

# VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

## CHAPTER 392

*An Act to amend and reenact §§ 63.1-68 and 63.1-68.1 of the Code of Virginia and to repeal the fifth enactment of Chapter 755 of the Acts of Assembly of 1992 as amended by Chapter 666 of the Acts of Assembly of 1994, relating to the Board and Department for the Visually Handicapped.*

[H 2213]

Approved March 18, 1995

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

**1. That §§ 63.1-68 and 63.1-68.1 of the Code of Virginia are amended and reenacted as follows:**

§ 63.1-68. Appointment, terms and qualifications of members of Board; eligibility for reappointment; quorum.

Prior to July 1, 1988, the Virginia Board for the Visually Handicapped, hereinafter sometimes called the Board, shall consist of seven members who shall be appointed by the Governor for terms of seven years each, one term beginning each year. Effective July 1, 1988, the members of the Board shall be appointed by the Governor for terms of four years. No person shall be eligible to serve more than two successive terms, provided that a person heretofore or hereafter appointed to fill a vacancy may serve two additional successive terms. Incumbency during a current term when this section becomes effective shall constitute the first of two successive terms with respect to eligibility for reappointment. Vacancies occurring on the Board shall be filled by the Governor for the unexpired term. All appointments hereunder shall be made without reference to party affiliations, but solely on account of the fitness of the appointees to discharge their duties as members of the Board. The membership of the Board, however, shall at all times include ~~two~~ four persons who are blind. Four members of the Board shall constitute a quorum for the transaction of any lawful business. *Annually, the Board shall elect its chairman from among its blind members.*

Wherever in the laws of this Commonwealth reference is made to the Virginia Commission for the Blind or to the Virginia Commission for the Visually Handicapped, such reference shall be deemed to be to the Virginia Department for the Visually Handicapped or to the Virginia Board for the Visually Handicapped, whichever is appropriate for the context.

§ 63.1-68.1. Powers and duties of Board; form of materials.

A. The Board shall exercise the following general powers and duties:

1. Advise the Governor, the Secretary of Health and Human Resources, the Commissioner, and the General Assembly on the delivery of public services to and the protection of the rights of persons with disabilities on matters relating to this title, and on such other matters as the Governor, Secretary, Commissioner, or the General Assembly may request; and

2. Review and comment on policies, budgets and requests for appropriations for the Department prior to their submission to the Secretary of Health and Human Resources and the Governor and on applications for federal funds.

*B. Material submitted by the Commissioner for review and comment by the Board, when practicable, shall be in the medium or format suitable for review by each member of the Board.*

**2. That the fifth enactment of Chapter 755 of the Acts of Assembly of 1992, as amended by Chapter 666 of the Acts of Assembly of 1994, is repealed.**

**3. That the provisions of this act shall not effect Board members currently serving terms on the Board. However, upon the expiration of initial Board terms, Board members shall be appointed in accordance with the provisions of this act.**