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SENATE BILL NO. 1115

Senate Amendments in [] - February 8, 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 Prior to Engrossment—Senator 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;

4. Submit a report by October 1 of each year to the Governor and General Assembly regarding the

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59 activities and recommendations of the Commission; and

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

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

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

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

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

73 § 2.2-2452. Board of Veterans Services; membership; terms; quorum; compensation; staff.

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

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

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

93 2. Performance measurements and general management principles; and

94 3. Nonprofit volunteer operations and management.

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

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

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

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

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

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

120 § 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 Research Center or his designee. Legislative members shall be appointed to serve terms coincident with

182 their terms of office. The citizen members shall be appointed for terms of four years, except that
183 appointments to fill vacancies shall be for the unexpired term. Vacancies shall be filled in the manner of
184 the original appointments.

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

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

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

192 § 2.2-2621. Commonwealth Competition Council; membership; terms; chairman; quorum;
193 compensation; staff.

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

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

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

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

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

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

228 § 2.2-2628. Council on Indians; membership; terms; chairman; compensation and expenses;
229 chairman's executive summary.

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

F. The trustees shall adopt bylaws governing their organization and procedures and may amend the

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

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

316 § 3.1-1108. Membership; terms; vacancies; compensation and expenses; chairman; chairman's
317 executive summary.

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

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

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

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

324 4. The Secretary of Finance or his designee;

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

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

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

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

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

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

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

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

364 B. The Commission shall appoint from its membership a chairman and a vice-chairman, both of
365 whom shall serve in such capacities at the pleasure of the Commission. The chairman, or in his absence,
366 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 INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX 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

550	850	175	254	257	260	263	266
551	900	182	281	286	289	292	295
552	950	189	292	315	318	322	325
553	1000	196	304	344	348	351	355
554	1050	203	315	373	377	381	385
555	1100	210	326	402	406	410	415
556	1150	217	337	422	435	440	445
557	1200	225	348	436	465	470	475
558	1250	232	360	451	497	502	507
559	1300	241	373	467	526	536	542
560	1350	249	386	483	545	570	576
561	1400	257	398	499	563	605	611
562	1450	265	411	515	581	633	645
563	1500	274	426	533	602	656	680
564	1550	282	436	547	617	672	714
565	1600	289	447	560	632	689	737
566	1650	295	458	573	647	705	754
567	1700	302	468	587	662	721	772
568	1750	309	479	600	676	738	789
569	1800	315	488	612	690	752	805
570	1850	321	497	623	702	766	819
571	1900	326	506	634	714	779	834
572	1950	332	514	645	727	793	848
573	2000	338	523	655	739	806	862
574	2050	343	532	666	751	819	877
575	2100	349	540	677	763	833	891
576	2150	355	549	688	776	846	905
577	2200	360	558	699	788	860	920
578	2250	366	567	710	800	873	934
579	2300	371	575	721	812	886	948
580	2350	377	584	732	825	900	963
581	2400	383	593	743	837	913	977
582	2450	388	601	754	849	927	991
583	2500	394	610	765	862	940	1006
584	2550	399	619	776	874	954	1020
585	2600	405	627	787	886	967	1034
586	2650	410	635	797	897	979	1048
587	2700	415	643	806	908	991	1060
588	2750	420	651	816	919	1003	1073
589	2800	425	658	826	930	1015	1085
590	2850	430	667	836	941	1027	1098
591	2900	435	675	846	953	1039	1112
592	2950	440	683	856	964	1052	1125
593	3000	445	691	866	975	1064	1138
594	3050	450	699	876	987	1076	1152
595	3100	456	707	886	998	1089	1165
596	3150	461	715	896	1010	1101	1178
597	3200	466	723	906	1021	1114	1191
598	3250	471	732	917	1032	1126	1205
599	3300	476	740	927	1044	1139	1218
600	3350	481	748	937	1055	1151	1231
601	3400	486	756	947	1067	1164	1245
602	3450	492	764	957	1078	1176	1258
603	3500	497	772	967	1089	1189	1271
604	3550	502	780	977	1101	1201	1285
605	3600	507	788	987	1112	1213	1298
606	3650	512	797	997	1124	1226	1311

607	3700	518	806	1009	1137	1240	1326
608	3750	524	815	1020	1150	1254	1342
609	3800	530	824	1032	1163	1268	1357
610	3850	536	834	1043	1176	1283	1372
611	3900	542	843	1055	1189	1297	1387
612	3950	547	852	1066	1202	1311	1402
613	4000	553	861	1078	1214	1325	1417
614	4050	559	871	1089	1227	1339	1432
615	4100	565	880	1101	1240	1353	1448
616	4150	571	889	1112	1253	1367	1463
617	4200	577	898	1124	1266	1382	1478
618	4250	583	907	1135	1279	1396	1493
619	4300	589	917	1147	1292	1410	1508
620	4350	594	926	1158	1305	1424	1523
621	4400	600	935	1170	1318	1438	1538
622	4450	606	944	1181	1331	1452	1553
623	4500	612	954	1193	1344	1467	1569
624	4550	618	963	1204	1357	1481	1584
625	4600	624	972	1216	1370	1495	1599
626	4650	630	981	1227	1383	1509	1614
627	4700	635	989	1237	1395	1522	1627
628	4750	641	997	1247	1406	1534	1641
629	4800	646	1005	1257	1417	1546	1654
630	4850	651	1013	1267	1428	1558	1667
631	4900	656	1021	1277	1439	1570	1679
632	4950	661	1028	1286	1450	1582	1692
633	5000	666	1036	1295	1460	1593	1704
634	5050	671	1043	1305	1471	1605	1716
635	5100	675	1051	1314	1481	1616	1728
636	5150	680	1058	1323	1492	1628	1741
637	5200	685	1066	1333	1502	1640	1753
638	5250	690	1073	1342	1513	1651	1765
639	5300	695	1081	1351	1524	1663	1778
640	5350	700	1088	1361	1534	1674	1790
641	5400	705	1096	1370	1545	1686	1802
642	5450	710	1103	1379	1555	1697	1815
643	5500	714	1111	1389	1566	1709	1827
644	5550	719	1118	1398	1576	1720	1839
645	5600	724	1126	1407	1587	1732	1851
646	5650	729	1133	1417	1598	1743	1864
647	5700	734	1141	1426	1608	1755	1876
648	5750	739	1148	1435	1619	1766	1888
649	5800	744	1156	1445	1629	1778	1901
650	5850	749	1163	1454	1640	1790	1913
651	5900	753	1171	1463	1650	1801	1925
652	5950	758	1178	1473	1661	1813	1937
653	6000	763	1186	1482	1672	1824	1950
654	6050	768	1193	1491	1682	1836	1962
655	6100	773	1201	1501	1693	1847	1974
656	6150	778	1208	1510	1703	1859	1987
657	6200	783	1216	1519	1714	1870	1999
658	6250	788	1223	1529	1724	1882	2011
659	6300	792	1231	1538	1735	1893	2023
660	6350	797	1238	1547	1745	1905	2036
661	6400	802	1246	1557	1756	1916	2048
662	6450	807	1253	1566	1767	1928	2060

663	6500	812	1261	1575	1777	1940	2073
664	6550	816	1267	1583	1786	1949	2083
665	6600	820	1272	1590	1794	1957	2092
666	6650	823	1277	1597	1801	1965	2100
667	6700	827	1283	1604	1809	1974	2109
668	6750	830	1288	1610	1817	1982	2118
669	6800	834	1293	1617	1824	1990	2127
670	6850	837	1299	1624	1832	1999	2136
671	6900	841	1304	1631	1839	2007	2145
672	6950	845	1309	1637	1847	2016	2154
673	7000	848	1315	1644	1855	2024	2163
674	7050	852	1320	1651	1862	2032	2172
675	7100	855	1325	1658	1870	2041	2181
676	7150	859	1331	1665	1878	2049	2190
677	7200	862	1336	1671	1885	2057	2199
678	7250	866	1341	1678	1893	2066	2207
679	7300	870	1347	1685	1900	2074	2216
680	7350	873	1352	1692	1908	2082	2225
681	7400	877	1358	1698	1916	2091	2234
682	7450	880	1363	1705	1923	2099	2243
683	7500	884	1368	1712	1931	2108	2252
684	7550	887	1374	1719	1938	2116	2261
685	7600	891	1379	1725	1946	2124	2270
686	7650	895	1384	1732	1954	2133	2279
687	7700	898	1390	1739	1961	2141	2288
688	7750	902	1395	1746	1969	2149	2297
689	7800	905	1400	1753	1977	2158	2305
690	7850	908	1405	1758	1983	2164	2313
691	7900	910	1409	1764	1989	2171	2320
692	7950	913	1414	1770	1995	2178	2328
693	8000	916	1418	1776	2001	2185	2335
694	8050	918	1423	1781	2007	2192	2343
695	8100	921	1428	1787	2014	2198	2350
696	8150	924	1432	1793	2020	2205	2357
697	8200	927	1437	1799	2026	2212	2365
698	8250	929	1441	1804	2032	2219	2372
699	8300	932	1446	1810	2038	2226	2380
700	8350	935	1450	1816	2045	2232	2387
701	8400	937	1455	1822	2051	2239	2395
702	8450	940	1459	1827	2057	2246	2402
703	8500	943	1464	1833	2063	2253	2410
704	8550	945	1468	1839	2069	2260	2417
705	8600	948	1473	1845	2076	2266	2425
706	8650	951	1478	1850	2082	2273	2432
707	8700	954	1482	1856	2088	2280	2440
708	8750	956	1487	1862	2094	2287	2447
709	8800	959	1491	1868	2100	2294	2455
710	8850	962	1496	1873	2107	2300	2462
711	8900	964	1500	1879	2113	2307	2470
712	8950	967	1505	1885	2119	2314	2477
713	9000	970	1509	1891	2125	2321	2484
714	9050	973	1514	1896	2131	2328	2492
715	9100	975	1517	1901	2137	2334	2498
716	9150	977	1521	1905	2141	2339	2503
717	9200	979	1524	1909	2146	2344	2509
718	9250	982	1527	1914	2151	2349	2514
719	9300	984	1531	1918	2156	2354	2520

720	9350	986	1534	1922	2160	2359	2525
721	9400	988	1537	1926	2165	2365	2531
722	9450	990	1541	1930	2170	2370	2536
723	9500	993	1544	1935	2175	2375	2541
724	9550	995	1547	1939	2179	2380	2547
725	9600	997	1551	1943	2184	2385	2552
726	9650	999	1554	1947	2189	2390	2558
727	9700	1001	1557	1951	2194	2396	2563
728	9750	1003	1561	1956	2198	2401	2569
729	9800	1006	1564	1960	2203	2406	2574
730	9850	1008	1567	1964	2208	2411	2580
731	9900	1010	1571	1968	2213	2416	2585
732	9950	1012	1574	1972	2218	2421	2590
733	10000	1014	1577	1977	2222	2427	2596

734 For gross monthly income between \$10,000 and \$20,000, add the amount of child support for
735 \$10,000 to the following percentages of gross income above \$10,000:

736	ONE	TWO	THREE	FOUR	FIVE	SIX
737	CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
738	3.1%	5.1%	6.8%	7.8%	8.8%	9.5%

739 For gross monthly income between \$20,000 and \$50,000, add the amount of child support for
740 \$20,000 to the following percentages of gross income above \$20,000:

741	ONE	TWO	THREE	FOUR	FIVE	SIX
742	CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
743	2%	3.5%	5%	6%	6.9%	7.8%

744 For gross monthly income over \$50,000, add the amount of child support for \$50,000 to the
745 following percentages of gross income above \$50,000:

746	ONE	TWO	THREE	FOUR	FIVE	SIX
747	CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
748	1%	2%	3%	4%	5%	6%

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

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

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

- 762 1. Benefits from public assistance and social services programs as defined in § 63.2-100;
- 763 2. Federal supplemental security income benefits;
- 764 3. Child support received; or
- 765 4. Income received by the payor from secondary employment income not previously included in
766 "gross income," where the payor obtained the income to discharge a child support arrearage established
767 by a court or administrative order and the payor is paying the arrearage pursuant to the order.
768 "Secondary employment income" includes but is not limited to income from an additional job, from
769 self-employment, or from overtime employment. The cessation of such secondary income upon the
770 payment of the arrearage shall not be the basis for a material change in circumstances upon which a
771 modification of child support may be based.

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

775 Where there is an existing court or administrative order or written agreement relating to the child or
776 children of a party to the proceeding, who are not the child or children who are the subject of the
777 present proceeding, then there is a presumption that there shall be deducted from the gross income of
778 the party subject to such order or written agreement, the amount that the party is actually paying for the

779 support of a child or children pursuant to such order or agreement.

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

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

794 D. Except for good cause shown or the agreement of the parties, in addition to any other child
795 support obligations established pursuant to this section, any child support order shall provide that the
796 parents pay in proportion to their gross incomes, as used for calculating the monthly support obligation,
797 any reasonable and necessary unreimbursed medical or dental expenses that are in excess of \$250 for
798 any calendar year for each child who is the subject of the obligation. The method of payment of those
799 expenses shall be contained in the support order. Each parent shall pay his respective share of expenses
800 as those expenses are incurred. Any amount paid under this subsection shall not be adjusted by, nor
801 added to, the child support calculated in accordance with subsection G. For the purposes of this section,
802 medical or dental expenses shall include but not be limited to eyeglasses, prescription medication,
803 prosthetics, orthodontics, and mental health or developmental disabilities services, including but not
804 limited to services provided by a social worker, psychologist, psychiatrist, counselor, or therapist.

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

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

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

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

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

835 For the purpose of this section and § 20-108.1, split custody shall be limited to those situations
836 where each parent has physical custody of a child or children born of the parents, born of either parent
837 and adopted by the other parent or adopted by both parents. For the purposes of calculating a child
838 support obligation where split custody exists, a separate family unit exists for each parent, and child
839 support for that family unit shall be calculated upon the number of children in that family unit who are
840 born of the parents, born of either parent and adopted by the other parent or adopted by both parents.

Where split custody exists, a parent is a custodial parent to the children in that parent's family unit and is a noncustodial parent to the children in the other parent's family unit.

3. Shared custody support.

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

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

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

(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

902 proportional representation contained in the Rules of the House of Delegates; one member of the Senate
903 Committee for Courts of Justice, upon the recommendation of the chairman of such committee, to be
904 appointed by the Senate Committee on ~~Privileges and Elections~~Rules; and one representative of a
905 juvenile and domestic relations district court, one representative of a circuit court, one representative of
906 the Department of Social Services' Division of Child Support Enforcement, three members of the
907 Virginia State Bar, two custodial parents, two noncustodial parents, and one child advocate, upon the
908 recommendation of the Secretary of Health and Human Resources, to be appointed by the Governor.
909 The Panel shall determine the adequacy of the guideline for the determination of appropriate awards for
910 the support of children by considering current research and data on the cost of and expenditures
911 necessary for rearing children, and any other resources it deems relevant to such review. The Panel shall
912 report its findings to the General Assembly as provided in the procedures of the Division of Legislative
913 Automated Systems for the processing of legislative documents and reports before the General Assembly
914 next convenes following such review.

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

919 Legislative members shall receive such compensation as provided in § 30-19.12, and nonlegislative
920 citizen members shall receive such compensation for the performance of their duties as provided in
921 § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the
922 performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of
923 compensation and expenses of the members shall be provided by the Department of Social Services.

924 The Department of Social Services shall provide staff support to the Panel. All agencies of the
925 Commonwealth shall provide assistance to the Panel, upon request.

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

931 § 22.1-337. Virginia representatives on Education Commission of the States; membership; terms;
932 compensation and expenses; chairman's executive summary.

933 In accordance with the Compact for Education of 1968, which established the Education Commission
934 of the States, there shall be seven commissioners representing Virginia on the Education Commission of
935 the States. The Virginia commissioners shall consist of one member of the House of Delegates, to be
936 appointed by the Speaker of the House of Delegates; one member of the Senate, to be appointed by the
937 Senate Committee on ~~Privileges and Elections~~Rules; four nonlegislative citizen members, of whom one
938 shall be the Superintendent of Public Instruction, to be appointed by the Governor; and the Governor.
939 The commissioners representing Virginia shall by virtue of their training, experience, knowledge, or
940 affiliations, collectively reflect the broad interests of state government, the state's system of education,
941 public and higher education, nonprofessional and professional public and nonpublic educational
942 leadership.

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

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

953 The commissioners shall serve without compensation. All members shall be reimbursed for all
954 reasonable and necessary expenses incurred in the performance of their duties as provided in
955 §§ 2.2-2813 and 2.2-2825. The costs of expenses of the legislative commissioners incurred in the
956 performance of their duties shall be paid from appropriations to the Virginia Commission on
957 Intergovernmental Cooperation for the attendance of conferences. The costs of expenses of nonlegislative
958 citizen commissioners incurred in the performance of their duties shall be paid from such funds as may
959 be provided for this purpose in the appropriations act.

960 The chairman of the Commissioners shall submit to the Governor and the General Assembly an
961 annual executive summary of the interim activity and work of the Commissioners no later than the first
962 day of each regular session of the General Assembly. The executive summary shall be submitted as
963 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.

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

A. There is hereby established the Advisory Commission on the Virginia Schools for the Deaf and the Blind, which shall consist of ~~twelve~~ 12 members to be appointed as follows: ~~the Speaker of the House of Delegates shall appoint~~ five members of the House of Delegates ~~and 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 appointed by the Senate Committee on Rules; three nonlegislative citizen members; and the Senate Committee on Privileges and Elections shall appoint three members of the Senate of Virginia appointed by the Speaker of the House of Delegates; and one nonlegislative citizen member appointed by the Senate Committee on Rules.~~

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

Legislative members shall serve on the Advisory Commission until the expiration of their terms of office or until their successors shall qualify. *Nonlegislative* citizen appointments shall be for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms. *Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed. However, 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

1025 Commonwealth. Appointments to fill vacancies shall be for the unexpired terms.

1026 The Board of Trustees shall elect a chairman, vice-chairman and such other officers as are deemed
1027 necessary. The chairman shall appoint seven or more members of the Board to constitute an executive
1028 committee, the membership of which shall include the chairman and vice-chairman.

1029 Resident members of the Board of Trustees shall be reimbursed for ~~actual~~ *all reasonable and*
1030 *necessary* expenses of ~~attending its meetings incurred in the performance of their duties as provided in~~
1031 §§ 2.2-2813 and 2.2-2825 and shall receive compensation at the per diem rate established for members
1032 of the General Assembly *as provided in § 30-19.12. The funding for the costs of compensation and*
1033 *expenses of the members shall be provided by the Foundation.*

1034 B. The Foundation is an educational institution and has the further responsibility to administer certain
1035 historical museums and such related programs as may be established as defined from time to time.

1036 § 23-297. Board of Trustees; membership; terms; officers and committees; compensation.

1037 The Frontier Culture Museum of Virginia shall be administered by a Board of Trustees consisting of
1038 no more than ~~twenty-five~~ 25 members. The members shall be appointed as follows: five members of the
1039 House of Delegates shall be appointed by the Speaker of the House of Delegates *in accordance with the*
1040 *principles of proportional representation contained in the Rules of the House of Delegates*; three
1041 members of the Senate shall be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules*;
1042 and nine *nonlegislative* citizen members shall be appointed by the Governor. *The Governor may appoint,*
1043 *upon recommendation of the Board of Trustees, eight additional nonlegislative members for four-year*
1044 *terms who may be nonresidents of the Commonwealth and who shall serve at no expense to the*
1045 *Commonwealth.*

1046 Legislative members shall serve terms coincident with their terms of office. *Members appointed by*
1047 *the Governor shall serve terms as follows: three members shall serve for one year, two members shall*
1048 *serve for two years, two members shall serve for three years, and two members shall serve for four*
1049 *years. Thereafter* *After the initial staggering of terms, nonlegislative members appointed shall serve for*
1050 *four-year terms. Appointments to fill vacancies shall be made for the unexpired term. The Governor may*
1051 *appoint, upon recommendation of the Board of Trustees, eight additional members for four-year terms*
1052 *who may be nonresidents of the Commonwealth and who shall serve at no expense to the*
1053 *Commonwealth. All members may be reappointed.*

1054 The Board of Trustees shall elect a chairman, vice-chairman, and such other officers as it deems
1055 necessary. Seven or more of the members of the Board of Trustees shall constitute an executive
1056 committee.

1057 The Board of Trustees shall be reimbursed for ~~actual~~ *all reasonable and necessary* expenses incurred
1058 *in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825* and shall be compensated at
1059 the per diem rate established for members of the General Assembly for meetings *as provided in*
1060 *§ 30-19.12. Funding for the costs of compensation and expenses of the members shall be provided by*
1061 *the Frontier Culture Museum.*

1062 § 30-73.2. Membership; terms; compensation.

1063 A. The Commission shall be composed of ~~twelve~~ 12 members as follows: five members of the
1064 Senate to be appointed by the Senate Committee on ~~Privileges and Elections~~ *Rules*, and seven members
1065 of the House of Delegates to be appointed by the Speaker of the House, in accordance with the
1066 principles of proportional representation contained in the Rules of the House of Delegates. Six members
1067 shall constitute a quorum.

1068 B. Members shall serve for terms coincident with their terms of office. *Members may be reappointed.*
1069 Vacancies occurring other than by expiration of term shall be filled for the unexpired term. ~~Whenever~~
1070 ~~any member fails to retain his membership in the house from which he was appointed, his membership~~
1071 ~~shall be vacated, and the vacancy shall be filled in the original manner. Subsequent appointments shall~~
1072 ~~be made for similar terms, and vacancies shall be filled for the unexpired terms by the persons~~
1073 ~~authorized to make the original appointments. Vacancies shall be filled in the same manner as the~~
1074 *original appointments.*

1075 C. The members of the Commission shall elect a chairman and vice-chairman from among its
1076 members.

1077 D. Members of the Commission shall receive compensation as provided in § 30-19.12 and shall be
1078 reimbursed for all reasonable and necessary expenses incurred in the ~~discharge~~ *performance* of their
1079 duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such expense payments shall come from
1080 existing appropriations to the Commission.

1081 § 30-85. JCOTS established; powers and duties.

1082 The Joint Commission on Technology and Science (the "Commission" *JCOTS*) is hereby established
1083 as a permanent legislative agency of the Commonwealth. ~~The Commission~~ *JCOTS* shall generally study
1084 all aspects of technology and science and endeavor to stimulate, encourage, promote, and assist in the
1085 development of technology and science in the Commonwealth and sound public policies related thereto.
1086 In addition, ~~the Commission~~ *JCOTS* shall:

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

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

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

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

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

6. Encourage research and development in technology and science;

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

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

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

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

§ 30-86. 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 adjournment sine die] 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;

1148 quorum; meetings.

1149 The Commission shall consist of 18 legislative members. Members shall be appointed as follows:
1150 eight members of the Senate, to be appointed by the Senate Committee on ~~Privileges and~~
1151 ~~Elections~~Rules; and 10 members of the House of Delegates, of whom three shall be members of the
1152 House Committee on Health, Welfare and Institutions, to be appointed by the Speaker of the House of
1153 Delegates in accordance with the principles of proportional representation contained in the Rules of the
1154 House of Delegates.

1155 Members of the Commission shall serve terms coincident with their terms of office. *Members may be*
1156 *reappointed.* Appointments to fill vacancies, other than by expiration of a term, shall be for the
1157 unexpired terms. ~~The remainder of any term to which a member is appointed to fill a vacancy shall not~~
1158 ~~constitute a term in determining the member's eligibility for reappointment.~~ Vacancies shall be filled in
1159 the same manner as the original appointments.

1160 The Commission shall elect a chairman and vice-chairman from among its membership. A majority
1161 of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of
1162 the chairman or whenever the majority of the members so request.

1163 *No recommendation of the Commission shall be adopted if a majority of the Senate members or a*
1164 *majority of the House members appointed to the Commission (i) vote against the recommendation and*
1165 *(ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.*

1166 § 30-172. Powers and duties of Commission.

1167 The Commission shall have the power and duty to:

1168 1. Encourage and arrange conferences with officials of other states and other units of government;
1169 2. Carry forward the participation of Virginia as a member of the Council of State Governments,
1170 both regionally and nationally;

1171 3. Formulate proposals for cooperation between Virginia and other states;

1172 4. Establish such committees as it deems advisable to conduct conferences and formulate proposals
1173 concerning subjects of interstate cooperation;

1174 5. Monitor and evaluate the Commonwealth's participation in interstate compacts;

1175 6. Review, evaluate, and recommend suggested uniform state legislation;

1176 7. Require, at its discretion, from any appointee representing Virginia on any interstate compact,
1177 commission, committee, or board, a report on that organization's work and accomplishments;

1178 8. Review, evaluate, and make recommendations concerning federal policies that are of concern to
1179 the Commonwealth;

1180 9. Establish such committees as deemed advisable and designate the members of every such
1181 committee. State officials who are not members of the Commission may be appointed as members of
1182 any such committee, but at least one member of the Commission shall be a member of every such
1183 committee; and

1184 10. Appoint persons drawn from the membership of the Senate, the membership of the House of
1185 Delegates, and officials of state and local government to serve on those intergovernmental boards,
1186 committees, and commissions as to which the Commonwealth is entitled to such appointment, or is
1187 invited to make such appointment; provided that members of the General Assembly shall be appointed
1188 as follows:

1189 a. If an appointment be made from the membership of the Senate, such an appointment shall be
1190 made by the Commission on Interstate Cooperation of the Senate and shall be approved by the *Senate*
1191 ~~Committee on Privileges and Elections of the Senate~~Rules; and

1192 b. If an appointment be made from the membership of the House of Delegates, such appointment
1193 shall be made by the Commission on Interstate Cooperation of the House of Delegates and shall be
1194 approved by the Speaker of the House of Delegates.

1195 The Commission may provide such rules as it considers appropriate concerning the membership and
1196 the functioning of any committee established.

1197 § 30-178. Virginia Freedom of Information Advisory Council; membership; terms; quorum; expenses.

1198 A. The Virginia Freedom of Information Advisory Council (the Council) is hereby created as an
1199 advisory council in the legislative branch to encourage and facilitate compliance with the Freedom of
1200 Information Act.

1201 B. The Council shall consist of 12 members as follows: the Attorney General or his designee; the
1202 Librarian of Virginia or his designee; the Director of the Division of Legislative Services or his
1203 designee; four members appointed by the Speaker of the House of Delegates, one of whom shall be a
1204 member of the House of Delegates, and three nonlegislative citizen members, at least one of whom shall
1205 be or have been a representative of the news media; three members appointed by the Senate Committee
1206 on Rules, one of whom shall be a member of the Senate, one of whom shall be or have been an officer
1207 of local government, and one nonlegislative citizen at-large member; and two nonlegislative citizen
1208 members appointed by the Governor, one of whom shall not be a state employee. The local government
1209 representative may be selected from a list recommended by the Virginia Association of Counties and the

Virginia Municipal League, after due consideration of such list by the Senate Committee on Rules. The citizen members may be selected from a list recommended by the Virginia Press Association, the Virginia Association of Broadcasters, and the Virginia Coalition for Open Government, after due consideration of such list by the appointing authorities.

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

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

E. Members of the Council shall receive no compensation for their services but shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813, 2.2-2825 and 30-19.12, as appropriate. Funding for expenses of the members shall be provided from existing appropriations to the Council.

§ 30-208. (Expires July 1, 2008) Consumer Advisory Board; purpose; membership; compensation and expenses; staffing.

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*

1271 ~~Adult Offender Supervision~~ (the Council) is created as a policy council, within the meaning of
1272 § 2.2-2100, in the executive branch of state government. The Council shall consist of five members:
1273 1. One representative of legislative branch appointed by the Joint Rules Committee;
1274 2. One representative of the judicial branch appointed by the Chief Justice of the Supreme Court;
1275 3. One representative of the executive branch appointed by the Governor;
1276 4. One ~~representative of~~ nonlegislative citizen member, representing a victims' group appointed by
1277 the Governor; and
1278 5. One ~~individual~~ nonlegislative citizen member who in addition to serving as a member of the
1279 Council shall serve as the Compact administrator for Virginia, appointed by the Governor.
1280 The appointments shall be subject to confirmation by the General Assembly. *The legislative members*
1281 *and other state officials appointed to the Council shall serve terms coincident with their terms of office.*
1282 *Members who are not state officials shall be appointed for four-year terms. All members may be*
1283 *reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the*
1284 *unexpired terms. Vacancies shall be filled in the same manner as the original appointments.*
1285 B. The ~~State~~ Council shall appoint the compact administrator as the Virginia commissioner to the
1286 Interstate Commission. The Virginia commissioner shall serve on the Interstate Commission in such
1287 capacity under or pursuant to applicable law of this Commonwealth.
1288 C. The ~~State~~ Council shall exercise oversight and advocacy concerning its participation in interstate
1289 commission activities and other duties as may be determined by the ~~State~~ Council, including
1290 development of policies concerning operations and procedures of the Compact within Virginia.
1291 D. *The Council shall elect a chairman and vice-chairman annually. A majority of the members of the*
1292 *Council shall constitute a quorum. Meetings of the Council shall be held at the call of the chairman or*
1293 *whenever the majority of the members so request.*
1294 E. *Legislative members of the Council shall receive such compensation as provided in § 30-19.12*
1295 *and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their*
1296 *services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the*
1297 *performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of*
1298 *compensation and expenses of the members shall be provided by the Department of Corrections.*
1299 F. *The Department of Corrections shall provide staff support to the Council.*