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HOUSE BILL NO. 1413

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws
on February 9, 2006)

(Patron Prior to Substitute—Delegate Hargrove)

A BILL to amend and reenact §§ 2.2-203, 2.2-221, 2.2-2681, and 2.2-2715 of the Code of Virginia, relating to the Department of Veterans Services and the Virginia Veterans Services Foundation.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-203, 2.2-221, 2.2-2681, and 2.2-2715 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-203. Position established; agencies for which responsible.

The position of Secretary of Administration (the Secretary) is created. The Secretary shall be responsible to the Governor for the following agencies and boards: Department of Human Resource Management, Department of General Services, Compensation Board, Secretary of the Commonwealth, Department of Employment Dispute Resolution, ~~Department of Veterans Services, Virginia Veterans Services Foundation,~~ Department of Charitable Gaming, and Virginia Public Broadcasting Board. The Governor may, by executive order, assign any other state executive agency to the Secretary, or reassign any agency listed above to another Secretary.

§ 2.2-221. Position established; agencies for which responsible.

The position of Secretary of Public Safety (the "Secretary") is created. The Secretary shall be responsible to the Governor for the following agencies: Department of Alcoholic Beverage Control, Department of Corrections, Department of Juvenile Justice, Department of Correctional Education, Department of Criminal Justice Services, Virginia Parole Board, Department of Emergency Management, Department of Military Affairs, ~~Department of Veterans Services, Virginia Veterans Services Foundation,~~ Department of State Police, Department of Fire Programs and the Commonwealth's Attorneys' Services Council. The Governor may, by executive order, assign any other state executive agency to the Secretary, or reassign any agency listed above to another Secretary.

§ 2.2-2681. Joint Leadership Council of Veterans Service Organizations; membership; terms; chairman; quorum; compensation.

A. The Joint Leadership Council of Veterans Service Organizations (the Council) is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The Council shall be composed of one representative from each qualifying veterans service organization ~~and to be appointed by the Governor. The~~ the Commissioner of the Department of Veterans Services, and the Chairman of the Board of Veterans Services ~~who shall serve as nonvoting ex officio members. Each veterans service organization representative may designate an alternate to attend meetings of the Council in the absence of such representative.~~

Qualifying veterans service organizations shall be (i) composed principally of and controlled by veterans of the United States Armed Forces, (ii) a registered nonprofit organization in good standing, incorporated for the purpose of promoting programs designed to assist veterans of the armed forces of the United States and their Virginia-domiciled surviving spouses, orphans, and dependents, and (iii) active and in good standing with its parent national organization, if such a parent organization exists.

B. Voting members shall be appointed for terms of three years. Appointments to fill vacancies shall be for the unexpired terms. No person shall be eligible to serve for or during more than two successive three-year terms. Each qualifying veterans service organization shall be responsible for recommending a member for appointment to the Council by the Governor.

C. The Council shall annually elect its chairman and vice-chairman from among its members. The Council shall develop and adopt its own charter, and shall develop and adopt a mission and vision statement in consultation with the Department of Veterans Services. A majority of the voting members of the Council shall constitute a quorum.

D. The Council shall meet at least four times per year. Additional meetings shall be subject to majority approval by the members of the Council.

E. Members of the Council shall not receive any compensation ~~or reimbursement of expenses for their services, but shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in § 2.2-2825.~~

§ 2.2-2715. Veterans Services Foundation; purpose; membership; terms; compensation; staff.

A. The Veterans Services Foundation (the Foundation) is established to serve as an advisory 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 providing funding for veteran services and programs in the Commonwealth through the Veterans Services Fund

60 (the Fund). The Foundation shall submit a quarterly report to the Commissioner of Veterans Services on
61 the Foundation's funding levels and services.

62 B. The Foundation shall consist of the Commissioner of Veterans Services and the Chairman of the
63 Board of Veterans Services, who shall serve as ex officio voting members, and eight nonlegislative
64 citizens appointed by the Governor, subject to confirmation by the General Assembly. A majority of the
65 trustees shall be active or retired chairmen, chief executive officers, or chief financial officers for large
66 private corporations or nonprofit organizations. Trustees appointed by the Governor shall, insofar as
67 possible, be veterans.

68 Initial appointments by the Governor shall be staggered as follows: two members for a term of one
69 year, three members for a term of two years, and three members for a term of four years. Thereafter,
70 members shall be appointed for a term of three years. Appointments to fill vacancies, other than by
71 expiration of a term, shall be for the unexpired terms. All members may be reappointed. However, no
72 member shall serve more than two consecutive three-year terms. The remainder of any term to which a
73 member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility
74 for reappointment. Vacancies shall be filled in the same manner as the original appointments. Any
75 member of the Board of Trustees may be removed by the Governor at his pleasure.

76 C. Trustees shall be reimbursed for their actual expenses incurred while attending meetings of the
77 trustees or performing other duties. However, such reimbursement shall not exceed the per diem rate
78 established for members of the General Assembly pursuant to § 30-19.12.

79 D. The Secretary of ~~Administration~~ *Public Safety* shall designate a state agency to provide the
80 Foundation with administrative and other services.

81 E. The trustees shall adopt bylaws governing their organization and procedures and may amend the
82 same. The trustees shall elect from their number a chairman and such other officers as their bylaws may
83 provide.

84 F. Any person designated by the board of trustees to handle the funds of the Foundation or the Fund
85 shall give bond, with corporate surety, in a penalty fixed by the Governor, conditioned upon the faithful
86 discharge of his duties. Any premium on the bond shall be paid from funds available to the Foundation.