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**HOUSE BILL NO. 349**

Offered January 13, 2010

Prefiled January 12, 2010

*A BILL to amend and reenact §§ 2.2-2452, 2.2-2681, and 2.2-2715 of the Code of Virginia, relating to veterans services agencies; designees for certain ex officio members.*

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Patron—Watts

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Referred to Committee on General Laws

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**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.2-2452, 2.2-2681, and 2.2-2715 of the Code of Virginia are amended and reenacted as follows:**

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

A. The Board of Veterans Services (the Board) is established as a policy board, within the meaning of § 2.2-2100, in the executive branch of state government. The Board shall have a total membership of 19 members that shall consist of five legislative members, 11 nonlegislative citizen members, and three ex officio members. Members shall be appointed as follows: 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; two members of the Senate to be appointed by the Senate Committee on Rules; and 11 nonlegislative citizen members to be appointed by the Governor. The Commissioner of the Department of Veterans Services *or his designee* shall serve ex officio with full voting privileges; and the Chairman of the Board of Trustees of the Veterans Services Foundation and the Chairman of the Joint Leadership Council of Veterans Service Organizations *or their designees* shall serve ex officio without voting privileges. Nonlegislative citizen members of the Board shall be citizens of the Commonwealth.

In making appointments, the Governor shall endeavor to ensure a balanced geographical representation on the Board while at the same time selecting appointees of such qualifications and experience as will allow them to provide expertise and insight into:

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

2. Performance measurements and general management principles; and

3. Nonprofit volunteer operations and management.

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

Legislative members and the Commissioner of the Department of Veterans Services shall serve terms coincident with their terms of office. 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 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.

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.

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

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

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

§ 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

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59 advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The  
60 Council shall be composed of one representative from each qualifying veterans service organization, to  
61 be appointed by the Governor, *and* the Commissioner of the Department of Veterans Services; and the  
62 Chairmen of the Board of Veterans Services and the Veterans Services Foundation *or their designees*,  
63 who shall serve as nonvoting ex officio members. Each veterans service organization representative may  
64 designate an alternate to attend meetings of the Council in the absence of such representative.

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

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

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

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

80 E. Members of the Council shall not receive any compensation, but shall be reimbursed for  
81 reasonable and necessary expenses incurred in the performance of their duties as provided in § 2.2-2825.  
82 § 2.2-2715. Veterans Services Foundation; purpose; membership; terms; compensation; staff.

83 A. The Veterans Services Foundation (the Foundation) is established as a body politic and corporate  
84 supporting the Department of Veterans Services in the executive branch of state government. The  
85 Foundation shall be governed and administered by a board of trustees. The Foundation shall (i)  
86 administer the Veterans Services Fund (the Fund), (ii) provide funding for veterans services and  
87 programs in the Commonwealth through the Fund, and (iii) raise revenue from all sources including  
88 private source fundraising to support the Fund. The Foundation shall submit a quarterly report to the  
89 Commissioner of Veterans Services on the Foundation's funding levels and services.

90 B. The board of trustees of the Foundation shall consist of the Commissioner of Veterans Services  
91 and the Chairmen of the Board of Veterans Services and the Joint Leadership Council of Veterans  
92 *Services Service Organizations or their designees*, who shall serve as ex officio voting members, and 16  
93 members to be appointed as follows: (i) eight nonlegislative citizens appointed by the Governor; five  
94 nonlegislative citizens appointed by the Speaker of the House of Delegates; and three nonlegislative  
95 citizens appointed by the Senate Committee on Rules. A majority of the trustees shall be active or  
96 retired chairmen, chief executive officers, or chief financial officers for large private corporations or  
97 nonprofit organizations or individuals who have extensive fundraising experience in the private sector.  
98 Trustees appointed shall, insofar as possible, be veterans. Each appointing authority shall endeavor to  
99 ensure a balanced geographical representation on the Board to facilitate fundraising efforts across the  
100 state.

101 After initial appointments, members shall be appointed for a term of four years. Appointments to fill  
102 vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be  
103 reappointed. However, no member shall serve more than two consecutive four-year terms. The remainder  
104 of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining  
105 the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original  
106 appointments. Any member of the Board of Trustees may be removed at the pleasure of the appointing  
107 authority.

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

111 D. The Secretary of Public Safety shall designate a state agency to provide the Foundation with  
112 administrative and other services.

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

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