

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 2.1-1.6, 9-6.23, and 9-6.25:1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.1-739.1 through 2.1-739.4, relating to the creation of the Virginia Veterans Cemetery Board.

[S 1071]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 9-6.23, and 9-6.25:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 2.1-739.1 through 2.1-739.4 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 Mining Examiners, Board of

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

Egg Board, Virginia

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

- 118 Real Estate Board
- 119 Reciprocity Board, Department of Motor Vehicles
- 120 Recreational Fishing Advisory Board, Virginia
- 121 Recreation Specialists, Board of
- 122 Reforestation Board
- 123 Rehabilitation Providers, Advisory Board on
- 124 Rehabilitative Services, Board of
- 125 Respiratory Therapy, Advisory Board on
- 126 Retirement System Review Board
- 127 Rockfish State Scenic River Advisory Board
- 128 Safety and Health Codes Board
- 129 Seed Potato Board
- 130 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 131 Shenandoah State Scenic River Advisory Board
- 132 Small Business Advisory Board
- 133 Small Business Environmental Compliance Advisory Board
- 134 Small Grains Board, Virginia
- 135 Social Services, Board of
- 136 Social Work, Board of
- 137 Soil and Water Conservation Board, Virginia
- 138 Soybean Board, Virginia
- 139 State Air Pollution Control Board
- 140 Substance Abuse Certification Board
- 141 Surface Mining Review, Board of
- 142 Sweet Potato Board, Virginia
- 143 Teacher Education and Licensure, Advisory Board on
- 144 Tourism and Travel Services Advisory Board
- 145 Toxic Substances Advisory Board
- 146 Transportation Board, Commonwealth
- 147 Transportation Safety, Board of
- 148 Treasury Board, The, Department of the Treasury
- 149 Veterans' Affairs, Board on
- 150 Veterinary Medicine, Board of
- 151 Virginia Board for Asbestos Licensing
- 152 Virginia Coal Mine Safety Board
- 153 Virginia Correctional Enterprises Advisory Board
- 154 Virginia Employment Commission, State Advisory Board for the
- 155 (Effective July 1, 1996) Virginia Higher Education Tuition Trust Fund, Board of the
- 156 Virginia Horse Industry Board
- 157 Virginia Manufactured Housing Board
- 158 Virginia Retirement System, Board of Trustees
- 159 *Virginia Veterans Cemetery Board*
- 160 Virginia Waste Management Board
- 161 Visually Handicapped, Virginia Board for the
- 162 Voluntary Formulary Board, Virginia
- 163 War Memorial Foundation, Virginia, Board of Trustees
- 164 Waste Management Facility Operators, Board for
- 165 Water Resources Research Center Statewide Advisory Board, Virginia
- 166 Waterworks and Wastewater Works Operators, Board for
- 167 Well Review Board, Virginia
- 168 Youth and Family Services, State Board of.
- 169 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 170 referred to as boards:
- 171 Compensation Board
- 172 State Board of Elections
- 173 State Water Control Board
- 174 Virginia Parole Board
- 175 Virginia Veterans Care Center Board of Trustees.
- 176 § 9-6.23. Prohibition against service by legislators on boards and commissions within the executive
- 177 branch.
- 178 Members of the General Assembly shall be ineligible to serve on boards and commissions within the

179 executive branch which are responsible for administering programs established by the General Assembly.
 180 Such prohibition shall not extend to boards and commissions engaged solely in policy studies or
 181 commemorative activities. If any law directs the appointment of any member of the General Assembly
 182 to a board or commission in the executive branch which is responsible for administering programs
 183 established by the General Assembly, such portion of such law shall be void, and the Governor shall
 184 appoint another person from the Commonwealth at large to fill such a position. The provisions of this
 185 section shall not apply, however, to members of the Board for Branch Pilots, who shall be appointed as
 186 provided for in § 54.1-901; to members of the Board on Veterans' Affairs, who shall be appointed as
 187 provided for in § 2.1-741; to members of the Council on Indians, who shall be appointed as provided
 188 for in § 9-138.1; to members of the Virginia Technology Council, who shall be appointed as provided
 189 for in § 9-145.51; to members of the Board of Trustees of the Southwest Virginia Higher Education
 190 Center, who shall be appointed as provided in § 23-231.3; to members of the Maternal and Child Health
 191 Council, who shall be appointed as provided for in § 9-318; to members of the Virginia Interagency
 192 Coordinating Council who shall be appointed as provided in § 2.1-750; to members of the Advisory
 193 Council on the Virginia Business-Education Partnership Program, who shall be appointed as provided in
 194 § 9-326; to members of the Advisory Commission on Welfare Reform, who shall be appointed as
 195 provided in § 63.1-133.44; ~~or~~ to members of the Virginia Correctional Enterprises Advisory Board, who
 196 shall be appointed as provided in § 2.1-451.2; *or to members appointed to the Virginia Veterans*
 197 *Cemetery Board pursuant to § 2.1-739.2.*

198 § 9-6.25:1. Advisory boards, commissions and councils.

199 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
 200 following advisory boards, commissions and councils within the executive branch:

201 Advisory Board for the Department for the Deaf and Hard-of-Hearing
 202 Advisory Board for the Department for the Aging
 203 Advisory Board on Child Abuse and Neglect
 204 Advisory Board on Medicare and Medicaid
 205 Advisory Board on Occupational Therapy
 206 Advisory Board on Physical Therapy to the Board of Medicine
 207 Advisory Board on Rehabilitation Providers
 208 Advisory Board on Respiratory Therapy to the Board of Medicine
 209 Advisory Board on Teacher Education and Licensure
 210 Advisory Council on Revenue Estimates
 211 Advisory Council on the Virginia Business-Education Partnership Program
 212 Appomattox State Scenic River Advisory Board
 213 Aquaculture Advisory Board
 214 Art and Architectural Review Board
 215 (Effective until July 1, 1995) Board for the Visually Handicapped
 216 Board of Directors, Virginia Truck and Ornamentals Research Station
 217 Board of Forestry
 218 Board of Military Affairs
 219 Board of Rehabilitative Services
 220 Board of Transportation Safety
 221 Board of Trustees of the Family and Children's Trust Fund
 222 Board of Visitors, Gunston Hall Plantation
 223 Board on Veterans' Affairs
 224 Catoctin Creek State Scenic River Advisory Board
 225 Cave Board
 226 Chickahominy State Scenic River Advisory Board
 227 Clinch Scenic River Advisory Board
 228 Coal Surface Mining Reclamation Fund Advisory Board
 229 Council on Indians
 230 Council on the Status of Women
 231 Debt Capacity Advisory Committee
 232 Emergency Medical Services Advisory Board
 233 Falls of the James Committee
 234 Film Office Advisory Board
 235 Forensic Science Advisory Board
 236 Goose Creek Scenic River Advisory Board
 237 Governor's Council on Alcohol and Drug Abuse Problems
 238 Governor's Mined Land Reclamation Advisory Committee
 239 Hemophilia Advisory Board

240	Human Services Information and Referral Advisory Council
241	Industrial Development Services Advisory Board
242	Interagency Coordinating Council on Housing for the Disabled
243	Interdepartmental Board of the State Department of Minority Business Enterprise
244	Laboratory Services Advisory Board
245	Local Advisory Board to the Blue Ridge Community College
246	Local Advisory Board to the Central Virginia Community College
247	Local Advisory Board to the Dabney S. Lancaster Community College
248	Local Advisory Board to the Danville Community College
249	Local Advisory Board to the Eastern Shore Community College
250	Local Advisory Board to the Germanna Community College
251	Local Advisory Board to the J. Sargeant Reynolds Community College
252	Local Advisory Board to the John Tyler Community College
253	Local Advisory Board to the Lord Fairfax Community College
254	Local Advisory Board to the Mountain Empire Community College
255	Local Advisory Board to the New River Community College
256	Local Advisory Board to the Northern Virginia Community College
257	Local Advisory Board to the Patrick Henry Community College
258	Local Advisory Board to the Paul D. Camp Community College
259	Local Advisory Board to the Piedmont Virginia Community College
260	Local Advisory Board to the Rappahannock Community College
261	Local Advisory Board to the Southwest Virginia Community College
262	Local Advisory Board to the Thomas Nelson Community College
263	Local Advisory Board to the Tidewater Community College
264	Local Advisory Board to the Virginia Highlands Community College
265	Local Advisory Board to the Virginia Western Community College
266	Local Advisory Board to the Wytheville Community College
267	Long-Term Care Council
268	Maternal and Child Health Council
269	Medical Advisory Board, Department of Motor Vehicles
270	Medical Board of the Virginia Retirement System
271	Migrant and Seasonal Farmworkers Board
272	Motor Vehicle Dealer's Advisory Board
273	Nottoway State Scenic River Advisory Board
274	Personnel Advisory Board
275	Plant Pollination Advisory Board
276	Private College Advisory Board
277	Private Enterprise Commission
278	Private Security Services Advisory Board
279	Psychiatric Advisory Board
280	Radiation Advisory Board
281	Rappahannock Scenic River Advisory Board
282	Recreational Fishing Advisory Board, Virginia
283	Reforestation Board
284	Retirement System Review Board
285	Rockfish State Scenic River Advisory Board
286	Shenandoah State Scenic River Advisory Board
287	Small Business Advisory Board
288	Small Business Environmental Compliance Advisory Board
289	St. Mary's Scenic River Advisory Committee
290	State Advisory Board on Air Pollution
291	State Advisory Board for the Virginia Employment Commission
292	State Building Code Technical Review Board
293	State Council on Local Debt
294	State Health Benefits Advisory Council
295	State Insurance Advisory Board
296	State Land Evaluation Advisory Council
297	State Networking Users Advisory Board
298	State Public Records Advisory Council
299	Statewide Independent Living Council
300	Statewide Rehabilitation Advisory Council

301 Statewide Rehabilitation Advisory Council for the Blind
 302 Staunton Scenic River Advisory Committee
 303 Telecommunications Relay Service Advisory Board
 304 Tourism and Travel Services Advisory Board
 305 Toxic Substances Advisory Board
 306 Virginia Advisory Commission on Intergovernmental Relations
 307 Virginia Advisory Council for Adult Education and Literacy
 308 Virginia Coal Mine Safety Board
 309 Virginia Coal Research and Development Advisory Board
 310 Virginia Commission for the Arts
 311 Virginia Commission on the Bicentennial of the United States Constitution
 312 Virginia Correctional Enterprises Advisory Board
 313 Virginia Council on Coordinating Prevention
 314 Virginia Equal Employment Opportunity Council
 315 Virginia Interagency Coordinating Council
 316 Virginia Military Advisory Council
 317 Virginia Public Buildings Board
 318 Virginia Recycling Markets Development Council
 319 Virginia Technology Council
 320 Virginia Transplant Council
 321 *Virginia Veterans Cemetery Board*
 322 Virginia Water Resources Research Center, Statewide Advisory Board
 323 Virginia Winegrowers Advisory Board.

324 § 2.1-739.1. *Virginia Veterans Cemetery Board created; purpose.*

325 *The Virginia Veterans Cemetery Board (the Board) is hereby created and shall be an advisory board*
 326 *within the meaning of § 9-6.25. The Board shall advise and make recommendations to the Department*
 327 *of Veterans' Affairs (the Department) regarding the control and operation of such veterans' cemeteries*
 328 *as may be established in the Commonwealth pursuant to § 2.1-739.*

329 § 2.1-739.2. *Membership; terms; vacancies; chairman and vice chairman; compensation.*

330 A. *The Board shall consist of ten members as follows: three members from the House of Delegates,*
 331 *to be appointed by the Speaker of the House; two members from the Senate, to be appointed by the*
 332 *Senate Committee on Privileges and Elections; and five members from the Commonwealth at large, each*
 333 *of whom shall be a member in good standing of a veteran service organization recognized by the U.S.*
 334 *Department of Veteran Affairs, to be appointed by the Governor.*

335 B. *All appointments to the Board shall be for terms of four years. Vacancies occurring other than by*
 336 *expiration of term shall be filled for the unexpired term. Whenever any legislative member fails to retain*
 337 *his membership in the house from which he was appointed, he shall relinquish his membership on the*
 338 *Board, and the appointing authority who appointed such member shall make an appointment from his*
 339 *respective house to complete the term. Any member may be reappointed for successive terms.*

340 C. *The members of the Board shall elect a chairman and a vice chairman annually. The Board shall*
 341 *meet at such times as it deems appropriate and on call of the chairman when, in his opinion, meetings*
 342 *are expedient or necessary. A majority of the membership of the Board shall constitute a quorum for all*
 343 *purposes.*

344 D. *Legislative members of the Board shall receive such compensation as is set forth in § 14.1-18,*
 345 *and all members shall be reimbursed for the actual expenses incurred by them in the performance of*
 346 *their Board duties.*

347 § 2.1-739.3. *Powers and duties of the Board.*

348 *With regard to such veterans' cemeteries as may be established in the Commonwealth pursuant to*
 349 *§ 2.1-739, the Board shall make recommendations and provide advice to the Department regarding: (i)*
 350 *care, maintenance, and upkeep; (ii) fees and costs; and (iii) acceptance of gifts and grants and*
 351 *expenditure of funds.*

352 § 2.1-739.4. *Staff; cooperation from other state agencies.*

353 *The Department shall serve as staff to the Board. All agencies of the Commonwealth shall assist the*
 354 *Board upon request.*