

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 755

An Act to amend and reenact §§ 2.1-51.15 and 9-138.1 of the Code of Virginia, relating to the Council on Indians.

[H 436]

Approved April 11, 1994

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-51.15 and 9-138.1 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-51.15. Agencies for which responsible.

The Secretary of Health and Human Resources shall be responsible to the Governor for the following agencies: Department of Health, Department for the Visually Handicapped, Department of Health Professions, Department for the Aging, Department of Mental Health, Mental Retardation and Substance Abuse Services, Department of Rehabilitative Services, Department of Social Services, Virginia Health Services Cost Review Council, Department for Rights of Virginians With Disabilities, Department of Medical Assistance Services, *the Council on Indians*, Governor's Employment and Training Department, Child Day-Care Council, Virginia Department for the Deaf and Hard-of-Hearing, the Virginia Council on Coordinating Prevention and the Virginia Council on Child Day Care and Early Childhood Programs. The Governor may, by executive order, assign any other state executive agency to the Secretary of Health and Human Resources, or reassign any agency listed above to another secretary.

§ 9-138.1. Appointment and terms of members; chairman.

The Council on Indians is continued. The Council shall be composed of thirteen members to be appointed by the Governor as follows: (i) the eight Virginia tribes officially recognized by the Commonwealth shall be entitled but not required to be represented by one member from each tribe, (ii) two members at-large from the Indian population residing in Virginia, (iii) one member from the House of Delegates of Virginia, (iv) one member from the Senate of Virginia, and (v) one member from the Commonwealth at-large. If a recognized tribe elects not to be represented, then that seat on the Council shall be filled by appointment of an additional member from the at-large Indian population of Virginia. The Secretary of Health and Human Resources shall be an ex officio member of the Council.

The present members of the Council shall continue to serve for the terms to which they have been appointed. The initial terms of the new members appointed from those tribes not represented on the Council as of January 1, 1989, shall expire June 30, 1993. Subsequent appointments shall be for terms of three years except appointments to fill vacancies, which shall be for the unexpired terms. The Governor shall appoint one of the members *appointed pursuant to (i) or (ii) of this section* as Chairman, who shall serve in such position at the pleasure of the Governor.

No member shall be eligible to serve more than two terms in succession, provided that appointments to terms commencing prior to July 1, 1988, shall not be considered in determining such limit, nor shall appointments to fill vacancies for an unexpired term be included. *Members of the Council shall receive no compensation for their services, but shall receive their ordinary and necessary travel expenses to Council meetings.*