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SENATE BILL NO. 856

Offered January 9, 2013

Prefiled January 2, 2013

A *BILL to amend and reenact §§ 23-41, 23-49.14, 23-49.16, 23-49.17, 23-49.25, 23-49.26, 23-49.28, 23-50.6, 23-50.9, 23-70, 23-72, 23-74, 23-91.26, 23-91.28, 23-91.29, 23-91.36, 23-91.38, 23-91.40, 23-93, 23-95, 23-98, 23-115, 23-117, 23-118, 23-155.4, 23-155.6, 23-164.3, 23-164.5, 23-165.4, 23-165.5, 23-174.4, 23-185, and 23-187 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 23-9.2:5.1, relating to boards of visitors; rectors and terms.*

Patron—Petersen

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-41, 23-49.14, 23-49.16, 23-49.17, 23-49.25, 23-49.26, 23-49.28, 23-50.6, 23-50.9, 23-70, 23-72, 23-74, 23-91.26, 23-91.28, 23-91.29, 23-91.36, 23-91.38, 23-91.40, 23-93, 23-95, 23-98, 23-115, 23-117, 23-118, 23-155.4, 23-155.6, 23-164.3, 23-164.5, 23-165.4, 23-165.5, 23-174.4, 23-185, and 23-187 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 23-9.2:5.1 as follows:

§ 23-9.2:5.1. Boards of visitors; qualifications and terms of rectors.

A. No person shall be elected or appointed rector or an equivalent position of the board of visitors of any four-year public institution of higher education unless he has served on such board for at least four years.

B. Rectors or equivalent positions of any four-year public institution of higher education shall serve terms of four years unless prior to the expiration of the rector's term the person serving as rector does not get reappointed to the board or is otherwise ineligible to serve another term.

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

The board of visitors is to consist of 17 members to be appointed by the Governor, four of whom may be nonresidents of Virginia.

All appointments shall be for terms of ~~four~~ six years each, except appointments 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~~ six-year terms, except that a member may be appointed to a term of less than ~~four~~ six years immediately prior to or between the ~~four-year~~ six 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.

§ 23-49.14. Appointment of visitors; number and terms; vacancies; confirmation.

(a) A. The board of visitors is to consist of ~~seventeen~~ 17 members to be appointed by the Governor, three of whom may be nonresidents of the Commonwealth of Virginia and at least three of whom shall be alumni of Old Dominion University.

(b) Prior to July 1, 1980, the Governor shall appoint successors to the members whose terms expire in 1980 for terms of four years and four additional members, one for a term of one year, one for a term of two years, one for a term of three years and one for a term of four years. Annually thereafter, the Governor shall appoint members to fill vacancies caused by the expiration of terms. Members shall be appointed for terms of ~~four~~ six years.

(c) C. All vacancies, whether occasioned by failure to make an appointment within the ~~sixty~~ 60 days preceding any regular expiration as required, or otherwise, are to be filled by the Governor for the unexpired term.

(d) D. All appointments are subject to confirmation by the General Assembly if in session when such appointments are made, and if not in session, then at its next succeeding session. Visitors shall continue

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59 to discharge their duties after their terms have expired until their successors have been appointed and
60 have qualified.

61 **§ 23-49.16. Visitor ineligible for more than two successive terms; vacating office by**
62 **nonperformance of duties.**

63 No person shall be eligible to serve for or during more than two successive ~~four-year~~ *six-year* terms.

64 If any visitor fails to perform the duties of his office for one year, without sufficient cause shown to
65 the board, the board of visitors shall, at their next meeting after the end of such year, cause the fact of
66 such failure to be recorded in the minutes of their proceedings, and certify the same to the Governor;
67 and the office of such visitor shall be thereupon vacant. If so many of such visitors fail to perform their
68 duties that a quorum thereof do not attend for a year, upon a certificate thereof being made to the
69 Governor by the rector or any member of the board, or by the president of the University, the offices of
70 all visitors so failing to attend shall be vacated.

71 **§ 23-49.17. Rights, powers, and duties of board in general; meetings; rector, vice-rector, and**
72 **secretary; executive committee.**

73 A. The board of visitors shall be vested with all the rights and powers conferred by the provisions of
74 this chapter insofar as the same are not inconsistent with the provisions of this chapter and the general
75 laws of the Commonwealth.

76 The board shall control and expend the funds of the University and any appropriation hereafter
77 provided; and shall make all needful rules and regulations concerning the University, appoint the
78 president, who shall be its chief executive officer, and all professors, teachers, staff members, and
79 agents; and fix their salaries, and generally direct the affairs of the University.

80 B. The board of visitors shall meet at the University once a year, and at such other times as they
81 shall determine, the days of meetings to be fixed by them. A majority of voting members shall
82 constitute a quorum. *They shall elect from their own body a rector, subject to the qualifications and*
83 *limitations set forth in § 23-9.2:5.1, who shall preside at their meetings.* At the first meeting after July
84 1, 1962, and every second year thereafter, they shall elect from their own body a ~~rector, who shall~~
85 ~~preside at their meetings~~, a secretary and a vice-rector. In the absence of the rector or vice-rector at any
86 meeting, the secretary shall preside, and on the absence of all three, the board may appoint a pro
87 tempore officer to preside. Any vacancies in the offices of rector, vice-rector, or secretary may be filled
88 by the board for the unexpired term. Special meetings of the board may be called by the rector or any
89 three members. In either of such cases, notice of the time of meetings shall be given by the secretary to
90 every member.

91 C. At every regular annual meeting of the board an executive committee of no fewer than five
92 members may be appointed for the transaction of business in the recess of the board. The executive
93 committee shall be the officers of the board and such other members as shall be appointed by the rector.

94 **§ 23-49.25. Appointments of visitors; terms; confirmation.**

95 A. The board shall consist of ~~fourteen~~ 14 members appointed by the Governor.

96 Appointments shall be for terms of ~~four~~ *six* years; however, appointments to fill vacancies occurring
97 otherwise than by expiration of terms shall be for the unexpired terms.

98 B. All appointments of the Governor shall be subject to confirmation by the General Assembly.
99 Members shall continue to hold office until their successors have been appointed and have qualified.

100 **§ 23-49.26. Eligibility to serve for more than two terms.**

101 No person shall be eligible to serve on the board of visitors for or during more than two successive
102 ~~four-year~~ *six-year* terms; but after the expiration of a term of two years or less, or after the expiration of
103 the remainder of a term to which appointed to fill a vacancy, a member may serve two additional
104 ~~four-year~~ *six-year* terms if appointed thereto.

105 **§ 23-49.28. Powers and duties of visitors; meetings; rector, secretary and vice-rector; executive**
106 **committee.**

107 A. The board of visitors shall be vested with all the rights and powers conferred by the provisions of
108 this title insofar as the same are not inconsistent with the provisions of this chapter and the general laws
109 of the Commonwealth.

110 The board shall control and expend the funds of the University and any appropriation hereafter
111 provided; make all needful rules and regulations concerning the University; appoint the president, who
112 shall be its chief executive officer, and all teachers; fix their salaries; provide for the employment of
113 other personnel as required; and generally direct the affairs of the University.

114 B. The board of visitors shall meet at the University at least four times a year and at such other
115 times as it shall determine, the days of meetings to be fixed by the board. Seven members shall
116 constitute a quorum. *At the first meeting after July 1 in any year in which the term of the rector expires,*
117 *the board shall elect from its membership a rector, subject to the qualifications and limitations in*
118 *§ 23-9.2:5.1, who shall preside at their meetings.* At the first meeting after July 1 in every
119 even-numbered year, the board shall elect from its membership a ~~rector, who shall preside at meetings~~, a
120 secretary and a vice-rector. In the absence of the rector or vice-rector at any meeting, the secretary shall

preside, and in the absence of all three, the board may appoint a pro tempore officer to preside. Any vacancies in the offices of rector, vice-rector, or secretary may be filled by the board for the unexpired term. Special meetings of the board may be called by the rector or any three members. In either of such cases, notice of the time of meetings shall be given by the secretary to every member.

C. At every regular annual meeting of the board, the board may appoint an executive committee for the transaction of business in the recess of the board, to serve for a period of one year or until the next regular annual meeting.

§ 23-50.6. Appointment of visitors; terms; confirmation.

(a) A. The board of visitors is to consist of ~~sixteen~~ 16 members to be appointed by the Governor for ~~four-year~~ six-year terms except that vacancies other than by expiration of term shall be filled as provided in subsection (d) and except that the initial term of the member appointed to increase the board of visitors to sixteen members shall be three years for the unexpired terms.

(b) ~~[Repealed.]~~

(c) B. Members shall be eligible for service for two consecutive terms of ~~four~~ six years only (exclusive of that portion of any unexpired term or any term on the board of less than ~~four~~ six years to which he may have been appointed).

(d) All vacancies shall be filled by the Governor for the unexpired terms.

(e) C. 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. Visitors shall continue to discharge their duties after their terms have expired until their successors have been appointed and have qualified.

(f), (g) ~~[Repealed.]~~

§ 23-50.9. Principal office of corporation; meetings, etc., and officers of board of visitors; executive committee.

(a) A. The principal office of the corporation shall be located, and all meetings of the board of visitors held, as far as practicable, in the City of Richmond. The board shall fix the date for its annual meeting and such other meetings as it may deem advisable. Due notice of all meetings shall be given to each visitor. A majority of the members serving at any time shall constitute a quorum. Such reasonable expenses as the visitors may incur in the discharge of their duties shall be paid out of the funds of the University.

(b) B. The board shall elect from among its members a rector, *subject to the qualifications and limitations set forth in § 23-9.2:5.1*, a vice-rector, a secretary, and such other officers as it deems necessary or advisable, and prescribe their duties, term of office *subject to § 23-9.2:5.1*, and fix their compensation if any. The board shall also designate an executive committee, determine the number of members thereof and the number ~~which~~ that shall constitute a quorum; such executive committee shall perform all the duties as are delegated to it by the board.

§ 23-70. Appointment of visitors; number and terms of office; confirmation.

A. The board of visitors is to consist of 17 visitors appointed by the Governor, of whom (i) at least 12 shall be appointed from the Commonwealth at large, (ii) at least 12 shall be alumni of the University of Virginia, and (iii) at least one shall be a physician with administrative and clinical experience in an academic medical center.

B. All appointments ~~on or after July 1, 2008~~, shall be for terms of ~~four~~ six years and commence July 1 of the first year of appointment, except that appointments to fill vacancies shall be made for the unexpired terms. Members shall complete their service on June 30 of the year in which their respective terms expire, including appointments made prior to July 1, 2008. All appointments for full terms, as well as to fill vacancies, shall be made by the Governor subject to confirmation by the Senate and the House of Delegates.

§ 23-72. Eligibility to serve more than two successive terms.

No person shall be eligible to serve for or during more than two successive ~~four-year~~ six-year terms; but after the expiration of a term of two years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional ~~four-year~~ six-year terms may be served by such a member if appointed thereto.

§ 23-74. Meetings of board of visitors; quorum; rector and vice-rector; secretary.

The board of visitors shall meet at the University once a year, and at such other times as they shall determine, the days of meeting to be fixed by them. Five members shall constitute a quorum.

The board of visitors shall appoint, from among its members, a rector, *subject to the qualifications and limitations set forth in § 23-9.2:5.1*, to preside at their meetings and a vice-rector to preside at their meetings in the absence of the rector. The rector and the vice-rector shall also perform such additional duties as the board may prescribe. The ~~terms~~ term of the rector *shall be four years* and the term of the vice-rector shall be for two years, commencing on July 1 of the year of appointment and expiring on June 30 of the year of the expiration of their terms.

182 The board shall also appoint a secretary for such term and with such duties as the board shall
183 prescribe.

184 The board may also appoint a substitute pro tempore, as provided in its bylaws, to preside in the
185 absence of the rector or the vice-rector.

186 Vacancies in the office of rector, vice-rector, or secretary may be filled by the board for the
187 unexpired term, as provided in the Board's bylaws.

188 Special meetings of the board may be called by the rector or any three members. In either of such
189 cases, notice of the time of meeting shall be given by the secretary to every member.

190 **§ 23-91.26. Appointment and terms of visitors; confirmation.**

191 (a) A. The board shall consist of ~~sixteen~~ 16 members, who shall be appointed by the Governor. Of
192 the ~~sixteen~~ 16 members, two may be nonresidents of Virginia.

193 (b) In 1972 the Governor shall appoint the members of the board for terms beginning July 1, 1972.
194 At least one of the members appointed each year beginning in 1978 shall be an alumnus of George
195 Mason University or of the George Mason College Division of the University of Virginia and, insofar as
196 is possible, ten of the sixteen members shall be representative of the principal political subdivisions
197 comprising Planning District Number Eight and of Fauquier County. Four of such appointments shall be
198 for terms of four years each, four for terms of three years, four for terms of two years, and four for
199 terms of one year. Subsequent appointments B. Appointments shall be for terms of ~~four~~ six years;
200 provided, however, *except* that appointments to fill vacancies occurring ~~otherwise~~ other than by
201 expiration of terms shall be for the unexpired terms.

202 (c) C. All appointments shall be subject to confirmation by the General Assembly. Members shall
203 continue to hold office until their successors have been appointed and have qualified.

204 **§ 23-91.28. No person eligible to serve more than two terms; when office of visitor deemed**
205 **vacant.**

206 No person shall be eligible to serve for more than two full ~~four-year~~ six-year terms.

207 If any visitor fails to perform the duties of his office for one year, without sufficient cause shown to
208 the board, the board of visitors shall, at their next meeting after the end of such year, cause the fact of
209 such failure to be recorded in the minutes of their proceedings, and certify the same to the Governor;
210 and the office of such visitor shall be thereupon vacant. If so many of such visitors fail to perform their
211 duties that a quorum thereof do not attend for a year, upon a certificate thereof being made to the
212 Governor by the rector or any member of the board, or by the president of the University, the offices of
213 all visitors so failing to attend shall be vacated.

214 **§ 23-91.29. Powers and duties of board; meetings; officers; executive committee.**

215 (a) A. The board of visitors shall be vested with all the rights and powers conferred by the provisions
216 of this title insofar as the same are not inconsistent with the provisions of this chapter and the general
217 laws of the Commonwealth.

218 The board shall control and expend the funds of the University and any appropriation hereafter
219 provided, and shall make all needful rules and regulations concerning the University, appoint the
220 president, who shall be its chief executive officer, and all professors, teachers, staff members and agents,
221 and fix their salaries, and generally direct the affairs of the University.

222 (b) B. The board of visitors shall meet at the University once a year, and at such other times as they
223 shall determine, the days of meetings to be fixed by them. Eight members shall constitute a quorum. *At*
224 *the first meeting after July 1 in any year in which the term of the rector expires, the board shall*
225 *appoint from their own body a rector, subject to the qualifications and limitations set forth in*
226 *§ 23-9.2:5.1, who shall preside at their meetings.* At the first meeting after July 1, 1972, and every
227 second year thereafter, they shall appoint from their own body a rector, ~~who shall preside at their~~
228 ~~meetings,~~ a secretary and a vice-rector. In the absence of the rector or vice-rector at any meeting, the
229 secretary shall preside, and on the absence of all three, the board may appoint a pro tempore officer to
230 preside. Any vacancies in the offices of rector, vice-rector, or secretary may be filled by the board for
231 the unexpired term. Special meetings of the board may be called by the rector or any three members. In
232 either of such cases, notice of the time of meetings shall be given by the secretary to every member.

233 (c) C. At every regular annual meeting of the board they may appoint an executive committee for the
234 transaction of business in the recess of the board, not less than three nor more than five members, to
235 serve for a period of one year or until the next regular annual meeting.

236 **§ 23-91.36. Appointment of visitors generally; terms.**

237 (a) A. The board shall consist of ~~twelve~~ 12 members, ~~who shall to~~ be appointed by the Governor. Of
238 the ~~twelve~~ 12 members, no more than three may be nonresidents of Virginia.

239 (b) In 1972 the Governor shall appoint the members of the board for terms beginning July 1, 1972.
240 Three of such appointments shall be for terms of four years each, three for terms of three years, three
241 for terms of two years, and three for terms of one year. Subsequent appointments B. Appointments shall
242 be for terms of ~~four~~ six years; provided, however, *except* that appointments to fill vacancies occurring
243 ~~otherwise~~ other than by expiration of terms shall be for the unexpired terms.

(e) C. All appointments shall be subject to confirmation by the General Assembly. Members shall continue to hold office until their successors have been appointed and have qualified.

§ 23-91.38. Eligibility to serve for more than two terms.

No person shall be eligible to serve on the board of visitors for or during more than two successive ~~four-year~~ *six-year* terms; but after the expiration of a term of two years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, a member may serve two additional ~~four-year~~ *six-year* terms if appointed thereto.

§ 23-91.40. Powers and duties of visitors; meetings; rector, secretary, and vice-rector; executive committee.

(a) A. The board of visitors shall be vested with all the rights and powers conferred by the provisions of this title insofar as the same are not inconsistent with the provisions of this chapter and the general laws of the Commonwealth.

The board shall control and expend the funds of the University and any appropriation hereafter provided; and shall make all needful rules and regulations concerning the University; appoint the president, who shall be its chief executive officer, and all teachers, and fix their salaries, and provide for the employment of other personnel as required, and generally direct the affairs of the University.

(b) B. The board of visitors shall meet at the University once a year, and at such other times as they shall determine, the days of meetings to be fixed by them. A majority of the members shall constitute a quorum. *At the first meeting after July 1 in any year in which the term of the rector expires, the board shall appoint from its own body a rector, subject to the qualifications and limitations set forth in § 23-9.2:5.1, who shall preside at their meetings.* At the first meeting after July 1, 1972, and every second year thereafter, they shall appoint from their own body a ~~rector, who shall preside at their meetings,~~ a secretary and a vice-rector. In the absence of the rector or vice-rector at any meeting, the secretary shall preside, and in the absence of all three, the board may appoint a pro tempore officer to preside. Any vacancies in the offices of rector, vice-rector, or secretary may be filled by the board for the unexpired term. Special meetings of the board may be called by the rector or any three members. In either of such cases, notice of the time of meetings shall be given by the secretary to every member.

(e) C. At every regular annual meeting of the board, they may appoint an executive committee for the transaction of business in the recess of the board, not less than three nor more than five members, to serve for a period of one year or until the next regular annual meeting.

§ 23-93. Appointment of visitors; confirmation.

A. The board of visitors shall consist of ~~sixteen~~ 16 visitors to be appointed by the Governor and the Adjutant General, *serving* ex officio. Of the visitors appointed by the Governor, ~~twelve~~ 12 shall be alumni of the Institute and four shall not be alumni of the Institute. The four visitors appointed by the Governor who are not alumni of the Institute shall be residents of the Commonwealth. ~~Until June 30, 1985, nine of the twelve alumni visitors shall be residents of the Commonwealth. Thereafter eight~~ Eight of the ~~twelve~~ 12 alumni visitors shall be residents of the Commonwealth. The remaining alumni visitors shall be nonresidents.

B. Each appointive visitor in office on July 1, 1980, shall continue in office until the expiration of the term for which he was appointed. Of the visitors to be appointed for terms commencing July 1, 1980, four shall be appointed for terms of three years and four for terms of four years. One of such visitors appointed for a four-year term and one appointed for a three-year term shall not be alumni of the Institute. One of such visitors appointed for a four-year term and one appointed for a three-year term shall be nonresident alumni. ~~Thereafter all~~ All appointments shall be for terms of ~~four~~ six years. and one visitor appointed each year shall not be an alumnus of the Institute. ~~Beginning in 1985 and thereafter, one visitor appointed each year shall be a nonresident alumnus.~~

All appointments for full terms, as well as to fill vacancies, shall be made by the Governor subject to confirmation by the General Assembly.

§ 23-95. Eligibility to serve more than two successive terms.

No person except ex officio members shall be eligible to serve for or during more than two successive ~~four-year~~ *six-year* terms; but after the expiration of the remainder of an unexpired term to which appointed, two additional ~~four-year~~ *six-year* terms may be served by such a member if appointed thereto.

§ 23-98. Meetings of board; president and secretary; superintendent of Institute.

The board of visitors shall meet at the Institute once a year or ~~often~~ *more often*, and at any other times and places, when, in its opinion, or that of the superintendent of the Institute, or president of the board of visitors, it shall be necessary to do so. It shall appoint a superintendent of the Institute with such duties as may be prescribed by the board. Special meetings may also be called at any time by the superintendent of the Institute, or the president of the board of visitors, when either may deem it advisable; and the board may adjourn from time to time. *At the first meeting after July 1 in any year in which the term of the president expires, the board shall appoint from its own body a president, subject*

305 *to the qualifications and limitations set forth in § 23-9.2:5.1.* At their first meeting after the first day of
 306 July in each year the board shall ~~appoint from their own body a president, and shall also appoint a~~
 307 secretary to the board. In the absence of the president or secretary at any meeting, the board may
 308 appoint a president or secretary pro tempore, and vacancies in the offices of president or secretary may
 309 be filled by the board for the unexpired term. Notice of the time and place of meeting shall be given to
 310 every member of the board.

311 **§ 23-115. Appointment of visitors; number and eligibility; confirmation.**

312 The board of visitors is to consist of ~~fourteen~~ 14 members, ~~thirteen~~ 13 of whom shall be appointed
 313 by the Governor *to serve six-year terms*, and one of whom shall be the President of the Board of
 314 Agriculture and Consumer Services, *serving ex officio*. Of the members appointed by the Governor,
 315 three may be nonresidents. The visitors in the office on April 9, 1945, are continued in office until the
 316 end of their respective terms, or until June 30, 1945, whichever last occurs.

317 As soon as practicable after April 9, 1945, the Governor shall appoint four members to fill the
 318 unexpired portions of the terms which began on July 1, 1944, and shall appoint three additional
 319 members for new terms of two years and two for new terms of four years, each term beginning July 1,
 320 1945. He shall, in addition, appoint the President of the State Board of Agriculture and Consumer
 321 Services as an ex officio member for a term of four years to begin July 1, 1945; provided that, if the
 322 tenure in office as President of such ex officio member expires within that time, the Governor shall
 323 appoint such member's successor to fill the unexpired term. Such President shall remain eligible for
 324 appointment as an ex officio member so long as he continues in office as President. All appointments by
 325 the Governor for full terms, as well as to fill vacancies, shall be made by the Governor subject to
 326 confirmation by the Senate.

327 **§ 23-117. Eligibility to serve for more than two successive terms.**

328 No person, except the ex officio appointed member, shall be eligible to serve for or during more
 329 than two successive ~~four-year~~ *six-year* terms; but after the expiration of a term of two years or less, or
 330 after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional
 331 ~~four-year~~ *six-year* terms may be served by such a member if appointed thereto. Incumbents on April 5,
 332 1945, appointed for full terms prior to June 1, 1944, shall be deemed to be serving their first terms.

333 **§ 23-118. Officers and committees of the board; officers of the University.**

334 The board of visitors shall appoint from ~~their~~ *its* own body a rector, *subject to the qualifications and*
 335 *limitations set forth in § 23-9.2:5.1*, who shall preside at their meetings, and, in his absence, a president
 336 pro tempore. The board may appoint a vice-president of the University and, by appropriate regulations,
 337 prescribe his authority, duties, and compensation, if any, and he shall hold office at the pleasure of the
 338 board. The board shall also appoint from its membership an executive committee of not less than three
 339 nor more than six, which, during the interim between board meetings, shall be empowered to exercise
 340 all or such part of the powers of the board as the board may by resolution prescribe. The board may
 341 likewise appoint special committees and prescribe their duties and powers. The executive committee, and
 342 other committees shall make reports to the board, at its annual meeting or ~~often~~ *more often* if required,
 343 of the acts performed by them from time to time. The board shall also appoint a treasurer of the
 344 University and may appoint a secretary thereof, and also a clerk to the board, and such other officers,
 345 assistants, and deputies as they deem advisable to conduct the business and affairs of the University.

346 **§ 23-155.4. Appointment of visitors; terms; vacancies; confirmation.**

347 (a) A. The board shall consist of 15 members who shall be appointed by the Governor.

348 (b) B. Of the four members taking new seats of the board to be appointed by the Governor for terms
 349 beginning July 1, 2007, two shall be appointed for initial terms of three years each and two for terms of
 350 four years each. Successors to all members shall be appointed to serve for terms of ~~four~~ *six* years each.
 351 Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Of the
 352 persons so appointed, four may be nonresidents of the Commonwealth.

353 (c) C. All appointments shall be subject to confirmation by the General Assembly. Members shall
 354 continue to hold office until their successors have been appointed and have qualified.

355 **§ 23-155.6. Eligibility to serve more than two successive terms.**

356 No person shall be eligible to serve for or during more than two successive terms; ~~provided~~, *except*
 357 that a person may be appointed to a term of less than ~~four~~ *six* years immediately prior to or after or
 358 between two ~~four-year~~ *six-year* terms.

359 **§ 23-164.3. Appointment of members of board of visitors; terms; vacancies; confirmation.**

360 The board shall consist of ~~fifteen~~ 15 members who shall be appointed by the Governor.

361 Of the four members of the board appointed for terms beginning July 1, 1989, two members shall be
 362 appointed for initial terms of two years and two members shall be appointed for initial terms of three
 363 years. Successors to the members so appointed *Appointments* shall be appointed to serve for terms of
 364 ~~four~~ *six* years each. Vacancies occurring other than by expiration of term shall be filled for the
 365 unexpired term. Of the persons so appointed, two may be nonresidents of the Commonwealth.

366 All appointments shall be subject to confirmation by the General Assembly. Members shall continue

to hold office until their successors have been appointed and have qualified.

§ 23-164.5. Eligibility to serve more than two successive terms.

No person shall be eligible to serve for or during more than two successive ~~four-year~~ *six-year* terms. A person appointed to serve an unexpired term created by a vacancy shall be eligible to serve two additional ~~four-year~~ *six-year* terms.

§ 23-165.4. Members of board; appointment; terms; vacancies; confirmation.

A. The board shall consist of 15 members appointed by the Governor, of whom three shall be alumni of the university, and at least 10 shall be residents of Virginia. All appointments shall be for a term of ~~four~~ *six* years. No member shall serve for more than two consecutive ~~four-year~~ *six-year* terms. Vacancies shall be filled in the same manner as the original appointments. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired 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. Of the four additional members appointed to the board on July 1, 2008, the Governor shall appoint two members for an initial term of four years, and two members for an initial term of two years. Thereafter, such members and their successors shall be appointed for a term of ~~four~~ *six* years, in accordance with the provisions of this section.

B. The Governor may appoint alumni visitors from a list of qualified persons submitted to him upon the recommendation of the National Alumni Association of Virginia State University on or before July 1 of any year in which the terms of such visitors shall expire. The alumni association shall submit the names of at least three qualified alumni for each such vacancy.

C. All appointments shall be subject to the confirmation of the General Assembly. Members shall continue to hold office until their successors have been appointed and have qualified.

§ 23-165.5. Eligibility to serve more than two consecutive terms.

No person shall be eligible to serve more than two consecutive ~~four-year~~ *six-year* terms, except that a member may be appointed to a term of less than ~~four~~ *six* years immediately prior to or between the ~~four-year~~ *six-year* terms.

§ 23-174.4. Composition of board of visitors; appointment; terms; vacancies; confirmation.

A. The board of visitors shall consist of 13 members who shall be appointed, on or before June 30 of any year in which their terms shall expire, by the Governor for terms of ~~four~~ *six* years. Of the persons so appointed, four shall be alumni of Norfolk State University of which three may be nonresidents of the Commonwealth. Vacancies occurring other than by expiration of term shall be filled by the Governor for the unexpired term.

B. The Governor may appoint alumni visitors from a list of qualified persons submitted to him upon the recommendation of the National Alumni Association of Norfolk State University on or before November 1 of any year in which the terms of such visitors shall expire. The National Alumni Association of Norfolk State University shall submit the names of four qualified alumni for each vacancy.

C. All appointments shall be subject to confirmation by the General Assembly. Members shall continue to hold office until their successors have been appointed and qualified. Members shall be eligible for two consecutive terms of ~~four~~ *six* years, exclusive of that portion of any term on the initial board of less than ~~four~~ *six* years or any unexpired term.

§ 23-185. Composition of board; appointment and terms of visitors; vacancies; confirmation.

A. The board shall consist of 13 members who shall be appointed by the Governor.

B. The Governor shall appoint ~~the 13 appointive~~ members of the board for terms of ~~four~~ *six* years each. Members shall be eligible for service for two consecutive terms of ~~four~~ *six* years, exclusive of that portion of any unexpired term. Successors to the members so appointed shall be appointed to serve for terms of ~~four~~ *six* years each. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Of the persons so appointed, two shall be alumni of the University, and two may be nonresidents of the Commonwealth, the remaining number to be selected from the Commonwealth at large.

C. All appointments shall be subject to confirmation by the General Assembly. Members shall continue to hold office until their successors have been appointed and have qualified.

§ 23-187. Eligibility to serve more than two successive terms.

No person shall be eligible to serve for or during more than two successive terms except the persons receiving initial appointments for only two years and who have served an additional ~~four-year~~ *six-year* term may be appointed for another ~~four-year~~ *six-year* term.

2. That this act shall not be construed to affect existing appointments of visitors or rectors for whom terms have not expired as of July 1, 2013. However, all new appointments made on or after July 1, 2013, shall be made in accordance with the provisions of this act. For the purposes of term limitations, any visitor appointed prior to July 1, 2013, who serves a full four-year term shall be considered to have served one full term.