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HOUSE BILL NO. 2212

Offered January 16, 1997

A BILL to amend and reenact §§ 2.1-1.5 and 23-9.3 of the Code of Virginia, relating to the State Council of Higher Education for Virginia.

Patrons—Diamonstein, Abbitt, Almand, Armstrong, Behm, Bennett, Christian, Clement, Crittenden, Croshaw, Grayson, Hall, Jackson, Moran, Moss, Phillips, Robinson, Shuler, Spruill, Stump, Tate, Watts and Woodrum

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:**1. That §§ 2.1-1.5 and 23-9.3 of the Code of Virginia are amended and reenacted as follows:**

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

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.

Medical College of Virginia Hospitals 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 Information Providers Network Authority.

Virginia Innovative Technology Authority.

Virginia Port Authority.

Virginia Public Building Authority.

Virginia Public School Authority.

Virginia Resources Authority.

Virginia Student Assistance Authorities.

Boards

Board of Commissioners, Virginia Agriculture Development Authority.

Board of Commissioners, Virginia Port Authority.

Board of Directors, Assistive Technology Loan Fund Authority.

Board of Directors, Medical College of Virginia Hospitals 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.

Board of the Virginia Higher Education Tuition Trust Fund.

Board of Visitors, Christopher Newport University.

Board of Visitors, The College of William and Mary in Virginia.

INTRODUCED

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

Plantation
Gunston Hall Plantation.

System
Virginia Retirement System.

§ 23-9.3. Creation and purpose; membership reconstituted and reestablished; terms; officers.

(a) A. There is hereby created a State Council of Higher Education for Virginia, hereinafter sometimes referred to as the Council. The purpose of the Council shall be, through the exercise of the powers and performance of the duties set forth in this chapter, to promote the development and operation of an educationally and economically sound, vigorous, progressive, and coordinated system of higher education in the Commonwealth of Virginia. The Council shall be composed of persons selected from the Commonwealth at large without regard to political affiliation but with due consideration of geographical representation. Appointees shall be selected for their ability and all appointments shall be of such nature as to aid the work of the Council and to inspire the highest degree of cooperation and confidence. *Appointees shall have a minimum of five years' experience as senior corporate executives or as members of corporate, not-for-profit, or academic boards of directors and shall preferably have previously served as members of a board of trustees or visitors of an institution of higher education.*

No officer, employee, trustee or member of the governing board of any institution of higher education; no employee of the Commonwealth; ~~except the Superintendent of Public Instruction, or member of the General Assembly or member of the State Board of Education ; and no elected or appointed state public officials~~ shall be eligible for appointment to the Council ~~except as hereinafter specified~~. *Appointees may not have been officers, employees, trustees or members of the governing board of any institution of higher education; employees of the Commonwealth; or elected or appointed state public officials for at least two years prior to appointment to the Council.* All members of the Council shall be deemed members at large charged with the responsibility of serving the best interests of the whole Commonwealth. No member shall act as the representative of any particular region or of any particular institution of higher education.

(b) *The Council shall consist of eleven members appointed by the Governor subject to confirmation by the General Assembly at its next regular session.*

All terms shall begin July 1. Members shall be appointed for four-year terms, except that appointments to fill vacancies occurring shall be for the unexpired term.

(c) *No person having served on the Council for two terms of four years shall be eligible for reappointment to the Council for two years thereafter.*

(d) ~~[Repealed.]~~

(e) *The Council shall elect a chairman and a vice-chairman from its own membership and appoint a secretary and such other officers as it deems necessary or advisable, and shall prescribe their duties and term of office.*

B. The Council holding office on the effective date of this section is dissolved and the appointees are discharged from any further duties and shall exercise no further powers or authority by virtue of their office.

The Council is hereby reestablished and reconstituted as follows:

1. The Council shall consist of eleven members, six members to be appointed by the Governor and five members to be appointed by the Joint Rules Committee. All such appointments shall be confirmed by the affirmative vote of a majority of those voting in each house of the General Assembly.

2. Of the appointments to be made in 1997, the Governor shall appoint one member for a one-year term; and the Governor and the Joint Rules Committee shall appoint one member each for a two-year term, one member each for a three-year term, one member each for a four-year term, and two members each for a five-year term.

3. Thereafter, all appointments shall be for terms of five years, except that appointments to fill vacancies shall be for the unexpired term. Appointments shall be made by the Governor and the Joint Rules Committee to fill vacancies of appointments initially made by them. Any such appointee shall enter and continue in office subject to confirmation by the General Assembly at its next regular session. If the General Assembly refuses or fails to confirm an appointment, such appointee shall not be eligible for reappointment.

4. No member shall be eligible to serve more than two consecutive five-year terms. Any member appointed to fill an initial term of less than five years or any member appointed to fill an unexpired term of less than five years shall be eligible to serve one additional consecutive five-year term.

C. The Council shall elect from among its members a chairman and a vice chairman and shall appoint a secretary who may or may not be a member of the Council and shall prescribe his duties and term of office. A majority of the Council shall constitute a quorum.