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HOUSE BILL NO. 427

Offered January 9, 2008

Prefiled January 4, 2008

A BILL to amend and reenact §§ 23-41 and 23-42 of the Code of Virginia, relating to the William and Mary Board of Visitors.

Patron—Marshall, R.G.

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:**1. That §§ 23-41 and 23-42 of the Code of Virginia are amended and reenacted as follows:**

§ 23-41. Appointment of visitors by Governor; number and terms; vacancies.

The board of visitors is to consist of 17 members. *Pursuant to § 23-42, nine members shall be elected by alumni, two of whom may be nonresidents of Virginia. Eight shall to be appointed by the Governor, fourtwo of whom may be nonresidents of Virginia.*

All ~~appointments~~*members* shall ~~be serve~~ for terms of four years each, except *members appointed* to fill unexpired vacancies, which shall be made by the Governor for the remainder of the unexpired terms. ~~However, the term of the member holding the office of Rector on March 1, 2005, shall be extended for one year to June 30, 2006. The Governor may make an appointment for the member whose term is so extended to June 30, 2006, as though this service extension had not been granted and the term had expired as scheduled.~~

The board of visitors may be expanded to no more than 18 members from July 1, 2005, to June 30, 2006. Thereafter, the membership shall revert to 17 members. Reappointment by the Governor of any member eligible for the service extension shall be for the term of four years.

No person shall be eligible to serve more than two consecutive four-year terms, except that a member may be appointed to a term of less than four years immediately prior to or between the four-year terms. For the purpose of determining service eligibility, any term of service extended to June 30 of the respective year pursuant to this section shall be treated as a four-year term. Hereafter, all appointments shall expire June 30 of the year in which the term expires.

All appointments are subject to confirmation by the General Assembly if in session when such appointments are made, and if not in session, at its next succeeding session.

§ 23-42. Election of visitors by alumni.

(a) ~~The Governor may appoint visitors from a list of qualified persons submitted to him, before or after induction into office, by the~~*A. Nine members of the Board of Visitors shall be elected by the alumni association of the College of William and Mary in Virginia. Elections shall be held on or before the first day of December of any year next preceding a year in which the terms of any elected visitors will expire.*

~~(b) B. Notwithstanding subsection A, Whenever~~*whenever* a vacancy in an elected position occurs, otherwise than by expiration of term, the Governor shall certify this fact to the association and nominations may be submitted of qualified persons and the Governor may fill the vacancy, if his discretion so dictates, from among the eligible nominees of the association, whether or not alumni or ~~alumnae~~*shall appoint a member for the remainder of the unexpired term. At the expiration of such term, an alumni election shall be held to fill the vacancy.*

(c) Every list shall contain at least three names for each vacancy to be filled.

(d) The Governor is not to be limited in his appointments to the persons so nominated.

2. That the next nine members whose terms expire shall be replaced by members elected by the alumni association of the College of William and Mary.

INTRODUCED

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