

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 368

An Act to amend and reenact § 53.1-45.1 of the Code of Virginia; to amend the Code of Virginia by adding sections numbered 53.1-45.2 through 53.1-45.5; and to repeal §§ 2.1-451.1 through 2.1-451.4, relating to the Virginia Correctional Enterprises Advisory Board.

[S 226]

Approved March 31, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-45.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 53.1-45.2 through 53.1-45.5 as follows:

§ 53.1-45.1. Work programs; agreements with other entities.

A. The Director, with the prior approval of the Governor, may enter into an agreement with a public or private entity to operate a work program in a state correctional facility for prisoners confined therein.

B. The provisions of any proposed agreement shall be submitted for review to a ~~committee appointed by the Governor for that purpose~~ the Virginia Correctional Enterprises Advisory Board established pursuant to § 53.1-45.2. ~~The committee shall include representatives from an employee association or organization, the business community, a chamber of commerce, an industry association, the Office of the Secretary of Commerce and Trade, and the Office of the Secretary of Public Safety.~~

C. The Board shall promulgate regulations governing the form and review process for proposed agreements.

D. Articles produced or manufactured and services provided by prisoners participating in such a program may be purchased as provided in § 53.1-47 and may be bought, sold or acquired by exchange on the open market through the participating public or private entity.

§ 53.1-45.2. *Creation of Virginia Correctional Enterprises Advisory Board; purposes.*

There is hereby created the Virginia Correctional Enterprises Advisory Board, hereinafter referred to as the Advisory Board. The purposes of the Advisory Board shall be to:

1. Review new products and services manufactured or produced by Virginia Correctional Enterprises;

2. Review the pricing structure of products and services manufactured or produced by Virginia Correctional Enterprises;

3. Evaluate the level and quality of products and customer services offered by Virginia Correctional Enterprises, and make recommendations on such quality and services;

4. Advise the Director on business trends, product development, contract opportunities, and other related matters; and

5. Review proposed joint venture agreements authorized by § 53.1-45.1 and make recommendations to the Director.

§ 53.1-45.3. *Appointment of Advisory Board; term of members; chairman; compensation; meetings; quorum.*

The Virginia Correctional Enterprises Advisory Board shall be composed of eleven members appointed by the Governor and selected as follows: (i) two representatives of the private manufacturing business sector; (ii) two representatives of the private service industry sector; (iii) one representative of the chambers of commerce; (iv) one representative of employee associations or organizations; (v) one representative of the Board of Corrections; (vi) one representative of the institutions of higher education; (vii) one representative of state agencies; (viii) the Director of the Department of Economic Development or his designee; and (ix) the Director of the Department of General Services or his designee.

The Director of the Department of General Services shall serve on the Advisory Board until the expiration of his term of office or until his successor shall qualify. All other members shall serve four-year terms. Vacancies shall be filled for the unexpired terms.

The Advisory Board shall elect its chairman and vice-chairman from among its members. Members of the Advisory Board shall receive no compensation for their services as members of the Advisory Board, but the nongovernmental members shall receive reasonable expenses.

The Advisory Board shall meet at least quarterly and at the call of the chairman or the Director. Six members of the Advisory Board shall constitute a quorum.

§ 53.1-45.4. *Cooperation with other agencies.*

All agencies of the Commonwealth shall cooperate with the Advisory Board and, upon request, assist the Advisory Board in the performance of its duties and responsibilities.

§ 53.1-45.5. *Staff support.*

Such staff support as is necessary for the conduct of the Advisory Board's business shall be furnished

by Virginia Correctional Enterprises.

2. That §§ 2.1-451.1 through 2.1-451.4 of the Code of Virginia are repealed.