

# 1994 SESSION

INTRODUCED

LD5914160

## HOUSE BILL NO. 286

Offered January 19, 1994

*A BILL to reenact §§ 2.1-1.6, 9-6.25:1 and 10.1-208.2 through 10.1-208.6 of the Code of Virginia as they may become effective and to amend and reenact § 10.1-208.1 of the Code of Virginia as it may become effective, relating to the Virginia Board on Physical Fitness and Sports.*

Patrons—Cooper, Copeland, Croshaw, Diamonstein, Forbes, Heilig, Jones, J.C., McDonnell, Melvin, Moore, Moss, Nelms, Purkey, Robinson, Spruill, Tata, Wagner and Wardrup; Senators: Holland, C.A., Lucas, Quayle, Stolle and Walker

Referred to Committee on General Laws

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

**1. That §§ 2.1-1.6, 9-6.25:1 and 10.1-208.2 through 10.1-208.6 of the Code of Virginia, as they may become effective, are amended and reenacted as follows:**

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

Accountancy, Board for

Aging, Advisory Board on the

Agriculture and Consumer Services, Board of

Air Pollution, State Advisory Board on

Alcoholic Beverage Control Board, Virginia

Apple Board, Virginia State

Appomattox State Scenic River Advisory Board

Aquaculture Advisory Board

Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for

Art and Architectural Review Board

Athletic Board, Virginia

Auctioneers Board

Audiology and Speech-Language Pathology, Board of

Aviation Board, Virginia

Barbers, Board for

Branch Pilots, Board for

Bright Flue-Cured Tobacco Board, Virginia

Building Code Technical Review Board, State

Catoctin Creek State Scenic River Advisory Board

Cattle Industry Board, Virginia

Cave Board

Certified Seed Board, State

Chesapeake Bay Local Assistance Board

Chickahominy State Scenic River Advisory Board

Child Abuse and Neglect, Advisory Board on

Chippokes Plantation Farm Foundation, Board of Trustees

Clinch Scenic River Advisory Board

Coal Research and Development Advisory Board, Virginia

Coal Surface Mining Reclamation Fund Advisory Board

Conservation and Development of Public Beaches, Board on

Conservation and Recreation, Board of

Contractors, Board for

Corn Board, Virginia

Correctional Education, Board of

Corrections, State Board of

Cosmetology, Board for

Criminal Justice Services Board

Dark-Fired Tobacco Board, Virginia

Deaf and Hard-of-Hearing, Advisory Board for the Department for the

Dentistry, Board of

Education, State Board of

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60	Egg Board, Virginia
61	Emergency Medical Services Advisory Board
62	Employment Agency Advisory Board
63	Farmers Market Board, Virginia
64	Film Office Advisory Board
65	Fire Services Board, Virginia
66	Forensic Science Advisory Board
67	Forestry, Board of
68	Funeral Directors and Embalmers, Board of
69	Game and Inland Fisheries, Board of
70	Geology, Board for
71	Goose Creek Scenic River Advisory Board
72	Health Planning Board, Virginia
73	Health Professions, Board of
74	Health, State Board of
75	Hearing Aid Specialists, Board for
76	Hemophilia Advisory Board
77	Historic Resources, Board of
78	Housing and Community Development, Board of
79	Industrial Development Services Advisory Board
80	Insurance Advisory Board, State
81	Irish Potato Board, Virginia
82	Laboratory Services Advisory Board
83	Marine Products Board, Virginia
84	Medical Advisory Board, Department of Motor Vehicles
85	Medical Board of the Virginia Retirement System
86	Medicare and Medicaid, Advisory Board on
87	Medicine, Board of
88	Mental Health, Mental Retardation and Substance Abuse Services Board, State
89	Migrant and Seasonal Farmworkers Board
90	Military Affairs, Board of
91	Mines, Minerals and Energy, Board of Examiners in the Department of
92	Minority Business Enterprise, Interdepartmental Board of the Department of
93	Motor Vehicle Dealers' Advisory Board
94	Networking Users Advisory Board, State
95	Nottoway State Scenic River Advisory Board
96	Nursing, Board of
97	Nursing Home Administrators, Board of
98	Occupational Therapy, Advisory Board on
99	Oil and Gas Conservation Board, Virginia
100	Opticians, Board for
101	Optometry, Board of
102	Peanut Board, Virginia
103	Personnel Advisory Board
104	Pesticide Control Board
105	Pharmacy, Board of
106	(Delayed effective date - See Editor's note) Physical Fitness and Sports, Virginia Board on
107	Physical Therapy to the Board of Medicine, Advisory Board on
108	Plant Pollination Advisory Board
109	Polygraph Examiners Advisory Board
110	Pork Industry Board, Virginia
111	Poultry Products Board, Virginia
112	Private College Advisory Board
113	Private Security Services Advisory Board
114	Professional and Occupational Regulation, Board for
115	Professional Counselors, Board of
116	Professional Soil Scientists, Board for
117	Psychiatric Advisory Board
118	Psychology, Board of
119	Public Buildings Board, Virginia
120	Public Telecommunications Board, Virginia
121	Radiation Advisory Board

- 122 Real Estate Appraiser Board
- 123 Real Estate Board
- 124 Reciprocity Board, Department of Motor Vehicles
- 125 Recreational Fishing Advisory Board, Virginia
- 126 Recreation Specialists, Board of
- 127 Reforestation Board
- 128 Rehabilitative Services, Board of
- 129 Respiratory Therapy, Advisory Board on
- 130 Retirement System Review Board
- 131 Rockfish State Scenic River Advisory Board
- 132 Safety and Health Codes Board
- 133 Seed Potato Board
- 134 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 135 Shenandoah State Scenic River Advisory Board
- 136 Small Business Advisory Board
- 137 Small Business Environmental Compliance Advisory Board
- 138 Small Grains Board, Virginia
- 139 Social Services, Board of
- 140 Social Work, Board of
- 141 Soil and Water Conservation Board, Virginia
- 142 Soybean Board, Virginia
- 143 State Air Pollution Control Board
- 144 Substance Abuse Certification Board
- 145 Surface Mining Review, Board of
- 146 Sweet Potato Board, Virginia
- 147 Teacher Education and Licensure, Advisory Board on
- 148 Tourism and Travel Services Advisory Board
- 149 Toxic Substances Advisory Board
- 150 Transportation Board, Commonwealth
- 151 Transportation Safety, Board of
- 152 Treasury Board, The, Department of the Treasury
- 153 Veterans' Affairs, Board on
- 154 Veterinary Medicine, Board of
- 155 Virginia Board for Asbestos Licensing
- 156 Virginia Employment Commission, State Advisory Board for the
- 157 (Delayed effective date - See Editor's note) Virginia Horse Industry Board
- 158 Virginia Manufactured Housing Board
- 159 Virginia Mine Safety Board
- 160 Virginia Retirement System, Board of Trustees
- 161 Virginia Waste Management Board
- 162 Visually Handicapped, Virginia Board for the
- 163 Voluntary Formulary Board, Virginia
- 164 War Memorial Foundation, Virginia, Board of Trustees
- 165 Waste Management Facility Operators, Board for
- 166 Water Resources Research Center Statewide Advisory Board, Virginia
- 167 Waterworks and Wastewater Works Operators, Board for
- 168 Well Review Board, Virginia
- 169 Youth and Family Services, State Board of.
- 170 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 171 referred to as boards:
- 172 Compensation Board
- 173 State Board of Elections
- 174 State Water Control Board
- 175 Virginia Parole Board
- 176 Virginia Veterans Care Center Board of Trustees.
- 177 § 9-6.25:1. Advisory boards, commissions and councils.
- 178 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
- 179 following advisory boards, commissions and councils within the executive branch:
- 180 Advisory Board for the Department for the Deaf and Hard-of-Hearing
- 181 Advisory Board for the Department for the Aging
- 182 Advisory Board on Child Abuse and Neglect

183	Advisory Board on Medicare and Medicaid
184	Advisory Board on Occupational Therapy
185	Advisory Board on Physical Therapy to the Board of Medicine
186	Advisory Board on Respiratory Therapy to the Board of Medicine
187	Advisory Board on Teacher Education and Licensure
188	Advisory Council on Revenue Estimates
189	Advisory Council on the Virginia Business-Education Partnership Program
190	Appomattox State Scenic River Advisory Board
191	Aquaculture Advisory Board
192	Art and Architectural Review Board
193	(Effective until July 1, 1994) Board for the Visually Handicapped
194	Board of Directors, Virginia Truck and Ornamentals Research Station
195	Board of Forestry
196	Board of Military Affairs
197	(Effective until July 1, 1994) Board of Rehabilitative Services
198	Board of Transportation Safety
199	Board of Trustees of the Family and Children's Trust Fund
200	Board of Visitors, Gunston Hall Plantation
201	Board on Veterans' Affairs
202	Catoctin Creek State Scenic River Advisory Board
203	Cave Board
204	Chickahominy State Scenic River Advisory Board
205	Clinch Scenic River Advisory Board
206	Coal Surface Mining Reclamation Fund Advisory Board
207	Council on Indians
208	Council on the Status of Women
209	Emergency Medical Services Advisory Board
210	Falls of the James Committee
211	Film Office Advisory Board
212	Forensic Science Advisory Board
213	Goose Creek Scenic River Advisory Board
214	Governor's Council on Alcohol and Drug Abuse Problems
215	Governor's Mined Land Reclamation Advisory Committee
216	Hemophilia Advisory Board
217	Human Services Information and Referral Advisory Council
218	Industrial Development Services Advisory Board
219	Interagency Coordinating Council on Housing for the Disabled
220	Interdepartmental Board of the State Department of Minority Business Enterprise
221	Laboratory Services Advisory Board
222	Local Advisory Board to the Blue Ridge Community College
223	Local Advisory Board to the Central Virginia Community College
224	Local Advisory Board to the Dabney S. Lancaster Community College
225	Local Advisory Board to the Danville Community College
226	Local Advisory Board to the Eastern Shore Community College
227	Local Advisory Board to the Germanna Community College
228	Local Advisory Board to the J. Sargeant Reynolds Community College
229	Local Advisory Board to the John Tyler Community College
230	Local Advisory Board to the Lord Fairfax Community College
231	Local Advisory Board to the Mountain Empire Community College
232	Local Advisory Board to the New River Community College
233	Local Advisory Board to the Northern Virginia Community College
234	Local Advisory Board to the Patrick Henry Community College
235	Local Advisory Board to the Paul D. Camp Community College
236	Local Advisory Board to the Piedmont Virginia Community College
237	Local Advisory Board to the Rappahannock Community College
238	Local Advisory Board to the Southwest Virginia Community College
239	Local Advisory Board to the Thomas Nelson Community College
240	Local Advisory Board to the Tidewater Community College
241	Local Advisory Board to the Virginia Highlands Community College
242	Local Advisory Board to the Virginia Western Community College
243	Local Advisory Board to the Wytheville Community College
244	Long-Term Care Council

- 245 Maternal and Child Health Council
- 246 Medical Advisory Board, Department of Motor Vehicles
- 247 Medical Board of the Virginia Retirement System
- 248 Migrant and Seasonal Farmworkers Board
- 249 Motor Vehicle Dealer's Advisory Board
- 250 Nottoway State Scenic River Advisory Board
- 251 Personnel Advisory Board
- 252 Plant Pollination Advisory Board
- 253 Private College Advisory Board
- 254 (Effective July 1, 1994) Private Enterprise Commission
- 255 Private Security Services Advisory Board
- 256 Psychiatric Advisory Board
- 257 Radiation Advisory Board
- 258 Rappahannock Scenic River Advisory Board
- 259 Recreational Fishing Advisory Board, Virginia
- 260 Reforestation Board
- 261 Retirement System Review Board
- 262 Rockfish State Scenic River Advisory Board
- 263 Shenandoah State Scenic River Advisory Board
- 264 Small Business Advisory Board
- 265 Small Business Environmental Compliance Advisory Board
- 266 St. Mary's Scenic River Advisory Committee
- 267 State Advisory Board on Air Pollution
- 268 State Advisory Board for the Virginia Employment Commission
- 269 State Building Code Technical Review Board
- 270 State Council on Local Debt
- 271 State Health Benefits Advisory Council
- 272 State Insurance Advisory Board
- 273 State Land Evaluation Advisory Council
- 274 State Networking Users Advisory Board
- 275 State Public Records Advisory Council
- 276 Staunton Scenic River Advisory Committee
- 277 Telecommunications Relay Service Advisory Board
- 278 Tourism and Travel Services Advisory Board
- 279 Toxic Substances Advisory Board
- 280 Virginia Advisory Commission on Intergovernmental Relations
- 281 Virginia Advisory Council for Adult Education and Literacy
- 282 (For effective date - See Editor's note) Virginia Board on Physical Fitness and Sports
- 283 Virginia Coal Research and Development Advisory Board
- 284 Virginia Commission for the Arts
- 285 Virginia Commission on the Bicentennial of the United States Constitution
- 286 Virginia Council on Coordinating Prevention
- 287 Virginia Equal Employment Opportunity Council
- 288 Virginia Interagency Coordinating Council
- 289 Virginia Military Advisory Council
- 290 Virginia Mine Safety Board
- 291 Virginia Public Buildings Board
- 292 Virginia Recycling Markets Development Council
- 293 Virginia Transplant Council
- 294 Virginia Water Resources Research Center, Statewide Advisory Board
- 295 Virginia Winegrowers Advisory Board.
- 296 § 10.1-208.2. (For effective date - See note) Powers and duties of the Board.
- 297 The purpose of the Board is to encourage Virginia citizens to participate more actively in health and
- 298 fitness activities that will help them live healthier, happier, and more productive lives and to advise the
- 299 Director on such matters. The Board shall:
- 300 1. Promote an awareness of the benefits of a healthy lifestyle and physical fitness for citizens of all
- 301 ages in the Commonwealth;
- 302 2. Promote physical fitness and sports programs in the cities, counties and towns of Virginia;
- 303 3. Endorse special projects, events and research in the areas of health, physical fitness, nutrition and
- 304 sports;
- 305 4. Encourage the continuation of the Virginia State Games, a program of statewide amateur athletic

306 competition patterned after the Olympics and designed to encourage the participation of athletes  
307 representing a broad range of age groups, skill levels, and Virginia communities through the  
308 endorsement and site selection for the annual games;

309 5. Recommend to the Director acceptance of grants from the United States government its agencies  
310 and instrumentalities, and any other source; and

311 6. Recommend to the Director acceptance or expenditure of gifts or donations from public or private  
312 sources to enable the Board to better carry out its objectives; however, nothing herein precludes the  
313 Board from soliciting donations and engaging in fund-raising campaigns.

314 The Board shall not have any authority to regulate or supervise interscholastic or intercollegiate  
315 sports activities in the Commonwealth.

316 § 10.1-208.3. (For effective date - See note) Staff.

317 The Director may provide staff to the Board to perform such administrative duties as the Director  
318 may consider necessary.

319 § 10.1-208.4. (For effective date - See note) Cooperation of other agencies.

320 All agencies of the Commonwealth may cooperate with the Board and, upon request, may assist the  
321 Board in the performance of its duties and responsibilities.

322 § 10.1-208.5. (For effective date - See note) Establishment of fund.

323 A. A fund consisting of general fund appropriations, gifts, bequests and devises known as the  
324 Virginia Physical Fitness and Sports Fund is hereby established under the control of the Director.

325 B. Any funds remaining in such fund at the end of the biennium, including all appropriations, gifts,  
326 bequests and devises, and interest accruing thereon, shall not revert to the general fund but shall remain  
327 in the Virginia Physical Fitness and Sports Fund.

328 C. In the event the Board is discontinued, all residual funds from the Virginia Physical Fitness and  
329 Sports Fund shall be transferred to the Open Space, Conservation and Recreation Fund established  
330 pursuant to § 58.1-345.1.

331 § 10.1-208.6. (For effective date - See note) Gifts, devises and bequests.

332 Gifts, devises or bequests, whether personal or real property, and the income derived therefrom,  
333 accepted by the Director, shall be deemed gifts to the Commonwealth, which shall be exempt from all  
334 state and local taxes and shall be regarded as the property of the Commonwealth for the purposes of all  
335 tax laws.

336 **2. That § 10.1-208.1 of the Code of Virginia, as it may become effective, is amended and reenacted**  
337 **as follows:**

338 § 10.1-208.1. (For effective date - See note) Virginia Board on Physical Fitness and Sports;  
339 membership, officers, expenses.

340 A. The Virginia Board on Physical Fitness and Sports is hereby established and shall be referred to  
341 in this article as the Board. The Board shall consist of the Director of the Department of Conservation  
342 and Recreation or his designee as a voting ex officio member and ten members at large appointed by  
343 the Governor. The members at large shall be representative of physicians, coaches, athletic trainers,  
344 athletes, educators, senior citizens and other persons or professions interested in the physical fitness and  
345 sports movement of the citizens of Virginia. *The membership shall also be representative of the various*  
346 *geographic regions of the Commonwealth.* The members at large initially shall be appointed for terms of  
347 office as follows: three for a two-year term, three for a three-year term, and four for a four-year term.  
348 Appointments thereafter shall be for four-year terms. No person shall serve more than two consecutive  
349 four-year terms. Any vacancy shall be filled by the Governor for the unexpired term. Board members  
350 shall serve at the pleasure of the Governor.

351 B. The Board shall elect one of its members chairman and another as vice chairman. The  
352 representative of the Department shall serve as the secretary to the Board. Six members of the Board  
353 shall constitute a quorum.

354 C. Members of the Board shall not receive a per diem, compensation for their services, or travel  
355 expenses.