

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 2.1-1.6, 2.1-526.3, 2.1-526.5, 2.1-526.11:1, and 9-6.25:1 of the Code of Virginia and to repeal § 2.1-526.4 of the Code of Virginia, relating to the State Insurance Advisory Board.

[H 1263]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 2.1-526.3, 2.1-526.5, 2.1-526.11:1, and 9-6.25:1 of the Code of Virginia 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 Mining Examiners, Board of

Coal Research and Development Advisory Board, Virginia

Coal Surface Mining Reclamation Fund Advisory Board

Coastal Land Management Advisory Council, Virginia

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	Litter Control and Recycling Fund Advisory Board
80	Marine Products Board, Virginia
81	Medical Advisory Board, Department of Motor Vehicles
82	Medical Board of the Virginia Retirement System
83	Medicare and Medicaid, Advisory Board on
84	Medicine, Board of
85	Mental Health, Mental Retardation and Substance Abuse Services Board, State
86	Migrant and Seasonal Farmworkers Board
87	Military Affairs, Board of
88	Mineral Mining Examiners, Board of
89	Minority Business Enterprise, Interdepartmental Board of the Department of
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 T & M Vehicle Dealers' Advisory Board
- 144 Teacher Education and Licensure, Advisory Board on
- 145 Tourism and Travel Services 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 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 Sheep Industry Board
- 160 Virginia Veterans Cemetery Board
- 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 (Contingently repealed) 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 § 2.1-526.3. Inspection of state-owned properties for insurance purposes; determination of coverage;
- 178 procurement, discontinuance, etc., of insurance.

179 A. The Division may inspect or may administer a program of self-inspection for all state-owned
 180 properties and confer with the proper officials or employees of the several agencies of the
 181 Commonwealth for the purpose of determining (i) insurance coverages which shall be carried on or with
 182 respect to properties under their control; and ~~to determine~~ (ii) the manner whereby savings and costs of
 183 such insurance may be made. It may seek the assistance of insurance companies; and their
 184 representatives, ~~and the Fire Marshal of the Commonwealth, and the State Insurance Advisory Board~~ in
 185 devising means by which hazards may be reduced or eliminated. The Division shall have final
 186 responsibility with respect to coverage, noncoverage, provisions of policies, quantity and type of fire and
 187 extended coverage, vandalism and malicious mischief, and optional perils or all risk insurance coverage.
 188 The Governor may exempt any agency, institution of higher education, or part thereof from any part of
 189 the risk management and insurance program.

190 B. The Division shall have the authority to change or discontinue fire and extended coverage,
 191 vandalism and malicious mischief, optional perils or all risk insurance coverage carried pursuant to bond
 192 indentures and other contractual requirements, provided such change or discontinuance meets with the
 193 written approval of the trustee or trustees of the bond indenture and those signatory to the contracts.

194 C. As its programs are implemented, the Division shall assume the sole responsibility, with the
 195 approval of the Governor, for purchasing insurance, self-insuring or combining insurance and
 196 self-insurance (i) on all properties of the Commonwealth or (ii) for protection of liabilities or other
 197 casualties.

198 § 2.1-526.5. State Insurance Reserve Trust Fund.

199 A. The State Insurance Reserve Trust Fund established under former § 2.1-109.8 is continued. The
 200 fund shall consist of the payments required by subsection B of this section. The fund shall be under the
 201 management and control of the Department of General Services, through the Division of Risk
 202 Management, and any claims for losses payable out of the fund shall be at the direction of the Division.
 203 The fund shall be invested as provided in § 2.1-185 and interest shall be added to the fund as earned.

204 B. Each agency, department, division, or institution of state government having control over any state
 205 structure and contents thereof, or which participates in any program of insurance operated by the
 206 Division of Risk Management, shall pay each year into the State Insurance Reserve Trust Fund or any
 207 trust fund established pursuant to the provisions of this article amounts necessary to maintain the trusts
 208 at levels of funding deemed adequate by the Division. The Division shall, ~~in consultation with the State~~
 209 ~~Insurance Advisory Board,~~ set the premium and administrative costs to be paid to it for providing an
 210 insurance plan established pursuant to this section. The premiums and administrative costs set by the
 211 Division shall be payable in the amounts, at the time and in the manner that the Division in its sole
 212 discretion requires. Premiums and administrative costs need not be uniform among participants, but shall
 213 be set to best insure the financial stability of the plan. Whenever any building or structure is under the
 214 control of two or more agencies, departments, divisions or institutions of the Commonwealth, the
 215 payment required herein shall be prorated upon the basis of percentage of the area controlled.

216 C. In the event of loss or damage exceeding \$1000 to property on which there is no insurance
 217 recovery or limited insurance recovery as a consequence of any action by the Division of Risk
 218 Management resulting in noncoverage, reduced insurance, elimination of insured perils or otherwise, the
 219 Division shall determine the amount, if any, payable out of the fund, and such amount, when approved
 220 by the Governor, shall be final. The amount payable shall be used for the purpose of restoring the
 221 damaged structure or rebuilding the same, as the circumstances may require, but in no event shall the
 222 amount payable on account of such loss exceed the actual cash value or the replacement cost value of
 223 the property in accordance with the basis of insurance, nor shall the amount payable when added to the
 224 insurance recovered exceed the actual cash value or the replacement cost value of the property, as
 225 recorded in the property and insurance records of the Division of Risk Management.

226 D. In addition to the amounts payable under subsection C of this section, the costs of operating the
 227 Division which are properly allocated to its functions concerning the State Insurance Reserve Trust
 228 Fund, ~~the cost of operating the State Insurance Advisory Board~~ and other administrative and contractual
 229 costs of the Division not otherwise provided for shall be paid out of the State Insurance Reserve Trust
 230 Fund, for which purposes such funds are hereby appropriated.

231 § 2.1-526.11:1. Loss prevention.

232 The Division of Risk Management may develop and implement risk management and loss prevention
 233 programs related to insurance plans established pursuant to the provisions of this article. The Division
 234 may confer with the proper officials or employees of all agencies and institutions of the Commonwealth
 235 and of participating entities and persons pursuant to § 2.1-526.8:1, for the purpose of determining risk
 236 management and loss prevention programs which shall be carried on with respect to properties and
 237 governmental operations under their control and may determine the manner in which such programs may
 238 be developed, implemented and enforced. The Division may seek the assistance of risk management
 239 consulting companies, insurance companies, loss prevention engineering companies, and their

representatives, the Fire Marshal of the Commonwealth, *and* the Division of Engineering and Buildings and the State Insurance Advisory Board in devising means by which causes of loss may be reduced or eliminated. The Division shall have the final responsibility with respect to implementation or nonimplementation of a plan or plans by an agency or institution of the Commonwealth and by a participating entity or person pursuant to § 2.1-526.8:1. Information contained in investigative reports of any state or local police department, sheriff's office, fire department or fire marshal relevant to insurance plans established pursuant to the provisions of this article shall be made available to the Division of Risk Management upon request. The relevant information requested shall be furnished within a reasonable time, not to exceed thirty days.

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

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

- Advisory Board for the Department for the Deaf and Hard-of-Hearing
- Advisory Board for the Department for the Aging
- Advisory Board on Child Abuse and Neglect
- Advisory Board on Medicare and Medicaid
- Advisory Board on Occupational Therapy
- Advisory Board on Physical Therapy to the Board of Medicine
- Advisory Board on Rehabilitation Providers
- Advisory Board on Respiratory Therapy to the Board of Medicine
- Advisory Board on Teacher Education and Licensure
- Advisory Council on Revenue Estimates
- Advisory Council on the Virginia Business-Education Partnership Program
- Appomattox State Scenic River Advisory Board
- Aquaculture Advisory Board
- Art and Architectural Review Board
- Board for the Visually Handicapped
- Board of Directors, Virginia Truck and Ornaments Research Station
- Board of Forestry
- Board of Military Affairs
- Board of Rehabilitative Services
- Board of Transportation Safety
- Board of Trustees of the Family and Children's Trust Fund
- Board of Visitors, Gunston Hall Plantation
- Board on Veterans' Affairs
- Catoctin Creek State Scenic River Advisory Board
- Cave Board
- Chickahominy State Scenic River Advisory Board
- Clinch Scenic River Advisory Board
- Coal Surface Mining Reclamation Fund Advisory Board
- Coastal Land Management Advisory Council, Virginia
- Commonwealth Competition Council
- Council on Indians
- Council on the Status of Women
- Debt Capacity Advisory Committee
- Emergency Medical Services Advisory Board
- Falls of the James Committee
- Film Office Advisory Board
- Forensic Science Advisory Board
- Goose Creek Scenic River Advisory Board
- Governor's Council on Alcohol and Drug Abuse Problems
- Governor's Mined Land Reclamation Advisory Committee
- Hemophilia Advisory Board
- Human Services Information and Referral Advisory Council
- Industrial Development Services Advisory Board
- Interagency Coordinating Council on Housing for the Disabled
- Interdepartmental Board of the State Department of Minority Business Enterprise
- Laboratory Services Advisory Board
- Litter Control and Recycling Fund Advisory Board
- Local Advisory Board to the Blue Ridge Community College
- Local Advisory Board to the Central Virginia Community College

301	Local Advisory Board to the Dabney S. Lancaster Community College
302	Local Advisory Board to the Danville Community College
303	Local Advisory Board to the Eastern Shore Community College
304	Local Advisory Board to the Germanna Community College
305	Local Advisory Board to the J. Sargeant Reynolds Community College
306	Local Advisory Board to the John Tyler Community College
307	Local Advisory Board to the Lord Fairfax Community College
308	Local Advisory Board to the Mountain Empire Community College
309	Local Advisory Board to the New River Community College
310	Local Advisory Board to the Northern Virginia Community College
311	Local Advisory Board to the Patrick Henry Community College
312	Local Advisory Board to the Paul D. Camp Community College
313	Local Advisory Board to the Piedmont Virginia Community College
314	Local Advisory Board to the Rappahannock Community College
315	Local Advisory Board to the Southwest Virginia Community College
316	Local Advisory Board to the Thomas Nelson Community College
317	Local Advisory Board to the Tidewater Community College
318	Local Advisory Board to the Virginia Highlands Community College
319	Local Advisory Board to the Virginia Western Community College
320	Local Advisory Board to the Wytheville Community College
321	Maternal and Child Health Council
322	Medical Advisory Board, Department of Motor Vehicles
323	Medical Board of the Virginia Retirement System
324	Migrant and Seasonal Farmworkers Board
325	Motor Vehicle Dealer's Advisory Board
326	Nottoway State Scenic River Advisory Board
327	Personnel Advisory Board
328	Plant Pollination Advisory Board
329	Private College Advisory Board
330	Private Enterprise Commission
331	Private Security Services Advisory Board
332	Psychiatric Advisory Board
333	Radiation Advisory Board
334	Rappahannock Scenic River Advisory Board
335	Recreational Fishing Advisory Board, Virginia
336	Reforestation Board
337	Retirement System Review Board
338	Rockfish State Scenic River Advisory Board
339	Shenandoah State Scenic River Advisory Board
340	Small Business Advisory Board
341	Small Business Environmental Compliance Advisory Board
342	St. Mary's Scenic River Advisory Committee
343	State Advisory Board on Air Pollution
344	State Advisory Board for the Virginia Employment Commission
345	State Building Code Technical Review Board
346	State Council on Local Debt
347	State Health Benefits Advisory Council
348	State Insurance Advisory Board
349	State Land Evaluation Advisory Council
350	State Networking Users Advisory Board
351	State Public Records Advisory Council
352	Statewide Independent Living Council
353	Statewide Rehabilitation Advisory Council
354	Statewide Rehabilitation Advisory Council for the Blind
355	Staunton Scenic River Advisory Committee
356	Telecommunications Relay Service Advisory Board
357	Tourism and Travel Services Advisory Board
358	Virginia Advisory Commission on Intergovernmental Relations
359	Virginia Advisory Council for Adult Education and Literacy
360	Virginia Coal Mine Safety Board
361	Virginia Coal Research and Development Advisory Board

362 Virginia Commission for the Arts
 363 Virginia Commission on the Bicentennial of the United States Constitution
 364 Virginia Correctional Enterprises Advisory Board
 365 Virginia Council on Coordinating Prevention
 366 Virginia Equal Employment Opportunity Council
 367 Virginia Interagency Coordinating Council
 368 Virginia Military Advisory Council
 369 Virginia Public Buildings Board
 370 Virginia Recycling Markets Development Council
 371 Virginia Technology Council
 372 Virginia Transplant Council
 373 Virginia Veterans Cemetery Board
 374 Virginia Water Resources Research Center, Statewide Advisory Board
 375 Virginia Winegrowers Advisory Board.
 376 2. That § 2.1-526.4 of the Code of Virginia is repealed.

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