

993217813

**HOUSE BILL NO. 2605**

Offered January 21, 1999

*A BILL to amend and reenact §§ 2.1-1.7, 2.1-20.4, 2.1-51.15, 9-6.23 and 9-6.25:1 of the Code of Virginia; to amend the Code of Virginia by adding in Title 9 a chapter numbered 50, consisting of sections numbered 9-379 through 9-385; and to repeal Chapter 18 (§§ 9-116 and 9-116.1), Chapter 30 (§§ 9-267 through 9-273) and Chapter 39 (§§ 9-317 through 9-319) of Title 9 of the Code of Virginia, relating to state councils.*

Patrons—Landes, Baker, Black, Blevins, Bloxom, Byron, Callahan, Cox, Devolites, Drake, Griffith, Guest, Hall, Harris, McQuigg, O'Brien, Parrish, Purkey, Rollison, Ruff, Sherwood, Thomas and Weatherholtz; Senators: Miller, K.G., Potts, Trumbo and Williams

Referred to Committee on General Laws

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

**1. That §§ 2.1-1.7, 2.1-20.4, 2.1-51.15, 9-6.23 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 Title 9 a chapter numbered 50, consisting of sections numbered 9-379 through 9-385, as follows:**

§ 2.1-1.7. State councils.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies either affiliated with more than one agency or independent of an agency within the executive branch:

Adult Education and Literacy, Virginia Advisory Council for  
 Aging, Commonwealth Council on  
 Agricultural Council, Virginia  
 Apprenticeship Council  
 Blue Ridge Regional Education and Training Council  
 Child Day-Care Council  
 Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion  
 Coastal Land Management Advisory Council, Virginia  
 Commonwealth Competition Council  
*Commonwealth Council to Assess the Family in the Lives of Women, Men and Children*  
 Commonwealth's Attorneys' Services Council  
 Developmental Disabilities Planning Council, Virginia  
 Disability Services Council  
 Equal Employment Opportunity Council, Virginia  
 Housing for the Disabled, Interagency Coordinating Council on  
 Human Rights, Council on  
 Human Services Information and Referral Advisory Council  
 Indians, Council on  
 Interagency Coordinating Council, Virginia  
 Job Training Coordinating Council, Governor's  
 Land Evaluation Advisory Council  
~~Maternal and Child Health Council~~  
 Military Advisory Council, Virginia  
 Needs of Handicapped Persons, Overall Advisory Council on the  
~~Prevention, Virginia Council on Coordinating~~  
 Public Records Advisory Council, State  
 Rate-setting for Children's Facilities, Interdepartmental Council on  
 Revenue Estimates, Advisory Council on  
 Specialized Transportation Council  
 State Health Benefits Advisory Council  
~~Status of Women, Council on the~~  
 Substance Abuse Services Council  
 Technology Council, Virginia  
 Virginia Business-Education Partnership Program, Advisory Council on the  
 Virginia Recycling Markets Development Council.  
 Workforce Training Council, Statewide.

B. Notwithstanding the definition for "council" as provided in § 2.1-1.2, the following entities shall

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60 be referred to as councils:

61 Council on Information Management  
62 Higher Education, State Council of  
63 Independent Living Council, Statewide  
64 Rehabilitation Advisory Council, Statewide  
65 Rehabilitation Advisory Council for the Blind, Statewide.  
66 Transplant Council, Virginia

67 § 2.1-20.4. Bodies receiving compensation.

68 Notwithstanding any other provision of law, members of the commissions, boards, committees,  
69 councils and other similar bodies listed below, and members of any other board, committee, council, or  
70 similar body who are appointed at the state level, shall receive compensation from state funds pursuant  
71 to § 2.1-20.3:

72 Accountancy, Board for  
73 Agriculture and Consumer Services, Board of  
74 Air Pollution Control Board, State  
75 Airports Authority, Virginia  
76 Apprenticeship Council  
77 Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape  
78 Architects, Board for  
79 ~~Athletic Board, Virginia~~  
80 Auctioneers Board  
81 Audiology and Speech-Language Pathology, Board of  
82 Aviation Board, Virginia  
83 Barbers, Board for  
84 Branch Pilots, Board for  
85 Building Code Technical Review Board, State  
86 Charitable Gaming Commission  
87 Chesapeake Bay Local Assistance Board  
88 Coal Mining Examiners, Board of  
89 College Building Authority  
90 Commonwealth Competition Council  
91 *Commonwealth Council to Assess the Family in the Lives of Women, Men and Children*  
92 Commonwealth Transportation Board  
93 Conservation and Development of Public Beaches, Board on  
94 Conservation and Recreation, Board of  
95 Contractors, Board for  
96 Correctional Education, Board of  
97 Corrections, Board of  
98 Cosmetology, Board for  
99 Criminal Justice Services Board  
100 Deaf and Hard-of-Hearing, Advisory Board for the  
101 Dentistry, Board of  
102 Education, State Board of  
103 ~~Education Loan Authority, Virginia - Board of Directors~~  
104 Elections, State Board of  
105 ~~Environment, Council on the~~  
106 Fire Services Board, Virginia  
107 Funeral Directors and Embalmers, Board of  
108 Game and Inland Fisheries, Board of  
109 Geology, Board for  
110 Health, State Board of  
111 Health Professions, Board of  
112 Hearing Aid Specialists, Board for  
113 Higher Education, State Council of  
114 Historic Resources, Board of  
115 Housing and Community Development, Board of  
116 Information Management, Council on  
117 Juvenile Justice, State Board of  
118 *Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment*  
119 *Professionals, Board of*  
120 Marine Resources Commission  
121 Medical Assistance Services, Board of

- 122 Medical Complaint Investigation Committee
- 123 Medicine, Board of
- 124 Mental Health, Mental Retardation and Substance Abuse Services Board, State
- 125 Milk Commission
- 126 Mineral Mining Examiners, Board of
- 127 Motor Vehicle Dealer Board
- 128 Nursing, Board of
- 129 Nursing Home Administrators, Board of
- 130 Occupational Therapy, Advisory Board ~~on~~ of
- 131 Oil and Gas Conservation Board, Virginia
- 132 Opticians, Board for
- 133 Optometry, Board of
- 134 Pesticide Control Board
- 135 Pharmacy, Board of
- 136 Physical Therapy, Advisory Board on
- 137 Port Authority, Board of Commissioners of the Virginia
- 138 Professional and Occupational Regulation, Board for
- 139 ~~Professional Counselors, Board of~~
- 140 Professional Soil Scientists, Board for
- 141 Psychology, Board of
- 142 Public Defender Commission
- 143 Public School Authority, Virginia
- 144 Purchases and Supply Appeals Board
- 145 Real Estate Appraiser Board
- 146 Real Estate Board
- 147 ~~Recreation Specialists, Board of~~
- 148 Rehabilitative Services, Board of
- 149 Respiratory ~~Therapy~~ Care, Advisory Board on
- 150 Safety and Health Codes Board
- 151 Seed Potato Board, *State*
- 152 Social Services, Board of
- 153 Social Work, Board of
- 154 State Health Department Sewage Handling and Disposal Appeal Review Board
- 155 Substance Abuse Certification Board
- 156 Surface Mining Review, Board of
- 157 Treasury Board
- 158 Veterans' Affairs, Board on
- 159 Veterinary Medicine, Board of
- 160 Virginia Advanced Shipbuilding and Carrier Integration Center Board
- 161 Virginia Board for Asbestos ~~Licensing and Lead~~
- 162 Virginia Health Planning Board
- 163 Virginia Manufactured Housing Board
- 164 Virginia Veterans Care Center Board of Trustees
- 165 Virginia Waste Management Board
- 166 Visually Handicapped, Virginia Board for the
- 167 Waste Management Facility Operators, Board for
- 168 Water Control Board, State
- 169 Waterworks and Wastewater Works Operators, Board for
- 170 Well Review Board, Virginia.
- 171 § 2.1-51.15. Agencies for which responsible.
- 172 The Secretary of Health and Human Resources shall be responsible to the Governor for the following
- 173 agencies: Department of Health, Department for the Visually Handicapped, Department of Health
- 174 Professions, Department for the Aging, Department of Mental Health, Mental Retardation and Substance
- 175 Abuse Services, Department of Rehabilitative Services, Department of Social Services, Department for
- 176 Rights of Virginians With Disabilities, Department of Medical Assistance Services, the Council on
- 177 Indians, Governor's Employment and Training Department, Child Day-Care Council, Virginia
- 178 Department for the Deaf and Hard-of-Hearing, and the ~~Virginia Council on Coordinating Prevention~~
- 179 *Commonwealth Council to Assess the Family in the Lives of Women, Men and Children*. The Governor
- 180 may, by executive order, assign any other state executive agency to the Secretary of Health and Human
- 181 Resources, or reassign any agency listed above to another secretary.
- 182 § 9-6.23. Prohibition against service by legislators on boards, commissions, and councils within the

183 executive branch.

184 Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils  
 185 within the executive branch which are responsible for administering programs established by the General  
 186 Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in  
 187 policy studies or commemorative activities. If any law directs the appointment of any member of the  
 188 General Assembly to a board, commission, or council in the executive branch which is responsible for  
 189 administering programs established by the General Assembly, such portion of such law shall be void,  
 190 and the Governor shall appoint another person from the Commonwealth at large to fill such a position.  
 191 The provisions of this section shall not apply, however, to members of the Board for Branch Pilots, who  
 192 shall be appointed as provided for in § 54.1-901; to members of the Board on Veterans' Affairs, who  
 193 shall be appointed as provided for in § 2.1-741; to members of the Council on Indians, who shall be  
 194 appointed as provided for in § 9-138.1; to members of the Virginia Technology Council, who shall be  
 195 appointed as provided for in § 9-145.51; to members of the Board of Trustees of the Southwest Virginia  
 196 Higher Education Center, who shall be appointed as provided for in § 23-231.3; ~~to members of the~~  
 197 ~~Maternal and Child Health Council, who shall be appointed as provided for in § 9-318;~~ to members of  
 198 the Virginia Interagency Coordinating Council who shall be appointed as provided for in § 2.1-750; to  
 199 members of the Advisory Council on the Virginia Business-Education Partnership Program, who shall be  
 200 appointed as provided in § 9-326; to members of the Advisory Commission on Welfare Reform, who  
 201 shall be appointed as provided for in § 63.1-133.44; to members of the Virginia Correctional Enterprises  
 202 Advisory Board, who shall be appointed as provided for in § 2.1-451.2; to members appointed to the  
 203 Virginia Veterans Cemetery Board pursuant to § 2.1-739.2; to members appointed to the Board of  
 204 Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the  
 205 Commonwealth Competition Commission, who shall be appointed as provided for in § 9-343; to  
 206 members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as  
 207 provided for in § 2.1-563.41; to members of the Advisory Commission on the Virginia Schools for the  
 208 Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.1; ~~to members of the Council~~  
 209 ~~on Coordinating Prevention, who shall be appointed as provided for in § 9-268; or to members of the~~  
 210 ~~Substance Abuse Services Council, who shall be appointed as provided for in § 37.1-207; or to members~~  
 211 ~~of the Commonwealth Council to Assess the Family in the Lives of Women, Men, and Children, who~~  
 212 ~~shall be appointed as provided for in § 9-380.~~

213 § 9-6.25:1. Advisory boards, commissions and councils.

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

216 Advisory Board for the Department for the Deaf and Hard-of-Hearing  
 217 Advisory Board on Child Abuse and Neglect  
 218 Advisory Board on Medicare and Medicaid  
 219 Advisory Board ~~on~~ of Occupational Therapy  
 220 Advisory Board on Physical Therapy to the Board of Medicine  
 221 Advisory Board on Rehabilitation Providers  
 222 Advisory Board on Respiratory ~~Therapy~~ *Care* to the Board of Medicine  
 223 Advisory Board on Teacher Education and Licensure  
 224 Advisory Commission on the Virginia Schools for the Deaf and the Blind  
 225 Advisory Council on Revenue Estimates  
 226 Advisory Council on the Virginia Business-Education Partnership Program  
 227 Appomattox State Scenic River Advisory Board  
 228 Aquaculture Advisory Board  
 229 Art and Architectural Review Board  
 230 Board for the Visually Handicapped, *Virginia*  
 231 Board of Directors, Virginia Truck and Ornamentals Research Station  
 232 Board of Forestry  
 233 Board of Military Affairs  
 234 Board of Rehabilitative Services  
 235 Board of Transportation Safety  
 236 Board of Trustees of the Family and Children's Trust Fund  
 237 Board of Visitors, Gunston Hall Plantation  
 238 Board on Veterans' Affairs  
 239 Catoctin Creek State Scenic River Advisory Board  
 240 Cave Board  
 241 Charity Food Assistance Advisory Board  
 242 Chickahominy State Scenic River Advisory Board  
 243 Clinch Scenic River Advisory Board  
 244 Coal Surface Mining Reclamation Fund Advisory Board

245	Coastal Land Management Advisory Council, Virginia
246	Commonwealth Competition Council
247	Commonwealth Council on Aging
248	<i>Commonwealth Council to Assess the Family in the Lives of Women, Men and Children</i>
249	Council on Indians
250	<del>Council on the Status of Women</del>
251	Debt Capacity Advisory Committee
252	Emergency Medical Services Advisory Board
253	Falls of the James Committee
254	Goose Creek Scenic River Advisory Board
255	Governor's Mined Land Reclamation Advisory Committee
256	Hemophilia Advisory Board
257	Human Services Information and Referral Advisory Council
258	Interagency Coordinating Council on Housing for the Disabled
259	Interdepartmental Board of the State Department of Minority Business Enterprise
260	Litter Control and Recycling Fund Advisory Board
261	Local Advisory Board to the Blue Ridge Community College
262	Local Advisory Board to the Central Virginia Community College
263	Local Advisory Board to the Dabney S. Lancaster Community College
264	Local Advisory Board to the Danville Community College
265	Local Advisory Board to the Eastern Shore Community College
266	Local Advisory Board to the Germanna Community College
267	Local Advisory Board to the J. Sargeant Reynolds Community College
268	Local Advisory Board to the John Tyler Community College
269	Local Advisory Board to the Lord Fairfax Community College
270	Local Advisory Board to the Mountain Empire Community College
271	Local Advisory Board to the New River Community College
272	Local Advisory Board to the Northern Virginia Community College
273	Local Advisory Board to the Patrick Henry Community College
274	Local Advisory Board to the Paul D. Camp Community College
275	Local Advisory Board to the Piedmont Virginia Community College
276	Local Advisory Board to the Rappahannock Community College
277	Local Advisory Board to the Southside Virginia Community College
278	Local Advisory Board to the Southwest Virginia Community College
279	Local Advisory Board to the Thomas Nelson Community College
280	Local Advisory Board to the Tidewater Community College
281	Local Advisory Board to the Virginia Highlands Community College
282	Local Advisory Board to the Virginia Western Community College
283	Local Advisory Board to the Wytheville Community College
284	<del>Maternal and Child Health Council</del>
285	Medical Advisory Board, Department of Motor Vehicles
286	Migrant and Seasonal Farmworkers Board
287	<del>Motor Vehicle Dealer's Advisory Board</del>
288	North Meherrin State Scenic River Advisory Board
289	Nottoway State Scenic River Advisory Board
290	Personnel Advisory Board
291	Plant Pollination Advisory Board
292	Private College Advisory Board
293	Private Security Services Advisory Board
294	Psychiatric Advisory Board
295	Public Guardian and Conservator Advisory Board
296	Radiation Advisory Board
297	Rappahannock Scenic River Advisory Board
298	Recreational Fishing Advisory Board, Virginia
299	Reforestation Board
300	Rockfish State Scenic River Advisory Board
301	Shenandoah State Scenic River Advisory Board
302	Small Business Advisory Board
303	Small Business Environmental Compliance Advisory Board
304	St. Mary's Scenic River Advisory Committee
305	State Advisory Board for the Virginia Employment Commission

306 State Advisory Board on Air Pollution  
 307 State Building Code Technical Review Board  
 308 State Health Benefits Advisory Council  
 309 State Land Evaluation Advisory Council  
 310 State Networking Users Advisory Board  
 311 State Public Records Advisory Council  
 312 Statewide Independent Living Council  
 313 Statewide Rehabilitation Advisory Council  
 314 Statewide Rehabilitation Advisory Council for the Blind  
 315 Statewide Workforce Training Council  
 316 Staunton Scenic River Advisory Committee  
 317 Substance Abuse Services Council  
 318 Telecommunications Relay Service Advisory Board  
 319 Virginia-Israel Advisory Board  
 320 Virginia Advisory Commission on Intergovernmental Relations  
 321 Virginia Advisory Council for Adult Education and Literacy  
 322 Virginia Coal Mine Safety Board  
 323 Virginia Coal Research and Development Advisory Board  
 324 Virginia Commission for the Arts  
 325 ~~Virginia Commission on the Bicentennial of the United States Constitution~~  
 326 Virginia Correctional Enterprises Advisory Board  
 327 ~~Virginia Council on Coordinating Prevention~~  
 328 Virginia Equal Employment Opportunity Council  
 329 Virginia Geographic Information Network Advisory Board  
 330 Virginia Interagency Coordinating Council  
 331 Virginia Military Advisory Council  
 332 Virginia Public Buildings Board  
 333 Virginia Recycling Markets Development Council  
 334 Virginia Technology Council  
 335 Virginia Transplant Council  
 336 Virginia Veterans Cemetery Board  
 337 Virginia Water Resources Research Center, Statewide Advisory Board  
 338 Virginia Winegrowers Advisory Board.

#### CHAPTER 50.

### COMMONWEALTH COUNCIL TO ASSESS THE FAMILY IN THE LIVES OF WOMEN, MEN AND CHILDREN.

§ 9-379. *Council created; purpose.*

There is hereby created the Commonwealth Council to Assess the Family in the Lives of Women, Men and Children, hereinafter referred to as the Council. The Council is created to serve as an advisory body for the Governor, General Assembly, and the Commonwealth to study, monitor and advise on the strength and well-being of the family. The purpose of the Council is to examine the benefits of family and ways in which it is appropriate for government or the private sector to support rather than supplant responsibilities of the family.

§ 9-380. *Chairman; membership; terms.*

The Council shall be chaired by the Secretary of Health and Human Resources. The State Health Commissioner, the Commissioner of Social Services, the Commissioner of Rehabilitative Services, the Director of the Department of Medical Assistance Services, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, the Superintendent of Public Instruction, the Director of the Department of Housing and Community Development, the Commissioner of the Department for the Aging, the Commissioner of the Virginia Employment Commission, and the Director of the Department of Juvenile Justice shall be members of the Council by virtue of their positions. A representative from the Office of the Attorney General shall also serve as an ex officio member.

There shall be one member from the House of Delegates to be appointed by the Speaker of the House and one member from the Senate to be appointed by the Senate Committee on Privileges and Elections. Legislative members shall be appointed to four-year terms and shall not be eligible to serve more than two successive four-year terms. Whenever any legislative member fails to retain his membership in the house from which he was appointed, he shall relinquish his membership on the Council and the appointing authority who appointed such member shall make an appointment from his respective house to complete the term.

Seven citizen members with, to the extent practicable, expertise in child and family development and who are community and business leaders, educators, parents, and members of the faith community shall be appointed by the Governor. The seven initial citizen appointments made by the Governor shall be for

terms as follows: three members for two years and four members for three years. Thereafter, all citizen member appointments shall be for terms of two years each, except that appointments to fill vacancies shall be made for unexpired terms. Citizen members shall not serve more than two consecutive two-year terms.

§ 9-381. Meetings; compensation.

The Council shall meet at least four times per year every fiscal year. Members of the Council shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties on behalf of the Council.

§ 9-382. Powers and duties of the Council.

A. The Council shall have the following powers and duties:

1. Develop and update a Family Strength Plan, as defined in § 9-383, biennially and submit such Plan to the Governor for use in the development of the Governor's biennial budget submission to the General Assembly.

2. Assess local, state and federal programs for their contributions to strengthening families and advise the Governor on potential program and policy initiatives.

3. Examine the challenges confronting parents in maintaining stable families.

4. Review and disseminate information on issues pertinent to family life and maintain and disseminate a listing of programs supportive of families.

5. Study the benefits of marriage in the lives of women and men.

6. Recommend methods by which the Commonwealth may collect data on the effectiveness of programs that promote stable families.

7. Recommend to the Governor policies, legislation, and funding that will promote family stability.

8. Recognize outstanding government and private sector programs, efforts and initiatives that promote family stability.

B. In order to provide for the planning and coordination of state services to children and to enhance the role of the family in child development, the Council shall have the following additional powers and duties:

1. Assess the role of the family in the life of children.

2. Study the resiliency of youth in avoiding destructive behaviors.

3. Promote prevention programs that incorporate principles of resiliency by disseminating information to professionals who work with children.

4. Provide technical assistance and training in support of efforts to initiate or improve programs and services for children.

5. Assist in the planning of children's services and facilitate the exchange of information and ideas on children's issues.

6. Apply for, accept and expend gifts, grants or donations from public or private sources in order to carry out its objectives.

§ 9-383. Family Strength Plan.

The Family Strength Plan shall identify challenges to maintaining stable families and report on federal, state, and local programs and their contributions in strengthening families. The Family Strength Plan shall provide advice on strategies appropriate for the private and public sector to strengthen the family, as well as ways whereby marriage can be promoted. The Family Strength Plan shall be developed pursuant to § 2.1-7.2. It shall also present effective strategies for better coordination of state and local programs.

§ 9-384. Executive director; staff.

The Secretary of Health and Human Resources shall appoint an executive director for the Council who shall be authorized to employ such staff as necessary to enable the Council to perform its duties as set forth in this chapter. The Secretary is authorized to determine the duties of such staff and to fix salaries and compensation from such funds as may be appropriated or received therefor.

§ 9-385. State agency cooperation and responsibilities.

The Council may request and shall receive from every department, division, board, bureau, commission, authority or other agency created by this Commonwealth, or to which the Commonwealth is party, or from any political subdivision of the Commonwealth, cooperation and assistance in the performance of its duties. Each agency shall have the duty to:

1. Participate in the development of the Family Strength Plan.

2. Develop and implement, to the extent authorized by law, programs that support the Family Strength Plan.

3. Facilitate the involvement of local service providers in interagency, broad-based community development and implementation of local programs consistent with the Family Strength Plan.

4. Require that the strategic planning process, for all agency programs that relate to priority issues identified by the Council, include an analysis of its prevention component or potential and likely impact

429 *on budgetary requests.*

430 *5. Support the development of a state family strength database that includes protective factors.*

431 *6. Provide training and technical assistance to localities for planning to strengthen the family.*

432 *7. Develop and implement a set of essential elements of community-based family strength plans to be*  
433 *used by state agencies that provide grant funding for children and family programs.*

434 **2. That Chapter 18 (§§ 9-116 and 9-116.1), Chapter 30 (§§ 9-267 through 9-273) and Chapter 39**  
435 **(§§ 9-317 through 9-319) of Title 9 of the Code of Virginia are repealed.**