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SENATE BILL NO. 489

Offered January 10, 2018

Prefiled January 9, 2018

A BILL to amend and reenact §§ 30-193, 30-194, and 30-195 of the Code of Virginia, relating to the Capitol Square Preservation Council.

Patron—McDougle

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-193, 30-194, and 30-195 of the Code of Virginia are amended and reenacted as follows:

§ 30-193. Capitol Square Preservation Council; membership; terms; compensation and expenses; quorum; "Capitol Square" defined.

A. The Capitol Square Preservation Council (the Council) is established in the legislative branch of state government. The Council shall consist of 13 members as follows: three members appointed by the Speaker of the House of Delegates, after consideration of the lists of nominations provided by the governing bodies of The Garden Club of Virginia, the Historic Richmond Foundation, and the Association for the Preservation of Virginia Antiquities Preservation Virginia, if any; two members appointed by the Senate Committee on Rules, after consideration of the lists of nominations provided by the governing bodies of the Virginia Society of the American Institute of Architects and the Virginia Museum of Fine Arts, if any; five nonlegislative citizen members appointed by the Governor, two after consideration of the lists of nominations provided by the governing bodies of the Virginia Chapter of the American Society of Landscape Architects and the Virginia Historical Society, if any, one from the membership of the Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion, and two citizens at large; the Secretary of Administration, or his designee; and the Clerks of the House of Delegates and the Senate, who shall serve ex officio with voting privileges. Nonlegislative citizen members shall be citizens of the Commonwealth.

B. A personnel committee of the Council is established, consisting of the Clerk of the House of Delegates, the Clerk of the Senate, the Secretary of Administration, and the chairman of the Council or their designees. The personnel committee shall establish the personnel policies for the ~~Executive Director~~ *Chief Administrative Officer* of the Council employed pursuant to § 30-194. The ~~Executive Director~~ *Chief Administrative Officer* shall report to the personnel committee regarding proposed projects and activities and shall seek the prior approval of the personnel committee for personnel expenditures related to such projects and activities.

C. Following the initial staggering of terms, all appointments to the Council shall be for terms of three years, except any legislative member appointed shall serve a term coincident with his terms of office. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment. No member shall be eligible to serve more than two successive three-year terms, except any legislative member appointed may be reappointed for successive terms without limitation. However, after expiration of a term of three years or less, or after the expiration of the remainder of a term to which he was appointed to fill a vacancy, two additional terms may be served by such member if appointed thereto.

D. The members of the Council shall elect from among its membership a chairman and a vice-chairman for two-year terms. The chairman and vice-chairman may not succeed themselves to the same position. The Council shall hold meetings quarterly, or upon the call of the chairman. A majority of the members of the Council shall constitute a quorum.

E. Members of the Council shall not receive compensation, but 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. Funding for the costs of expenses of the members shall be provided from existing appropriations to the Council.

F. For the purposes of this article, "Capitol Square" means the grounds and the interior and exterior of all buildings in that area in the City of Richmond bounded by Bank, Governor, Broad, and Ninth Streets. The term also includes the exterior of all state buildings that are at least 50 years old and bordering the boundary streets. The term does not include the interiors of the General Assembly Building, the Washington Building, the Jefferson Building, or the Governor's Mansion.

§ 30-194. Powers and duties of the Council; Chief Administrative Officer; annual report.

A. With regard to the architectural, historical, archeological, and landscape features of Capitol Square

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59 and antiquities contained therein, the Council shall:

60 1. Inventory and assess their condition;

61 2. Develop plans and recommendations for their maintenance and preservation and for the
62 enhancement of their historical and architectural integrity;

63 3. Develop recommendations for the promotion of activities and efforts that will enhance interpretive
64 and educational opportunities; and

65 4. Review all plans or proposals for alterations, improvements, additions, renovations, or other
66 disposition that is structural or architectural in nature. No implementation of such plans or proposals
67 shall take place prior to review by the Council. The Council shall report its findings on each plan or
68 proposal to the Governor and the agency responsible for the plan or proposal. However, the Council's
69 ~~executive director~~ *Chief Administrative Officer* and the Director of the Department of General Services
70 shall enter into a memorandum of agreement describing the type of plans and proposals that are of such
71 a routine or operational nature to not require review by the Council.

72 B. The Council may employ ~~an executive director~~ *a Chief Administrative Officer* and determine his
73 duties and compensation within the amounts appropriated therefor. The ~~executive director~~ *Chief*
74 *Administrative Officer* shall be qualified to carry out the duties to which he is assigned and shall work
75 at the pleasure of the Council. The Council may also obtain such assistance as it may deem necessary,
76 and may employ, within the amounts appropriated therefor, experts who have special knowledge of the
77 issues before the Council.

78 C. *The Council may enter into partnerships, joint ventures, and other collaborative relationships with*
79 *organizations in furtherance of the Council's duties.*

80 D. The Council may, unless otherwise restricted by the Governor or the General Assembly, under
81 terms approved by the Attorney General, accept gifts and grants in furtherance of its duties. This
82 provision shall be deemed to be in addition to and not in conflict with any other powers or authorities
83 related to the acceptance of gifts and grants under other provisions of this Code.

84 ~~D.~~ E. The Council may enter into contracts in the furtherance of its duties in accordance with the
85 Virginia Public Procurement Act (§ 2.2-4300 et seq.).

86 F. *Neither the Council nor its staff in fulfilling their responsibilities shall act in a manner*
87 *inconsistent with subsection A of § 2.2-1144.*

88 ~~E.~~ G. The Council shall make a report on its activities and recommendations, if any, annually by
89 December 1 to the Governor and the General Assembly. The Council shall make such further interim
90 reports to the Governor and the General Assembly as it deems advisable or as required by the General
91 Assembly.

92 **§ 30-195. Duties of the chief administrative officer.**

93 A. ~~The executive director shall serve as curator for the architectural, historical, archeological and~~
94 ~~landscape features of Capitol Square. Neither the Council nor the executive director in fulfilling his~~
95 ~~responsibilities as curator shall act in a manner inconsistent with subsection A of § 2.2-1144.~~

96 ~~B.~~ The ~~executive director~~ *Chief Administrative Officer* shall work under the direction and control of
97 the Council and shall exercise the powers and duties conferred upon him by law or requested by the
98 Council pursuant to authorities conferred by this chapter.

99 ~~C.~~ B. The ~~executive director~~ *Chief Administrative Officer* shall be vested with the authority of the
100 Council when it is not in session, subject to guidelines or delegations prescribed by the Council.

101 ~~D.~~ C. The ~~executive director~~ *Chief Administrative Officer* shall, upon request, act as an advisor to the
102 Governor, the Art and Architectural Review Board, the Citizens' Advisory Council on Furnishing and
103 Interpreting the Executive Mansion, and other state agencies dealing with architectural, historical,
104 archeological, and landscape features of Capitol Square.

105 D. *The Chief Administrative Officer may employ an Architectural Historian who shall serve as*
106 *curator for the architectural, historical, archeological, and landscape features of Capitol Square.*