

974728408

HOUSE BILL NO. 2324

Offered January 17, 1997

A BILL to amend and reenact §§ 2.1-1.5, 2.1-1.9, and 23-9.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 23-9.3:1, relating to the State Council of Higher Education Selection Commission.

Patron—Plum

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.5, 2.1-1.9, and 23-9.3 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 23-9.3:1 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

HB2324

- 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 *State Council of Higher Education Selection Commission.*
- 88 Districts
- 89 Chesapeake Bay Bridge and Tunnel District.
- 90 Hampton Roads Sanitation District.
- 91 Educational Institutions
- 92 Christopher Newport University.
- 93 College of William and Mary in Virginia.
- 94 Frontier Culture Museum of Virginia.
- 95 George Mason University.
- 96 James Madison University.
- 97 Jamestown-Yorktown Foundation.
- 98 Longwood College.
- 99 Mary Washington College.
- 100 Miller School of Albemarle.
- 101 Norfolk State University.
- 102 Old Dominion University.
- 103 Radford University.
- 104 The Science Museum of Virginia.
- 105 University of Virginia.
- 106 Virginia Commonwealth University.
- 107 Virginia Community College System.
- 108 Virginia Military Institute.
- 109 Virginia Museum of Fine Arts.
- 110 Virginia Polytechnic Institute and State University.
- 111 The Library of Virginia.
- 112 Virginia State University.
- 113 Foundations
- 114 Chippokes Plantation Farm Foundation.
- 115 Rural Virginia Development Foundation.
- 116 Virginia Conservation and Recreation Foundation.
- 117 Virginia Historic Preservation Foundation.
- 118 Virginia Outdoor Foundation.
- 119 Museum
- 120 Virginia Museum of Natural History.
- 121 Plantation

Gunston Hall Plantation.

System

Virginia Retirement System.

§ 2.1-1.9. Commissions.

Notwithstanding the definition for "commission" as provided in § 2.1-1.2, the following entities shall be referred to as commissions:

Charitable Gaming Commission

Commission on Local Government

Marine Resources Commission

Milk Commission

Virginia Commission for the Arts

State Council of Higher Education Selection Commission

Virginia Employment Commission.

§ 23-9.3. Creation and purpose; membership; 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. 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 shall be eligible for appointment to the Council except as hereinafter specified. 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) B. The Council shall consist of eleven members appointed by the Governor subject to confirmation by the General Assembly at its next regular session *State Council of Higher Education Selection Commission*. 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) 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) D. [Repealed.]

(e) 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.

23-9.3:1. State Council of Higher Education Selection Commission.

A. *There is hereby created a State Council of Higher Education Selection Commission, hereinafter referred to as the Commission. The sole purpose of the Commission shall be to appoint members of the State Council of Higher Education.*

No officer, employee, trustee or member of the governing board of any institution of higher education, no employee of the Commonwealth, member of the General Assembly, or member of the State Board of Education shall be eligible for appointment to the Commission. All members of the Commission 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 Commission shall consist of nine members as follows: three members appointed by the Governor; three members appointed by the Speaker of the House of Delegates, and three members appointed by the Senate Committee on Privileges and Elections. Of the members to be appointed in 1997, one gubernatorial appointee and one appointee each by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections shall be appointed for a two-year term; one gubernatorial appointee and one appointee each by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections shall be appointed for a three-year term; and one gubernatorial appointee and one appointee each by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections shall be appointed for a four-year term. Thereafter, all appointments shall be for four-year terms; however, appointments to fill vacancies shall be for the unexpired terms. No person shall be eligible to serve for or during more than two successive four-year terms, but after the expiration of a term of three years or less, or after the expiration of the remainder*

183 *of a term to which appointed to fill a vacancy, two additional terms may be served by such member if*
184 *appointed thereto.*

185 *C. The Commission shall elect from among its members a chairman and a vice chairman and shall*
186 *appoint a secretary who may or may not be a member of the Commission. A majority of the members of*
187 *the Commission shall constitute a quorum.*

188 *D. Members of the Commission shall be reimbursed for actual expenses incurred in the performance*
189 *of their duties.*