly support obligation,
 669 any reasonable and necessary unreimbursed medical or dental expenses that are in excess of \$250 for
 670 any calendar year for each child who is the subject of the obligation. The method of payment of those
 671 expenses shall be contained in the support order. Each parent shall pay his respective share of expenses
 672 as those expenses are incurred. Any amount paid under this subsection shall not be adjusted by, nor
 673 added to, the child support calculated in accordance with subsection G. For the purposes of this section,

674 medical or dental expenses shall include but not be limited to eyeglasses, prescription medication,
675 prosthetics, orthodontics, and mental health or developmental disabilities services, including but not
676 limited to services provided by a social worker, psychologist, psychiatrist, counselor, or therapist.

677 E. Any costs for health care coverage as defined in § 63.2-1900 and dental care coverage, when
678 actually being paid by a parent, to the extent such costs are directly allocable to the child or children,
679 and which are the extra costs of covering the child or children beyond whatever coverage the parent
680 providing the coverage would otherwise have, shall be added to the basic child support obligation.

681 F. Any child-care costs incurred on behalf of the child or children due to employment of the
682 custodial parent shall be added to the basic child support obligation. Child-care costs shall not exceed
683 the amount required to provide quality care from a licensed source. When requested by the noncustodial
684 parent, the court may require the custodial parent to present documentation to verify the costs incurred
685 for child care under this subsection. Where appropriate, the court shall consider the willingness and
686 availability of the noncustodial parent to provide child care personally in determining whether child-care
687 costs are necessary or excessive. Upon the request of either party, and upon a showing of the tax
688 savings a party derives from child-care cost deductions or credits, the court shall factor actual tax
689 consequences into its calculation of the child-care costs to be added to the basic child support obligation.

690 G. 1. Sole custody support. The sole custody total monthly child support obligation shall be
691 established by adding (i) the monthly basic child support obligation, as determined from the schedule
692 contained in subsection B, (ii) costs for health care coverage to the extent allowable by subsection E,
693 and (iii) work-related child-care costs and taking into consideration all the factors set forth in subsection
694 B of § 20-108.1. The total monthly child support obligation shall be divided between the parents in the
695 same proportion as their monthly gross incomes bear to their monthly combined gross income. The
696 monthly obligation of each parent shall be computed by multiplying each parent's percentage of the
697 parents' monthly combined gross income by the total monthly child support obligation.

698 However, the monthly obligation of the noncustodial parent shall be reduced by the cost for health
699 care coverage to the extent allowable by subsection E when paid directly by the noncustodial parent.
700 Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with
701 subsection D.

702 2. Split custody support. In cases involving split custody, the amount of child support to be paid
703 shall be the difference between the amounts owed by each parent as a noncustodial parent, computed in
704 accordance with subdivision 1, with the noncustodial parent owing the larger amount paying the
705 difference to the other parent. Unreimbursed medical and dental expenses shall be calculated and
706 allocated in accordance with subsection D.

707 For the purpose of this section and § 20-108.1, split custody shall be limited to those situations
708 where each parent has physical custody of a child or children born of the parents, born of either parent
709 and adopted by the other parent or adopted by both parents. For the purposes of calculating a child
710 support obligation where split custody exists, a separate family unit exists for each parent, and child
711 support for that family unit shall be calculated upon the number of children in that family unit who are
712 born of the parents, born of either parent and adopted by the other parent or adopted by both parents.
713 Where split custody exists, a parent is a custodial parent to the children in that parent's family unit and
714 is a noncustodial parent to the children in the other parent's family unit.

715 3. Shared custody support.

716 (a) Where a party has custody or visitation of a child or children for more than 90 days of the year,
717 as such days are defined in subdivision G 3 (c), a shared custody child support amount based on the
718 ratio in which the parents share the custody and visitation of any child or children shall be calculated in
719 accordance with this subdivision. The presumptive support to be paid shall be the shared custody
720 support amount, unless a party affirmatively shows that the sole custody support amount calculated as
721 provided in subdivision G 1 is less than the shared custody support amount. If so, the lesser amount
722 shall be the support to be paid. For the purposes of this subsection, the following shall apply:

723 (i) Income share. "Income share" means a parent's percentage of the combined monthly gross income
724 of both parents. The income share of a parent is that parent's gross income divided by the combined
725 gross incomes of the parties.

726 (ii) Custody share. "Custody share" means the number of days that a parent has physical custody,
727 whether by sole custody, joint legal or joint residential custody, or visitation, of a shared child per year
728 divided by the number of days in the year. The actual or anticipated "custody share" of the parent who
729 has or will have fewer days of physical custody shall be calculated for a one-year period. The "custody
730 share" of the other parent shall be presumed to be the number of days in the year less the number of
731 days calculated as the first parent's "custody share." For purposes of this calculation, the year may begin
732 on such date as is determined in the discretion of the court, and the day may begin at such time as is
733 determined in the discretion of the court. For purposes of this calculation, a day shall be as defined in
734 subdivision G 3 (c).

735 (iii) Shared support need. "Shared support need" means the presumptive guideline amount of needed

support for the shared child or children calculated pursuant to subsection B of this section, for the combined gross income of the parties and the number of shared children, multiplied by 1.4.

(iv) Sole custody support. "Sole custody support" means the support amount determined in accordance with subdivision G 1.

(b) Support to be paid. The shared support need of the shared child or children shall be calculated pursuant to subdivision G 3 (a) (iii). This amount shall then be multiplied by the other parent's custody share. To that sum for each parent shall be added the other parent's cost of health care coverage to the extent allowable by subsection E, plus the other parent's work-related child-care costs to the extent allowable by subsection F. This total for each parent shall be multiplied by that parent's income share. The support amounts thereby calculated that each parent owes the other shall be subtracted one from the other and the difference shall be the shared custody support one parent owes to the other, with the payor parent being the one whose shared support is the larger. Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with subsection D.

(c) Definition of a day. For the purposes of this section, "day" means a period of 24 hours; however, where the parent who has the fewer number of overnight periods during the year has an overnight period with a child, but has physical custody of the shared child for less than 24 hours during such overnight period, there is a presumption that each parent shall be allocated one-half of a day of custody for that period.

(d) Minimum standards. Any calculation under this subdivision shall not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child. If the gross income of either party is equal to or less than 150 percent of the federal poverty level promulgated by the U.S. Department of Health and Human Services from time to time, then the shared custody support calculated pursuant to this subsection shall not be the presumptively correct support and the court may consider whether the sole custody support or the shared custody support is more just and appropriate.

(e) Support modification. When there has been an award of child support based on the shared custody formula and one parent consistently fails to exercise custody or visitation in accordance with the parent's custody share upon which the award was based, there shall be a rebuttable presumption that the support award should be modified.

(f) In the event that the shared custody support calculation indicates that the net support is to be paid to the parent who would not be the parent receiving support pursuant to the sole custody calculation, then the shared support shall be deemed to be the lesser support.

H. The Secretary of Health and Human Resources shall ensure that the guideline set out in this section is reviewed by October 31, 2001, and every four years thereafter, by the Child Support Guidelines Review Panel, consisting of 15 members ~~that include~~ *comprised of* four legislative members and 11 nonlegislative citizen members. Members shall be appointed as follows: three members of the House Committee for Courts of Justice, upon the recommendation of the chairman of such committee, 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 member of the Senate Committee for Courts of Justice, upon the recommendation of the chairman of such committee, to be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules*; and one representative of a juvenile and domestic relations district court, one representative of a circuit court, one representative of the Department of Social Services' Division of Child Support Enforcement, three members of the Virginia State Bar, two custodial parents, two noncustodial parents, and one child advocate, upon the recommendation of the Secretary of Health and Human Resources, to be appointed by the Governor. The Panel shall determine the adequacy of the guideline for the determination of appropriate awards for the support of children by considering current research and data on the cost of and expenditures necessary for rearing children, and any other resources it deems relevant to such review. The Panel shall report its findings to the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports before the General Assembly next convenes following such review.

Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen members shall serve at the pleasure of the Governor. 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.

Legislative members 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. 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 Social Services.

The Department of Social Services shall provide staff support to the Panel. All agencies of the

797 Commonwealth shall provide assistance to the Panel, upon request.

798 The chairman of the Panel shall submit to the Governor and the General Assembly a quadrennial
799 executive summary of the interim activity and work of the Panel no later than the first day of 2006
800 regular session of the General Assembly and every four years thereafter. The executive summary shall
801 be submitted as provided in the procedures of the Division of Legislative Automated Systems for the
802 processing of legislative documents and reports and shall be posted on the General Assembly's website.

803 § 22.1-337. Virginia representatives on Education Commission of the States; membership; terms;
804 compensation and expenses; chairman's executive summary.

805 In accordance with the Compact for Education of 1968, which established the Education Commission
806 of the States, there shall be seven commissioners representing Virginia on the Education Commission of
807 the States. The Virginia commissioners shall consist of one member of the House of Delegates, to be
808 appointed by the Speaker of the House of Delegates; one member of the Senate, to be appointed by the
809 Senate Committee on ~~Privileges and Elections~~ Rules; four nonlegislative citizen members, of whom one
810 shall be the Superintendent of Public Instruction, to be appointed by the Governor; and the Governor.
811 The commissioners representing Virginia shall by virtue of their training, experience, knowledge, or
812 affiliations, collectively reflect the broad interests of state government, the state's system of education,
813 public and higher education, nonprofessional and professional public and nonpublic educational
814 leadership.

815 Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen
816 members shall serve at the pleasure of the Governor. All members may be reappointed. Appointments to
817 fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall
818 be filled in the same manner as the original appointments.

819 The Governor shall designate one commissioner to serve as chairman of the Virginia commissioners
820 for a two-year term. The commissioners shall meet on the call of the chairman or at the request of a
821 majority of the members. A majority of the commissioners shall constitute a quorum. The
822 commissioners may consider any and all matters related to recommendations of the Education
823 Commission of the States or the general activities and business of the organization and shall have the
824 authority to represent the Commonwealth in all actions of the Commission.

825 The commissioners shall serve without compensation. All members shall be reimbursed for all
826 reasonable and necessary expenses incurred in the performance of their duties as provided in
827 §§ 2.2-2813 and 2.2-2825. The costs of expenses of the legislative commissioners incurred in the
828 performance of their duties shall be paid from appropriations to the Virginia Commission on
829 Intergovernmental Cooperation for the attendance of conferences. The costs of expenses of nonlegislative
830 citizen commissioners incurred in the performance of their duties shall be paid from such funds as may
831 be provided for this purpose in the appropriations act.

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

837 § 22.1-346.1. Advisory Commission on the Virginia Schools for the Deaf and the Blind; membership;
838 powers and duties; compensation; chairman and vice-chairman; staff.

839 A. There is hereby established the Advisory Commission on the Virginia Schools for the Deaf and
840 the Blind, which shall consist of ~~twelve~~ 12 members to be appointed as follows: ~~the Speaker of the~~
841 ~~House of Delegates shall appoint~~ five members of the House of Delegates ~~and appointed by the Speaker~~
842 ~~of the House of Delegates in accordance with the principles of proportional representation contained in~~
843 ~~the Rules of the House of Delegates; three members of the Senate appointed by the Senate Committee~~
844 ~~on Rules; three nonlegislative citizen members; and the Senate Committee on Privileges and Elections~~
845 ~~shall appoint three members of the Senate of Virginia appointed by the Speaker of the House of~~
846 ~~Delegates; and one nonlegislative citizen member appointed by the Senate Committee on Rules.~~

847 Of the three *nonlegislative* citizen members so appointed by the Speaker of the House of Delegates,
848 one shall be a former student of either of the schools, one shall be a parent of a sensory impaired
849 multi-disabled student who is currently attending or has attended the Virginia School for the Deaf, Blind
850 and Multi-Disabled at Hampton, and one shall be a current member of the Board of Education. The
851 *nonlegislative* citizen member to be appointed by the Senate Committee on ~~Privileges and Elections~~ Rules
852 shall be a former student of either of the schools or a parent of a student who is currently attending or
853 has attended either of the schools.

854 Legislative members shall serve on the Advisory Commission until the expiration of their terms of
855 office or until their successors shall qualify. *Nonlegislative* citizen appointments shall be for terms of
856 four years, except that appointments to fill vacancies shall be for the unexpired terms. *Vacancies shall*
857 *be filled in the same manner as the original appointments. All members may be reappointed. However,*
858 *no nonlegislative* citizen member of the Advisory Commission 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. 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.~~

B. The Advisory Commission shall (i) monitor the operations of the Virginia Schools for the Deaf and the Blind; (ii) advise the Board of Education and submit recommendations that seek to ensure the maintenance of a high quality and cost-effective program of study and a safe and nurturing residential environment at the schools; and (iii) perform any act or function which is in accord with the purposes of this section.

C. Legislative members of the Advisory Commission shall receive such compensation as is set forth in § 30-19.12. Such compensation shall be paid from funds appropriated to the General Assembly for such purposes. All members shall be reimbursed for ~~their actual~~ *all reasonable and necessary* expenses incurred in the performance of their duties as members of the Advisory Commission *as provided in §§ 2.2-2813 and 2.2-2825.*

D. The Advisory Commission shall elect a chairman and a vice-chairman from among its members.

E. The Superintendent of Public Instruction shall designate a staff liaison to coordinate the activities of the Advisory Commission. The Advisory Commission shall meet four times per year or upon the request of its chairman or the Board of Education.

§ 23-287. Jamestown-Yorktown Foundation continued; Board of Trustees, officers and executive committee.

A. The Jamestown-Yorktown Foundation, hereinafter referred to as the Foundation, is hereby continued and shall be deemed to be an institution of higher education within the meaning of §§ 23-3.1 and 23-9.2. The Foundation shall be administered by the Board of Trustees consisting of the following ex officio trustees: the Governor, Lieutenant Governor, Attorney General, Speaker of the House of Delegates, President Pro Tempore of the Senate, Chairman of the House Appropriations Committee, Chairman of the Senate Finance Committee, and the Secretary of Education. In addition, there shall be 12 members appointed by the Governor from the Commonwealth at large for four-year terms who shall be subject to confirmation by a majority of the members of each house of the General Assembly; eight members appointed by the Speaker of the House of Delegates from the membership thereof *in accordance with the principles of proportional representation contained in the Rules of the House of Delegates* for terms concurrent with the terms for which they have been elected to office; four members appointed by the ~~Senate Committee on Privileges and Elections of the Senate~~ *Rules* from the membership of the Senate for terms concurrent with the term for which they have been elected to office; five members annually elected by the Board of Trustees, some of whom may be nonresidents of the Commonwealth; and any and all chairmen emeriti elected by the Board of Trustees pursuant to § 23-288. The president of the Jamestown-Yorktown Foundation, Inc. shall also serve as a member of the Board of Trustees. Nonresident members of the Board of Trustees shall serve at no expense to the Commonwealth. Appointments to fill vacancies shall be for the unexpired terms.

The Board of Trustees shall elect a chairman, vice-chairman and such other officers as are deemed necessary. The chairman shall appoint seven or more members of the Board to constitute an executive committee, the membership of which shall include the chairman and vice-chairman.

Resident members of the Board of Trustees shall be reimbursed for ~~actual~~ *all reasonable and necessary* expenses of ~~attending its meetings~~ *incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825* and shall receive compensation at the per diem rate established for members of the General Assembly *as provided in § 30-19.12. The funding for the costs of compensation and expenses of the members shall be provided by the Foundation.*

B. The Foundation is an educational institution and has the further responsibility to administer certain historical museums and such related programs as may be established as defined from time to time.

§ 23-297. Board of Trustees; membership; terms; officers and committees; compensation.

The Frontier Culture Museum of Virginia shall be administered by a Board of Trustees consisting of no more than ~~twenty-five~~ *25* members. The members shall be appointed as follows: five members of the House of Delegates shall 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 shall be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules*; and nine *nonlegislative* citizen members shall be appointed by the Governor. *The Governor may appoint, upon recommendation of the Board of Trustees, eight additional nonlegislative members for four-year terms who may be nonresidents of the Commonwealth and who shall serve at no expense to the Commonwealth.*

Legislative members shall serve terms coincident with their terms of office. ~~Members appointed by the Governor shall serve terms as follows: three members shall serve for one year, two members shall~~

920 serve for two years, two members shall serve for three years, and two members shall serve for four
921 years. ~~Thereafter~~ *After the initial staggering of terms, nonlegislative members appointed shall serve for*
922 *four-year terms. Appointments to fill vacancies shall be made for the unexpired term. The Governor may*
923 *appoint, upon recommendation of the Board of Trustees, eight additional members for four-year terms*
924 *who may be nonresidents of the Commonwealth and who shall serve at no expense to the*
925 *Commonwealth. All members may be reappointed.*

926 The Board of Trustees shall elect a chairman, vice-chairman, and such other officers as it deems
927 necessary. Seven or more of the members of the Board of Trustees shall constitute an executive
928 committee.

929 The Board of Trustees shall be reimbursed for ~~actual~~ *all reasonable and necessary expenses incurred*
930 *in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825 and shall be compensated at*
931 *the per diem rate established for members of the General Assembly for meetings as provided in*
932 *§ 30-19.12. Funding for the costs of compensation and expenses of the members shall be provided by*
933 *the Frontier Culture Museum.*

934 § 30-73.2. Membership; terms; compensation.

935 A. The Commission shall be composed of ~~twelve~~ 12 members as follows: five members of the
936 Senate to be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules*, and seven members
937 of the House of Delegates to be appointed by the Speaker of the House, in accordance with the
938 principles of proportional representation contained in the Rules of the House of Delegates. Six members
939 shall constitute a quorum.

940 B. Members shall serve for terms coincident with their terms of office. *Members may be reappointed.*
941 *Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Whenever*
942 *any member fails to retain his membership in the house from which he was appointed, his membership*
943 *shall be vacated, and the vacancy shall be filled in the original manner. Subsequent appointments shall*
944 *be made for similar terms, and vacancies shall be filled for the unexpired terms by the persons*
945 *authorized to make the original appointments. Vacancies shall be filled in the same manner as the*
946 *original appointments.*

947 C. The members of the Commission shall elect a chairman and vice-chairman from among its
948 members.

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

953 § 30-85. JCOTS established; powers and duties.

954 The Joint Commission on Technology and Science (~~the "Commission"~~ *JCOTS*) is hereby established
955 as a permanent legislative agency of the Commonwealth. ~~The Commission~~ *JCOTS* shall generally study
956 all aspects of technology and science and endeavor to stimulate, encourage, promote, and assist in the
957 development of technology and science in the Commonwealth and sound public policies related thereto.
958 In addition, ~~the Commission~~ *JCOTS* shall:

959 1. Evaluate the impact of existing statutes and proposed legislation related to technology and science
960 in the Commonwealth;

961 2. Advise the General Assembly, Governor, and agencies, authorities, and institutions of the
962 Commonwealth upon matters related to technology and science;

963 3. Investigate, research, and consider such issues related to technology and science as may be
964 requested by the General Assembly or determined by ~~the Commission~~ *JCOTS*;

965 4. Make recommendations to the General Assembly and the Governor;

966 5. Consult with appropriate entities, public or private, on matters related to technology and science
967 under ~~the Commission's~~ *JCOTS'* consideration;

968 6. Encourage research and development in technology and science;

969 7. Solicit input from appropriate entities, public or private, on issues related to technology and
970 science;

971 8. Coordinate its efforts with and assist the efforts of other agencies, authorities, and institutions of
972 the Commonwealth;

973 9. Accept private or public funds to carry out its purposes; and

974 10. Annually report its findings and recommendations to the General Assembly and *the* Governor.

975 *JCOTS shall make such further interim reports to the General Assembly and the Governor as it deems*
976 *advisable or as required by concurrent resolution of the General Assembly or by the Governor. The*
977 *chairman of JCOTS shall submit to the General Assembly and the Governor an annual executive*
978 *summary of the interim activity and work of JCOTS no later than the first day of each regular session*
979 *of the General Assembly. The executive summary shall be submitted as provided in the procedures of the*
980 *Division of Legislative Automated Systems for the processing of legislative documents and reports and*
981 *shall be posted on the General Assembly's website.*

§ 30-86. Membership; terms; vacancies; chairman and vice-chairman; expenses; voting on recommendations.

A. ~~The Commission~~ JCOTS shall be composed of ~~twelve~~ 12 members, seven of whom shall be appointed by the Speaker of the House of Delegates from the membership thereof, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates, and five of whom shall be appointed by the Senate Committee on ~~Privileges and Elections Rules~~ from the membership of the Senate. ~~Six members shall constitute a quorum.~~

B. Members shall serve for terms coincident with their terms of office. *Members may be reappointed for successive terms.* Vacancies occurring other than by expiration of term shall be filled for the unexpired term. ~~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. Any member may be reappointed for successive terms. From among its membership, the Commission shall annually elect a chairman and a vice-chairman. Vacancies shall be filled in the same manner as the original appointments.~~

C. ~~Commission~~ JCOTS members shall receive compensation as provided in § 30-19.12 and shall be reimbursed from funds appropriated or otherwise available to ~~the Commission~~ JCOTS for reasonable and necessary expenses incurred in the performance of their duties *as provided in §§ 2.2-2813 and 2.2-2825.*

D. Five members of JCOTS shall constitute a quorum. At the first meeting following the reconvened session of the regular session in an even-numbered year, JCOTS shall elect a chairman and vice-chairman from among its membership. A vacancy in either office shall be filled for the unexpired term in the same manner. Meetings of JCOTS shall be held at the call of the chairman or whenever members constituting a quorum so request.

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

§ 30-87. Staff; cooperation and assistance.

Staff assistance shall be provided to the Commission by the The Division of Legislative Services shall provide staff support to JCOTS. All agencies, authorities, and institutions of the Commonwealth shall cooperate and provide such assistance to the Commission as the Commission may JCOTS upon request.

§ 30-88. Advisory committees.

~~The Commission~~ JCOTS may establish advisory committees composed of persons with expertise in the matters under consideration by ~~the Commission~~ JCOTS. Such persons shall serve without compensation, but shall be entitled to be reimbursed from funds appropriated or otherwise available to ~~the Commission~~ JCOTS for reasonable and necessary expenses incurred in the performance of their duties *as provided in §§ 2.2-2813 and 2.2-2825, unless they waive reimbursement.*

§ 30-168.1. (Effective until July 1, 2007) Membership; terms; vacancies; chairman and vice-chairman; quorum; meetings.

The Commission shall consist of 18 legislative members. Members shall be appointed as follows: eight members of the Senate, to be appointed by the Senate Committee on ~~Privileges and Elections Rules~~; and 10 members of the House of Delegates, of whom three shall be members of the House Committee on Health, Welfare and Institutions, 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. ~~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 vice-chairman from among its membership. 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.

§ 30-172. Powers and duties of Commission.

The Commission shall have the power and duty to:

1. Encourage and arrange conferences with officials of other states and other units of government;
2. Carry forward the participation of Virginia as a member of the Council of State Governments, both regionally and nationally;

- 1043 3. Formulate proposals for cooperation between Virginia and other states;
1044 4. Establish such committees as it deems advisable to conduct conferences and formulate proposals
1045 concerning subjects of interstate cooperation;
1046 5. Monitor and evaluate the Commonwealth's participation in interstate compacts;
1047 6. Review, evaluate, and recommend suggested uniform state legislation;
1048 7. Require, at its discretion, from any appointee representing Virginia on any interstate compact,
1049 commission, committee, or board, a report on that organization's work and accomplishments;
1050 8. Review, evaluate, and make recommendations concerning federal policies that are of concern to
1051 the Commonwealth;
1052 9. Establish such committees as deemed advisable and designate the members of every such
1053 committee. State officials who are not members of the Commission may be appointed as members of
1054 any such committee, but at least one member of the Commission shall be a member of every such
1055 committee; and
1056 10. Appoint persons drawn from the membership of the Senate, the membership of the House of
1057 Delegates, and officials of state and local government to serve on those intergovernmental boards,
1058 committees, and commissions as to which the Commonwealth is entitled to such appointment, or is
1059 invited to make such appointment; provided that members of the General Assembly shall be appointed
1060 as follows:
1061 a. If an appointment be made from the membership of the Senate, such an appointment shall be
1062 made by the Commission on Interstate Cooperation of the Senate and shall be approved by the *Senate*
1063 *Committee on Privileges and Elections of the Senate Rules*; and
1064 b. If an appointment be made from the membership of the House of Delegates, such appointment
1065 shall be made by the Commission on Interstate Cooperation of the House of Delegates and shall be
1066 approved by the Speaker of the House of Delegates.
1067 The Commission may provide such rules as it considers appropriate concerning the membership and
1068 the functioning of any committee established.
1069 § 30-178. Virginia Freedom of Information Advisory Council; membership; terms; quorum; expenses.
1070 A. The Virginia Freedom of Information Advisory Council (the Council) is hereby created as an
1071 advisory council in the legislative branch to encourage and facilitate compliance with the Freedom of
1072 Information Act.
1073 B. The Council shall consist of 12 members as follows: the Attorney General or his designee; the
1074 Librarian of Virginia or his designee; the Director of the Division of Legislative Services or his
1075 designee; four members appointed by the Speaker of the House of Delegates, one of whom shall be a
1076 member of the House of Delegates, and three nonlegislative citizen members, at least one of whom shall
1077 be or have been a representative of the news media; three members appointed by the Senate Committee
1078 on Rules, one of whom shall be a member of the Senate, one of whom shall be or have been an officer
1079 of local government, and one nonlegislative citizen at-large member; and two nonlegislative citizen
1080 members appointed by the Governor, one of whom shall not be a state employee. The local government
1081 representative may be selected from a list recommended by the Virginia Association of Counties and the
1082 Virginia Municipal League, after due consideration of such list by the Senate Committee on Rules. The
1083 citizen members may be selected from a list recommended by the Virginia Press Association, the
1084 Virginia Association of Broadcasters, and the Virginia Coalition for Open Government, after due
1085 consideration of such list by the appointing authorities.
1086 C. All appointments following the initial staggering of terms shall be for terms of four years, except
1087 that appointments to fill vacancies shall be for the unexpired terms in the same manner as the original
1088 appointment. No nonlegislative citizen member shall be eligible to serve for more than two successive
1089 four-year terms. However, after the expiration of a term of three years or less, or after the expiration of
1090 the remainder of a term to which appointed to fill a vacancy, two additional terms may be served by
1091 such member if appointed thereto. Legislative members and other state government officials shall serve
1092 terms coincident with their terms of office. Legislative members may be reappointed for successive
1093 terms.
1094 D. The members of the Council shall elect from among their membership a chairman and a
1095 vice-chairman ~~for two-year terms. The chairman and vice-chairman may not succeed themselves to the~~
1096 ~~same position.~~ The Council shall hold meetings quarterly or upon the call of the chairman. A majority
1097 of the Council shall constitute a quorum.
1098 E. Members of the Council shall receive no compensation for their services but shall be reimbursed
1099 for all reasonable and necessary expenses incurred in the performance of their duties as provided in
1100 §§ 2.2-2813, 2.2-2825 and 30-19.12, as appropriate. Funding for expenses of the members shall be
1101 provided from existing appropriations to the Council.
1102 § 30-208. (Expires July 1, 2008) Consumer Advisory Board; purpose; membership; compensation and
1103 expenses; staffing.
1104 A. There shall be established a Consumer Advisory Board to assist the Commission on Electric

Utility Restructuring in its work as prescribed in § 30-205 and on other issues as may be directed by the Commission. The Board shall consist of eight members as follows: three nonlegislative citizen members appointed by the Senate Committee on ~~Privileges and Elections~~*Rules*; four nonlegislative citizen members appointed by the Speaker of the House of Delegates and one member of the Commission designated by the chairman to serve as a nonvoting liaison member. Appointed members shall be from all classes of consumers and with geographical representation of the regions of the Commonwealth and shall be citizens of the Commonwealth. The chairman of the Commission shall select the chairman of the Board.

B. The Board shall be limited to meeting on the call of the chairman of the Commission.

C. The legislative member of the Board shall receive 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. 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 shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee. Unless otherwise approved in writing 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.

D. 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 Board. All agencies of the Commonwealth shall provide assistance to the Board, upon request.

§ 30-212. (Expires July 1, 2006) Membership; terms; vacancies; chairman and vice-chairman; quorum; meetings.

The Virginia delegation shall consist of five legislative members. Members shall be appointed as follows: two members of the Senate, to be appointed by the Senate Committee on ~~Privileges and Elections~~*Rules*; and three 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 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 Delegation shall elect a chairman and a vice-chairman from among its membership. A majority of the members shall constitute a quorum. The Delegation shall meet at least four times each year. The meetings of the Delegation shall be held at the call of the chairman or whenever the majority of the members so request.

§ 53.1-176.3. Virginia State Council for Interstate Adult Offender Supervision.

A. ~~A The Virginia state council for interstate adult offender supervision~~ *State Council for Interstate Adult Offender Supervision (the Council)* is created as a policy council, within the meaning of § 2.2-2100, in the executive branch of state government. The Council shall consist of five members:

1. One representative of legislative branch appointed by the Joint Rules Committee;
2. One representative of the judicial branch appointed by the Chief Justice of the Supreme Court;
3. One representative of the executive branch appointed by the Governor;
4. One ~~representative of~~ *nonlegislative citizen member*, representing a victims' group appointed by the Governor; and

5. One ~~individual~~ *nonlegislative citizen member* who in addition to serving as a member of the Council shall serve as the Compact administrator for Virginia, appointed by the Governor.

The appointments shall be subject to confirmation by the General Assembly. *The legislative members and other state officials appointed to the Council shall serve terms coincident with their terms of office. Members who are not state officials shall be appointed for four-year terms. 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.*

B. The ~~State~~ Council shall appoint the compact administrator as the Virginia commissioner to the Interstate Commission. The Virginia commissioner shall serve on the Interstate Commission in such capacity under or pursuant to applicable law of this Commonwealth.

C. The ~~State~~ Council shall exercise oversight and advocacy concerning its participation in interstate commission activities and other duties as may be determined by the ~~State~~ Council, including development of policies concerning operations and procedures of the Compact within Virginia.

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

1166 *E. Legislative members of the Council shall receive such compensation as provided in § 30-19.12*
1167 *and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their*
1168 *services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the*
1169 *performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of*
1170 *compensation and expenses of the members shall be provided by the Department of Corrections.*
1171 *F. The Department of Corrections shall provide staff support to the Council.*