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**SENATE BILL NO. 493**

Offered January 22, 1996

*A BILL to amend and reenact §§ 2.1-1.5, 9-6.23, as it is currently in effect and as it may become effective, and 9-6.25:1 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 9 of Title 23 an article numbered 10, consisting of sections numbered 23-91.23:1, 23-91.23:2 and 23-91.23:3, relating to the Institute of Government at the University of Virginia.*

Patrons—Whipple and Gartlan; Delegates: Christian, Hall and Watkins

Referred to the Committee on General Laws

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

**1. That §§ 2.1-1.5, 9-6.23, as it is currently in effect and as it may become effective, and 9-6.25:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 9 of Title 23 an article numbered 10, consisting of sections numbered 23-91.23:1, 23-91.23:2 and 23-91.23:3, as follows:**

§ 2.1-1.5. Entities not subject to standard nomenclature.

(Effective until July 1, 1996) The following entities are not subject to the provisions of § 2.1-1.2 due to the unique characteristics or enabling legislation of the entities:

(Effective July 1, 1996) The following entities are not subject to the provisions of § 2.1-1.2 due to the unique characteristics or the enabling legislation of the entities:

**Authorities**

Assistive Technology Loan Fund Authority.

Richmond Eye and Ear Hospital Authority.

Small Business Financing Authority.

State Education Assistance Authority.

Virginia Agriculture Development Authority.

Virginia College Building Authority.

Virginia Economic Development Partnership.

Virginia Education Loan Authority.

Virginia Housing Development Authority.

Virginia Innovative Technology Authority.

Virginia Port Authority.

Virginia Public Building Authority.

Virginia Public School Authority.

Virginia Resources Authority.

Virginia Student Assistance Authorities.

**Boards***Advisory Board for the Institute of Government.*

Board of Commissioners, Virginia Agriculture Development Authority.

Board of Commissioners, Virginia Port Authority.

Board of Directors, Assistive Technology Loan Fund Authority.

Board of Directors, Richmond Eye and Ear Hospital Authority.

Board of Directors, Small Business Financing Authority.

Board of Directors, Virginia Economic Development Partnership.

Board of Directors, Virginia Student Assistance Authorities.

Board of Directors, Virginia Innovative Technology Authority.

Board of Directors, Virginia Resources Authority.

Board of Regents, Gunston Hall Plantation.

Board of Regents, James Monroe Memorial Law Office and Library.

Board of Trustees, Family and Children's Trust Fund.

Board of Trustees, Frontier Culture Museum of Virginia.

Board of Trustees, Jamestown-Yorktown Foundation.

Board of Trustees, Miller School of Albemarle.

Board of Trustees, Rural Virginia Development Foundation.

Board of Trustees, The Science Museum of Virginia.

Board of Trustees, Virginia Museum of Fine Arts.

Board of Trustees, Virginia Museum of Natural History.

Board of Trustees, Virginia Outdoor Foundation.

INTRODUCED

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- 60 (Effective July 1, 1996) Board of the Virginia Higher Education Tuition Trust Fund.
- 61 Board of Visitors, Christopher Newport University.
- 62 Board of Visitors, The College of William and Mary in Virginia.
- 63 Board of Visitors, George Mason University.
- 64 Board of Visitors, Gunston Hall Plantation.
- 65 Board of Visitors, James Madison University.
- 66 Board of Visitors, Longwood College.
- 67 Board of Visitors, Mary Washington College.
- 68 Board of Visitors to Mount Vernon.
- 69 Board of Visitors, Norfolk State University.
- 70 Board of Visitors, Old Dominion University.
- 71 Board of Visitors, Radford University.
- 72 Board of Visitors, University of Virginia.
- 73 Board of Visitors, Virginia Commonwealth University.
- 74 Board of Visitors, Virginia Military Institute.
- 75 Board of Visitors, Virginia Polytechnic Institute and State University.
- 76 Board of Visitors, Virginia State University.
- 77 Governing Board, Virginia College Building Authority.
- 78 Governing Board, Virginia Public School Authority.
- 79 Library Board, The Library of Virginia.
- 80 Motor Vehicle Dealer Board.
- 81 State Board for Community Colleges, Virginia Community College System.
- 82 Commissions
- 83 Alexandria Historical Restoration and Preservation Commission.
- 84 (Effective July 1, 1996) Charitable Gaming Commission
- 85 Chesapeake Bay Bridge and Tunnel Commission.
- 86 Hampton Roads Sanitation District Commission.
- 87 Districts
- 88 Chesapeake Bay Bridge and Tunnel District.
- 89 Hampton Roads Sanitation District.
- 90 Educational Institutions
- 91 Christopher Newport University.
- 92 College of William and Mary in Virginia.
- 93 Frontier Culture Museum of Virginia.
- 94 George Mason University.
- 95 James Madison University.
- 96 Jamestown-Yorktown Foundation.
- 97 Longwood College.
- 98 Mary Washington College.
- 99 Miller School of Albemarle.
- 100 Norfolk State University.
- 101 Old Dominion University.
- 102 Radford University.
- 103 The Science Museum of Virginia.
- 104 University of Virginia.
- 105 Virginia Commonwealth University.
- 106 Virginia Community College System.
- 107 Virginia Military Institute.
- 108 Virginia Museum of Fine Arts.
- 109 Virginia Polytechnic Institute and State University.
- 110 The Library of Virginia.
- 111 Virginia State University.
- 112 Foundations
- 113 Chippokes Plantation Farm Foundation.
- 114 Rural Virginia Development Foundation.
- 115 Virginia Conservation and Recreation Foundation.
- 116 Virginia Historic Preservation Foundation.
- 117 Virginia Outdoor Foundation.
- 118 Museum
- 119 Virginia Museum of Natural History.
- 120 Plantation
- 121 Gunston Hall Plantation.

System

Virginia Retirement System.

§ 9-6.23. (Effective until July 1, 1997) Prohibition against service by legislators on boards and commissions within the executive branch.

Members of the General Assembly shall be ineligible to serve on boards and commissions within the executive branch which are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards and commissions engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board or commission in the executive branch which is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position. The provisions of this section shall not apply, however, to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Board on Veterans' Affairs, who shall be appointed as provided for in § 2.1-741; to members of the Council on Indians, who shall be appointed as provided for in § 9-138.1; to members of the Virginia Technology Council, who shall be appointed as provided for in § 9-145.51; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided in § 23-231.3; to members of the Maternal and Child Health Council, who shall be appointed as provided for in § 9-318; to members of the Virginia Interagency Coordinating Council who shall be appointed as provided in § 2.1-750; to members of the Advisory Council on the Virginia Business-Education Partnership Program, who shall be appointed as provided in § 9-326; to members of the Workforce 2000 Advisory Council, who shall be appointed as provided in § 2.1-116.18; to members of the Advisory Commission on Welfare Reform, who shall be appointed as provided in § 63.1-133.44; to members of the Virginia Correctional Enterprises Advisory Board, who shall be appointed as provided in § 2.1-451.2; to members appointed to the Virginia Veterans Cemetery Board pursuant to § 2.1-739.2; to members of the Immigrant and Refugee Policy Council, who shall be appointed as provided in § 2.1-801; ~~or~~ to members of the Commonwealth Competition Commission, who shall be appointed as provided in § 9-343; *or to members of the Advisory Board for the Institute of Government, who shall be appointed as provided in § 23-91.23:3.*

§ 9-6.23. (Effective July 1, 1997) Prohibition against service by legislators on boards and commissions within the executive branch.

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§ 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 for the Institute of Government*

Advisory Board on Child Abuse and Neglect

Advisory Board on Medicare and Medicaid

183	Advisory Board on Occupational Therapy
184	Advisory Board on Physical Therapy to the Board of Medicine
185	Advisory Board on Rehabilitation Providers
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	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	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	Coastal Land Management Advisory Council, Virginia
208	Commonwealth Competition Council
209	Council on Indians
210	Council on the Status of Women
211	Debt Capacity Advisory Committee
212	Emergency Medical Services Advisory Board
213	Falls of the James Committee
214	Film Office Advisory Board
215	Forensic Science Advisory Board
216	Goose Creek Scenic River Advisory Board
217	Governor's Council on Alcohol and Drug Abuse Problems
218	Governor's Mined Land Reclamation Advisory Committee
219	Hemophilia Advisory Board
220	Human Services Information and Referral Advisory Council
221	Industrial Development Services Advisory Board
222	Interagency Coordinating Council on Housing for the Disabled
223	Interdepartmental Board of the State Department of Minority Business Enterprise
224	Laboratory Services Advisory Board
225	(Effective July 1, 1996) Litter Control and Recycling Fund Advisory Board
226	Local Advisory Board to the Blue Ridge Community College
227	Local Advisory Board to the Central Virginia Community College
228	Local Advisory Board to the Dabney S. Lancaster Community College
229	Local Advisory Board to the Danville Community College
230	Local Advisory Board to the Eastern Shore Community College
231	Local Advisory Board to the Germanna Community College
232	Local Advisory Board to the J. Sargeant Reynolds Community College
233	Local Advisory Board to the John Tyler Community College
234	Local Advisory Board to the Lord Fairfax Community College
235	Local Advisory Board to the Mountain Empire Community College
236	Local Advisory Board to the New River Community College
237	Local Advisory Board to the Northern Virginia Community College
238	Local Advisory Board to the Patrick Henry Community College
239	Local Advisory Board to the Paul D. Camp Community College
240	Local Advisory Board to the Piedmont Virginia Community College
241	Local Advisory Board to the Rappahannock Community College
242	Local Advisory Board to the Southwest Virginia Community College
243	Local Advisory Board to the Thomas Nelson Community College
244	Local Advisory Board to the Tidewater Community College

- 245 Local Advisory Board to the Virginia Highlands Community College
- 246 Local Advisory Board to the Virginia Western Community College
- 247 Local Advisory Board to the Wytheville Community College
- 248 Maternal and Child Health Council
- 249 Medical Advisory Board, Department of Motor Vehicles
- 250 Medical Board of the Virginia Retirement System
- 251 Migrant and Seasonal Farmworkers Board
- 252 Motor Vehicle Dealer's Advisory Board
- 253 Nottoway State Scenic River Advisory Board
- 254 Personnel Advisory Board
- 255 Plant Pollination Advisory Board
- 256 Private College Advisory Board
- 257 Private Enterprise Commission
- 258 Private Security Services Advisory Board
- 259 Psychiatric Advisory Board
- 260 Radiation Advisory Board
- 261 Rappahannock Scenic River Advisory Board
- 262 Recreational Fishing Advisory Board, Virginia
- 263 Reforestation Board
- 264 Retirement System Review Board
- 265 Rockfish State Scenic River Advisory Board
- 266 Shenandoah State Scenic River Advisory Board
- 267 Small Business Advisory Board
- 268 Small Business Environmental Compliance Advisory Board
- 269 St. Mary's Scenic River Advisory Committee
- 270 State Advisory Board on Air Pollution
- 271 State Advisory Board for the Virginia Employment Commission
- 272 State Building Code Technical Review Board
- 273 State Council on Local Debt
- 274 State Health Benefits Advisory Council
- 275 State Insurance Advisory Board
- 276 State Land Evaluation Advisory Council
- 277 State Networking Users Advisory Board
- 278 State Public Records Advisory Council
- 279 Statewide Independent Living Council
- 280 Statewide Rehabilitation Advisory Council
- 281 Statewide Rehabilitation Advisory Council for the Blind
- 282 Staunton Scenic River Advisory Committee
- 283 Telecommunications Relay Service Advisory Board
- 284 Tourism and Travel Services Advisory Board
- 285 Virginia Advisory Commission on Intergovernmental Relations
- 286 Virginia Advisory Council for Adult Education and Literacy
- 287 Virginia Coal Mine Safety Board
- 288 Virginia Coal Research and Development Advisory Board
- 289 Virginia Commission for the Arts
- 290 Virginia Commission on the Bicentennial of the United States Constitution
- 291 Virginia Correctional Enterprises Advisory Board
- 292 Virginia Council on Coordinating Prevention
- 293 Virginia Equal Employment Opportunity Council
- 294 Virginia Interagency Coordinating Council
- 295 Virginia Military Advisory Council
- 296 Virginia Public Buildings Board
- 297 Virginia Recycling Markets Development Council
- 298 Virginia Technology Council
- 299 Virginia Transplant Council
- 300 Virginia Veterans Cemetery Board
- 301 Virginia Water Resources Research Center, Statewide Advisory Board
- 302 Virginia Winegrowers Advisory Board.

*Article 10.*

*Virginia Institute of Government.*

§ 23-91.23:1. *Institute of Government continued.*

306     *The Virginia Institute of Government at the University of Virginia is hereby continued and shall be*  
307 *referred to in this article as "the Institute".*

308     § 23-91.23:2. Functions, powers and duties of Institute.

309     A. *The Institute shall (i) develop a comprehensive training curriculum for local government officials*  
310 *and negotiate and enter into contracts for the delivery of such training through state and local agencies,*  
311 *institutions of higher education, professional organizations, and other entities; and (ii) develop a*  
312 *technical library and make available to state and local officials data bases and information resources*  
313 *regarding various aspects of local government operations.*

314     § 23-91.23:3. Advisory board.

315     *The advisory board for the Institute established pursuant to Chapter 966 of the 1994 Acts of*  
316 *Assembly is hereby continued, and shall be known as the Advisory Board for the Institute of*  
317 *Government. The Board shall consist of eighteen members as follows: two members of the Senate, to be*  
318 *appointed by the Senate Committee on Privileges and Elections; four members of the House of*  
319 *Delegates, to be appointed by the Speaker of the House; two Cabinet officials; four representatives of*  
320 *higher education, to be appointed by the Governor; and six representatives of local governments*  
321 *comprised of: two municipal officials, one each to be appointed by the Virginia Municipal League and*  
322 *the Virginia Local Government Management Association; two county officials, one each to be appointed*  
323 *by the Virginia Association of Counties and the Virginia Local Government Management Association;*  
324 *and two officials, one each to be appointed by the Virginia Association of Locally-Elected Constitutional*  
325 *Officers and the Virginia Local Government Attorneys' Association.*

326     *Of the appointments to the advisory board made on and after July 1, 1996, one-half of the House*  
327 *and Senate members shall be appointed for two-year terms, and one-half shall be appointed for*  
328 *three-year terms; one Cabinet official shall be appointed for a two-year term and one shall be*  
329 *appointed for a three-year term; two representatives of higher education shall be appointed for two-year*  
330 *terms and two shall be appointed for three-year terms; and the local government officials appointed by*  
331 *the Virginia Municipal League, the Virginia Association of Counties, and the Virginia Association of*  
332 *Locally-Elected Constitutional Officers shall be appointed for three-year terms, and the remaining three*  
333 *government officials shall be appointed for two-year terms.*

334     *Thereafter, all appointments shall be for terms of two years each, except appointments to fill*  
335 *unexpired vacancies which shall be made for the remainder of the unexpired terms. No person shall be*  
336 *eligible to serve more than two consecutive two-year terms, except that a member may be appointed to*  
337 *a term of less than two years immediately prior to or between the two-year terms, and any member*  
338 *whose initial appointment was for a three-year term shall be eligible for reappointment for a two-year*  
339 *term. The terms of members serving by virtue of their state or local office shall expire upon termination*  
340 *of such state or local office. All members shall continue to hold office until their successors have been*  
341 *appointed and have qualified.*

342     **2. That members currently serving on the Advisory Board shall be eligible for reappointment to**  
343 **the Board pursuant to this act.**