

094325316

SENATE BILL NO. 1364

Offered January 14, 2009

Prefiled January 14, 2009

A BILL to amend § 2.2-2101, as it is currently effective and as it shall become effective, of the Code of Virginia, and to amend the Code of Virginia by adding in Title 30 a chapter numbered 47, consisting of sections numbered 30-309 through 30-315, and to repeal Article 1.3 (§§ 22.1-212.17 through 22.1-212.22) of Chapter 13 of Title 22.1 of the Code of Virginia, relating to the Commission on Civics Education.

Patrons—Reynolds; Delegate: Armstrong

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2101, as it is currently effective and as it shall become effective, of the Code of Virginia is amended, and that the Code of Virginia is amended by adding in Title 30 a chapter numbered 47, consisting of sections numbered 30-309 through 30-315, as follows:

§ 2.2-2101. (Effective until July 1, 2013) Prohibition against service by legislators on boards, commissions, and councils within the executive branch; exceptions.

Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils within the executive branch of state government who are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board, commission, or council in the executive branch of state government that is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position.

The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.3; to members of the Board of Trustees of the Southern Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.25; to members of the Board of Directors of the New College Institute who shall be appointed as provided for in § 23-231.31; to members of the Virginia Interagency Coordinating Council who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the Commonwealth Competition Commission, who shall be appointed as provided for in § 2.2-2621; to members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as provided for in § 2.2-2423; to members of the Advisory Commission on the Virginia Schools for the Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.1; to members of the Substance Abuse Services Council, who shall be appointed as provided for in § 2.2-2696; to members of the Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; to members of the Council on Virginia's Future, who shall be appointed as provided for in § 2.2-2685; to members of the State Executive Council for Comprehensive Services for At-Risk Youth and Families, who shall be appointed as provided in § 2.2-2648; to members of the Virginia Workforce Council, who shall be appointed as provided for in § 2.2-2669; to members of the Commission on Civics Education, who shall be appointed as provided for in § ~~22.1-212.18~~30-310; to members of the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board, who shall be appointed as provided for in § 51.1-1201; to members of the Secure Commonwealth Panel, who shall be appointed as provided for in § 2.2-306; to members of the Forensic Science Board, who shall be appointed as provided for in § 9.1-1109; or to members of the Southwest Virginia Cultural Heritage Commission, who shall be appointed as provided in § 2.2-2533.

§ 2.2-2101. (Effective July 1, 2013) Prohibition against service by legislators on boards, commissions, and councils within the executive branch; exceptions.

Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils within the executive branch of state government who are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board, commission, or council in the

INTRODUCED

SB1364

59 executive branch of state government that is responsible for administering programs established by the
60 General Assembly, such portion of such law shall be void, and the Governor shall appoint another
61 person from the Commonwealth at large to fill such a position.

62 The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall
63 be appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest
64 Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.3; to members of
65 the Board of Trustees of the Southern Virginia Higher Education Center, who shall be appointed as
66 provided for in § 23-231.25; to members of the Board of Directors of the New College Institute who
67 shall be appointed as provided for in § 23-231.31; to members of the Virginia Interagency Coordinating
68 Council who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans
69 Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of
70 Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the
71 Commonwealth Competition Commission, who shall be appointed as provided for in § 2.2-2621; to
72 members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as
73 provided for in § 2.2-2423; to members of the Advisory Commission on the Virginia Schools for the
74 Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.1; to members of the
75 Substance Abuse Services Council, who shall be appointed as provided for in § 2.2-2696; to members of
76 the Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; to members of the
77 State Executive Council for Comprehensive Services for At-Risk Youth and Families, who shall be
78 appointed as provided in § 2.2-2648; to members of the Virginia Workforce Council, who shall be
79 appointed as provided for in § 2.2-2669; to members of the Commission on Civics Education, who shall
80 be appointed as provided for in § 22.1-212.1830-310; to members of the Volunteer Firefighters' and
81 Rescue Squad Workers' Service Award Fund Board, who shall be appointed as provided for in
82 § 51.1-1201; to members of the Secure Commonwealth Panel, who shall be appointed as provided for in
83 § 2.2-306; to members of the Forensic Science Board, who shall be appointed as provided for in
84 § 9.1-1109; or to members of the Southwest Virginia Cultural Heritage Commission, who shall be
85 appointed as provided in § 2.2-2533.

87 CHAPTER 47.

88 COMMISSION ON CIVICS EDUCATION.

89 § 30-309. *Commission on Civics Education; purpose.*

90 *The Commission on Civics Education is established in the legislative branch of state government.*

91 *The purposes of the Commission shall include (i) the education of students on the importance of*
92 *citizen involvement in a representative democracy, (ii) the promotion of the study of state and local*
93 *government among the Commonwealth's citizenry, and (iii) the enhancement of communication and*
94 *collaboration among organizations in the Commonwealth that conduct civics education programs.*

95 § 30-310. *Membership; terms.*

96 *The Commission shall have a total membership of 15 members that shall consist of eight legislative*
97 *members and seven nonlegislative citizen members.*

98 *Members shall be appointed as follows: five members of the House of Delegates, to be appointed by*
99 *the Speaker of the House of Delegates in accordance with the principles of proportional representation*
100 *contained in the Rules of the House of Delegates; three members of the Senate, to be appointed by the*
101 *Senate Committee on Rules; and five nonlegislative citizen members of whom one shall be a school*
102 *civics or government teacher, one shall be a state coordinator of Virginia Legislators Back to School*
103 *Week, one shall be a representative of the Commonwealth's We the People: Project Citizen, one shall be*
104 *a representative of the Virginia public television, and one shall be a representative from the Virginia*
105 *Press Association to be appointed by the Speaker of the House of Delegates; and two nonlegislative*
106 *citizen members of whom one shall be a school civics or government teacher, and one shall be a*
107 *representative of a public policy center with one of the Commonwealth's public institutions of higher*
108 *education, to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the*
109 *Commission shall be citizens of the Commonwealth.*

110 *Legislative members of the Commission shall serve terms coincident with their terms of office. After*
111 *the initial staggering of terms, nonlegislative citizen members shall be appointed for terms of four years.*
112 *Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms.*
113 *Vacancies shall be filled in the same manner as the original appointments. All members may be*
114 *reappointed.*

115 *The Commission shall elect a chairman and vice-chairman from among its membership who shall be*
116 *members of the General Assembly.*

117 § 30-311. *Quorum; meetings; voting on recommendations.*

118 *A majority of the members shall constitute a quorum. The Commission shall meet no more than four*
119 *times each year. The meetings of the Commission shall be held at the call of the chairman or whenever*
120 *the majority of the members so request.*

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

§ 30-312. Compensation; expenses.

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. However, all such compensation and expenses shall be paid from existing appropriations to the Commission, or if unfunded, shall be approved by the Joint Rules Committee.

§ 30-313. Powers and duties; report.

The Commission on Civics Education shall have the following powers and duties:

1. Develop and coordinate outreach programs in collaboration with schools to educate students on the importance of understanding that (i) representative democracy is a process dependent on reasoned debate, good faith negotiation, and compromise; (ii) individual involvement is a critical factor in community success; and (iii) consideration of and respect for others must be shown when deliberating, negotiating, and advocating positions on public concerns.

2. Identify civics education projects in the Commonwealth and provide technical assistance as may be needed to such programs.

3. Build a network of civics education professionals to share information and strengthen partnerships.

4. Develop, in consultation with entities having representatives on the Commission and others as determined by the Commission, a clearinghouse that shall be available on the Department of Education's website. The electronic clearinghouse shall include, among other things, (i) a database of civics education resources, lesson plans, and other programs of best practices in civics education; (ii) a bulletin board to promote discussion on and exchange of ideas relative to civics education; (iii) an events calendar; and (iv) links to civics education research.

5. Recommend policies, legislation, and funding that are needed to support civics education in the Commonwealth.

6. Make recommendations to the Board of Education regarding revisions to the Standards of Learning for civics and government.

7. Seek, accept, and expend gifts, grants, or donations from public or private sources.

§ 30-314. Staffing.

The Office of the Clerk of the chairman of the Commission shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. The Department of Education shall provide technical support. All agencies of the Commonwealth shall assist the Commission, upon request.

§ 30-315. Chairman's executive summary of the work of the Commission.

The chairman of the Commission shall submit to the General Assembly and the Governor 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 state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a state document. 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. That Article 1.3 (§§ 22.1-212.17 through 22.1-212.22) of Chapter 13 of Title 22.1 of the Code of Virginia is repealed.

3. That it is the intent of the General Assembly that nonlegislative citizen members currently serving will fulfill their terms, and then be replaced according to the provisions of this Act.