

038010548

SENATE BILL NO. 1315

Offered January 17, 2003

A *BILL to amend and reenact §§ 2.2-2424, 2.2-2438, 2.2-2503, 2.2-2506, 2.2-2628, 2.2-2666.1, 2.2-2705, 2.2-5601, 3.1-1108, 10.1-1018, 18.2-271.2, 20-108.2, 22.1-337, 22.1-354.1, 30-156, 30-173, 30-182, 51.5-39.2, 56-579, 56-581.1, 56-585, 56-592, 56-592.1, 56-596, 58.1-202.2, 62.1-69.26, 62.1-69.34, 62.1-69.35, 62.1-69.38 and 62.1-69.43 of the Code of Virginia; to amend the Code by adding in Title 30 a chapter numbered 31, consisting of sections numbered 30-201 through 30-209, by adding in Title 30 a chapter numbered 32, consisting of sections numbered 30-210 through 30-217, by adding sections numbered 62.1-69.26:1, 62.1-69.31:1, 62.1-69.31:2, and 62.1-69.31:3, and by adding in Chapter 5.4 of Title 62.1 sections numbered 62.1-69.35:1 and 62.1-69.35:2; and to repeal Article 3 (§§ 2.2-2709 and 2.2-2710) of Chapter 27 of Title 2.2 and §§ 56-595, 62.1-69.29, 62.1-69.32, and 62.69.33 of the Code of Virginia; and to repeal Chapter 476 of the Acts of Assembly of 2002 and Chapter 657 of the Acts of Assembly of 2002, relating to certain requirements of collegial bodies. Report.*

Patron—Trumbo

Referred to Committee on Rules

1. That §§ 2.2-2424, 2.2-2438, 2.2-2503, 2.2-2506, 2.2-2628, 2.2-2666.1, 2.2-2705, 2.2-5601, 3.1-1108, 10.1-1018, 18.2-271.2, 20-108.2, 22.1-337, 22.1-354.1, 30-156, 30-173, 30-182, 51.5-39.2, 56-579, 56-581.1, 56-585, 56-592, 56-592.1, 56-596, 58.1-202.2, 62.1-69.26, 62.1-69.34, 62.1-69.35, 62.1-69.38 and 62.1-69.43 of the Code of Virginia are amended and reenacted, and that the Code of Virginia is amended by adding in Title 30 a chapter numbered 31, consisting of sections numbered 30-201 through 30-209, by adding in Title 30 a chapter numbered 32, consisting of sections numbered 30-210 through 30-217, by adding sections numbered 62.1-69.26:1, 62.1-69.31:1, 62.1-69.31:2 and 62.1-69.31:3, and by adding in Chapter 5.4 of Title 62.1 sections numbered 62.1-69.35:1 and 62.1-69.35:2 as follows:

§ 2.2-2424. Virginia-Israel Advisory Board; purpose; membership; terms; compensation; staff.

A. The Virginia-Israel Advisory Board (the "Board") is established as an advisory board, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Board shall be to advise the Governor on ways to improve economic and cultural links between the Commonwealth and the State of Israel, with a focus on the areas of commerce and trade, art and education, and general government.

B. The Board shall consist of ~~thirty-one~~ 31 members to be appointed that include 29 citizen members and 2 ex officio members as follows: six 6 citizen members appointed by the Speaker of the House of Delegates, who may be members of the House of Delegates or other state or local elected officials; six 6 citizen members appointed by the Senate Committee on Privileges and Elections, who may be members of the Senate or other state or local elected officials; and thirteen 13 members appointed by the Governor who represent business, industry, education, the arts, and government; and the president, or his designee, of each of the four 4 Jewish Community Federations serving the Richmond, Northern Virginia, Tidewater and Peninsula regions; ; and the Secretaries Secretary of Commerce and Trade; and the Secretary of Education, or their designees, who shall serve as ex officio voting members of the Board.

C. Nonlegislative citizen members shall serve for terms of four 4 years. Legislative members and the Secretaries of Commerce and Trade, and Education, or their designees, shall serve terms coincident with their terms of office. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. Any member may be reappointed for successive terms.

D. The members of the Board shall elect a chairman and vice-chairman annually from among its membership. The Board shall meet at such times as it deems appropriate or on call of the chairman. A majority of the members of the Board shall constitute a quorum.

E. Members shall receive no compensation for their services. However, all members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of the expenses of the members shall be provide by the Office of the Governor.

F. The Office of the Governor shall serve as staff to the Board.

G. The chairman of the Board shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the

INTRODUCED

SB1315

59 *procedures of the Division of Legislative Automated Systems for the processing of legislative documents*
 60 *and reports and shall be posted on the General Assembly's website.*

61 § 2.2-2438. Virginia Veterans Cemetery Board; purpose; membership; terms; compensation; staff.

62 A. The Virginia Veterans Cemetery Board (the Board) is created and shall be an advisory board,
 63 within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the
 64 Board shall be to advise and make recommendations to the Department of Veterans' Affairs (the
 65 Department) regarding the control and operation of such veterans' cemeteries as may be established in
 66 the Commonwealth pursuant to § 2.2-1902.

67 B. The Board shall consist of ~~ten~~ 12 members *that include 6 legislative members and 6*
 68 *nonlegislative citizen members* as follows: ~~three~~ 4 members from the House of Delegates; to be
 69 appointed by the Speaker of the House, *in accordance with the principles of proportional representation*
 70 *contained in the Rules of the House of Delegates*; ~~two~~ 2 members from the Senate; to be appointed by
 71 the Senate Committee on Privileges and Elections; and ~~five~~ 6 members from the Commonwealth at
 72 large, each of whom shall be a member in good standing of a veteran service organization recognized
 73 by the U.S. Department of Veterans Affairs, to be appointed by the Governor.

74 C. ~~All appointments~~ Appointees to the Board, *except legislative members*, shall ~~be for~~ serve
 75 staggered terms of ~~four~~ 4 years. ~~Vacancies occurring other than by expiration of term shall be filled for~~
 76 ~~the unexpired term.~~ *Such terms shall be staggered so that no more than 2 full terms shall be made in*
 77 *the same year.* Legislative members shall serve terms coincident with the terms of office. *Vacancies*
 78 *occurring other than by expiration of a term shall be filled for the unexpired term.* Vacancies shall be
 79 filled in the manner of the original appointments. Any member may be reappointed for successive terms.

80 D. The members of the Board shall elect a chairman and a ~~vice-chairman~~ *vice chairman* annually
 81 *from among its membership.* The Board shall meet at such times as it deems appropriate or on call of
 82 the chairman. A majority of the members of the Board shall constitute a quorum.

83 E. Legislative members of the Board shall receive such compensation as is set forth in § 30-19.12,
 84 and ~~all~~ *nonlegislative citizen* members shall *receive such compensation for the performance of their*
 85 *duties as provided in § 2.2-2813.* All members shall be reimbursed for the reasonable and necessary
 86 expenses incurred in the ~~discharge~~ *performance* of their duties as provided in §§ 2.2-2813 and 2.2-2825.
 87 *Funding for the costs of compensation and expenses of the members shall be provided by the*
 88 *Department of Veteran Affairs.*

89 F. The Department shall serve as staff to the Board.

90 G. *The chairman of the Board shall submit to the Governor and the General Assembly an annual*
 91 *executive summary of the interim activity and work of the Board no later than the first day of each*
 92 *regular session of the General Assembly. The executive summary shall be submitted as provided in the*
 93 *procedures of the Division of Legislative Automated Systems for the processing of legislative documents*
 94 *and reports and shall be posted on the General Assembly's website.*

95 § 2.2-2503. Special Advisory Commission on Mandated Health Insurance Benefits; membership;
 96 terms; meetings; compensation; staff.

97 A. The Special Advisory Commission on Mandated Health Insurance Benefits (the "Commission") is
 98 established as an advisory commission within the meaning of § 2.2-2100, in the executive branch of
 99 state government. The purpose of the Commission shall be to advise the Governor and the General
 100 Assembly on the social and financial impact of current and proposed mandated benefits and providers,
 101 in the manner set forth in this article.

102 B. The Commission shall consist of ~~sixteen~~ 18 members *to be appointed that include 6 legislative*
 103 *members, 10 nonlegislative citizen members, and 2 ex officio members* as follows: ~~ten~~ 1 member of the
 104 Senate Committee on Education and Health and 1 member of the Senate Committee on Commerce and
 105 Labor appointed by the Senate Committee on Privileges and Elections; 2 members of the House
 106 Committee on Health, Welfare and Institutions and 2 members of the House Committee on Commerce
 107 and Labor appointed by the Speaker of the House of Delegates *in accordance with the principles of*
 108 *proportional representation contained in the Rules of the House of Delegates*; 10 nonlegislative citizen
 109 members shall be appointed by the Governor ~~including one~~ *that include 1 physician, one 1 chief*
 110 *executive officer of a general acute care hospital, one 1 allied health professional, one 1 representative*
 111 *of small business, one 1 representative of a major industry, one 1 expert in the field of medical ethics,*
 112 *two 2 representatives of the accident and health insurance industry, and two 2 nonlegislative citizen*
 113 *members; and the State Commissioner of Health and the State Commissioner of Insurance, or their*
 114 *designees, who shall serve as ex officio nonvoting members.* The Senate Committee on Privileges and
 115 Elections shall appoint 1 member from the Senate Committee on Education and Health and 1 member
 116 from the Senate Committee on Commerce and Labor; and the Speaker of the House of Delegates shall
 117 appoint 2 members from the House Committee on Health, Welfare and Institutions and 2 members from
 118 the House Committee on Commerce and Labor *in accordance with the principles of proportional*
 119 *representation contained in the Rules of the House of Delegates.* The State Commissioner of Health and
 120 the State Commissioner of Insurance shall serve as ex officio, nonvoting members.

C. All *nonlegislative citizen* members shall be appointed for terms of ~~four~~ 4 years each, except that appointments to fill vacancies shall be made 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 two years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional four-year terms may be served by such a member if so appointed. *Legislative and ex officio members shall serve terms coincident with their terms of office. All members may be reappointed. However, no House member shall serve more than 4 consecutive 2-year terms, no Senate member shall serve more than 2 consecutive 4-year terms, and no nonlegislative citizen member shall serve more than 2 consecutive 4-year terms. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the manner of the original appointments. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.*

D. The Commission shall meet ~~regularly~~ and at the request of the *chairman, majority of the voting members or the Governor*. The Commission shall select a chairman and a vice chairman, as determined by the membership. A majority of the members of the Commission shall constitute a quorum.

E. Members of the Commission shall receive ~~reimbursement~~ *no compensation for their services, but shall be reimbursed* for all reasonable and necessary expenses incurred in the ~~discharge~~ *performance* of their duties as provided in §§ 2.2-2813 and 2.2-2825. *Funding for the costs of expenses of the members shall be provided by the State Corporation Commission.*

F. The Bureau of Insurance, the State Health Department, and such other state agencies as may be considered appropriate by the Commission shall provide staff assistance to the Commission.

G. *The chairman of the Commission shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.*

§ 2.2-2506. Virginia Advisory Commission on Intergovernmental Relations; membership; terms; compensation; reports to Governor and General Assembly.

A. The Virginia Advisory Commission on Intergovernmental Relations (the "Commission") is established as an advisory commission within the meaning of § 2.2-2100, in the executive branch of state government.

B. The Commission shall consist of ~~twenty~~ 22 members *that include 8 legislative members, 3 members of the executive branch, and 11 nonlegislative citizen members* to be appointed as follows: ~~three~~ 5 members shall to be appointed from the House of Delegates by the Speaker of the House of Delegates *in accordance with the principles of proportional representation contained in the Rules of the House of Delegates*; ~~three~~ 3 members shall to be appointed by the Senate Privileges and Elections Committee; and ~~three~~ 3 members from the executive branch of state government; ~~four~~ , 4 elected local government officials upon the recommendation of the Virginia Association of Counties and ~~four~~ , 4 elected municipal officers upon the recommendation of the Virginia Municipal League; ~~one~~ , 1 representative of a planning district commission upon the recommendation of the Virginia Association of Planning Commissions; , and ~~two~~ 2 citizen members who have no current government affiliation, all 11 of whom shall be appointed by the Governor.

C. ~~Members from the executive branch shall serve at the pleasure of the Governor. All other nonlegislative members, except the 3 members from the executive branch, shall serve for a four 4-year term. No member shall serve more than eight consecutive years terms. Legislative members shall serve terms coincident with their terms of office. Members from the executive branch shall serve at the pleasure of the Governor. and shall serve no more than 8 consecutive years. All members may be reappointed. However, no Senate member shall serve more than 2 consecutive 4-year terms, no House member shall serve more than 4 consecutive 2-year terms and no nonlegislative member appointed to a term shall serve more than 2 consecutive 4-year terms. Members from the executive branch shall serve no more than 8 years consecutive years. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled by the appointing authority to fill the unexpired term. Vacancies shall be filled in the manner of the original appointments.~~

D. A chairman and vice chairman shall be elected annually from the membership. The Commission shall meet at least ~~four~~ 4 times a year. A majority of members of the Commission shall constitute a quorum.

E. The members of the Commission shall be paid their necessary expenses incident to their work on the Commission as provided in ~~§ 2.2-2823~~. *Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12, and nonlegislative members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for the*

reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses shall be provided by the Commission on Local Government.

F. The Commission shall report its findings as it deems proper and shall submit a biennial report to the Governor and the General Assembly on or before October 1 of each even-numbered year as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The biennial report shall be distributed in accordance with the provisions of § 2.2-1127.

G. The chairman of the Commission shall submit to the Governor and the General Assembly a biennial executive summary of the interim activity and work of the Commission no later than the first day of each even-numbered session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 2.2-2628. Council on Indians; membership; terms; chairman; chairman's executive summary.

A. The Council on Indians (the "Council") is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The Council shall be composed of ~~thirteen~~ 16 members to be appointed that include 4 legislative members, 11 nonlegislative citizen members, and 1 ex officio member as follows: (i) the ~~eight~~ 8 Virginia tribes officially recognized by the Commonwealth shall be entitled but not required to be represented by ~~one~~ 1 member from each tribe, (ii) ~~two~~ 2 members at-large from the Indian population residing in Virginia, and (iii) ~~one~~ 1 member from the Commonwealth at large, all of whom shall be appointed by the Governor; and (iv) ~~one member~~ 3 members from the House of Delegates appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates, and (v) ~~one~~ 1 member from the Senate of Virginia appointed by the Senate Committee on Privileges and Elections. If a recognized tribe elects not to be represented, then that seat on the Council shall be filled by appointment of an additional member from the at-large Indian population of Virginia. The Secretary of Health and Human Resources, or his designee, shall be an ex officio voting member of the Council.

B. After the original appointments, all nonlegislative citizen appointments shall be for terms of ~~three~~ 3 years except appointments to fill vacancies, which shall be for the unexpired terms. Legislative members shall serve terms coincident with their terms of office. All members may be reappointed. However, no nonlegislative citizen member shall be eligible to serve more than ~~two~~ 2 successive 3-year terms in succession, no member of the Senate shall be eligible to serve more than 2 successive 4-year terms, and no member of the House of Delegates shall be eligible to serve more than 4 successive 2-year terms, provided that no appointments to terms commencing prior to July 1, 1988, shall not be considered in determining such limit, nor shall appointments to fill vacancies for an unexpired term shall be included in determining the term limit.

C. The Governor shall appoint ~~one~~ 1 of the members appointed pursuant to clause (i) or (ii) of subsection A as chairman, who shall serve in such position at the pleasure of the Governor. The meetings of the Council shall be held at the call of the chairman or whenever the majority of the voting members so request. A majority of the members shall constitute a quorum.

D. Members of the Council shall receive no compensation for their services, but shall be reimbursed for all reasonable and necessary expenses incurred in the ~~discharge~~ performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Office of the Governor.

E. The chairman of the Council shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Council no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 2.2-2666.1. Council created; composition; compensation and expenses; meetings; chairman's executive summary.

A. The Virginia Military Advisory Council (the "Council") is hereby created as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government, to maintain a cooperative and constructive relationship between the Commonwealth and the leadership of the several Armed Forces of the United States and the military commanders of such Armed Forces stationed in the Commonwealth, and to encourage regular communication on continued military facility viability, the exploration of privatization opportunities and issues affecting preparedness, public safety and security.

B. The Council shall be composed of not more than ~~twenty-five~~ 25 members and shall include the Lieutenant Governor, the Attorney General, the Adjutant General, the Chairman of the House Committee on Militia, Police and Public Safety and the Chairman of the Senate Committee on General Laws, or their designees; ~~four~~ 4 members, ~~one~~ 1 of whom shall be a representative of the Virginia Defense Force,

to be appointed by and serve at the pleasure of the Governor; and not more than ~~sixteen~~ 16 members, including representatives of major military commands and installations located in the Commonwealth or in jurisdictions adjacent thereto, who shall be appointed by the Governor from persons nominated by the Secretaries of the Armed Forces of the United States and who shall serve at the pleasure of the Governor. The provisions of § 49-1 shall not apply to federal civilian officials and military personnel appointed to the Council.

C. Legislative members of the Council shall receive such compensation as is set forth in § 30-19.12, and nonlegislative members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for the reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Military Affairs.

D. The Council shall elect a chairman and vice chairman from among its membership. The meetings of the Council shall be held at the call of the chairman or whenever the majority of members so request. A majority of the members shall constitute a quorum.

E. The chairman of the Council shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Council no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 2.2-2705. Virginia War Memorial Foundation; purpose; membership; terms; compensation and expenses; staff; chairman executive summary.

A. The Virginia War Memorial Foundation (the Foundation) is established to serve as a policy foundation, within the meaning of § 2.2-2100, in the executive branch of state government. The Foundation shall be governed and administered by a board of trustees for the purpose of honoring patriotic Virginians who rendered faithful service and sacrifice in the cause of freedom and liberty for the Commonwealth and the nation in time of war.

B. The ~~Foundation board of trustees~~ shall consist of the Secretary of Administration, who shall serve ~~ex officio, and seventeen other persons as follows: four~~ 19 members that include 8 legislative members, 10 nonlegislative citizen members, and 1 ~~ex officio member as follows:~~ 5 members of the House of Delegates to be appointed by the Speaker of the House in accordance with the principles of proportional representation contained in the Rules of House of Delegates; ~~three~~ 3 members of the Senate to be appointed by the Senate Committee on Privileges and Elections of the Senate; and ~~ten other persons~~ 10 nonlegislative citizen members appointed by the Governor, subject to confirmation by the General Assembly; and the Secretary of Administration who shall serve ~~ex officio with voting privileges~~. A majority of the trustees shall be members or veterans of the armed forces of the United States or the Virginia National Guard. Members appointed should include representatives of some or all of the various veterans organizations active in Virginia, as the Governor deems appropriate.

C. Except for initial appointments, all ~~nonlegislative citizen member~~ appointments shall be for a ~~term~~ terms of ~~three~~ 3 years. ~~Appointments to fill vacancies shall be made for the unexpired term. Legislative members and the Secretary of Administration shall serve terms coincident with their terms of office. All members may be reappointed. However, no person nonlegislative citizen member shall be eligible to serve for more than three 3 successive full three 3-year terms. However, any person appointed to an initial term of less than three years or to a vacancy shall be eligible to serve three additional successive full three-year terms thereafter. No Senate member shall be eligible to serve more than 2 successive 4-year terms and no member of the House of Delegates shall be eligible to serve more than 4 successive 2-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Appointments to fill vacancies shall be made for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. Trustees may be removed appointed by the Governor shall serve at his pleasure.~~

D. Trustees shall be reimbursed for their actual expenses incurred while attending meetings of the trustees or performing other duties. However, such reimbursement shall not exceed the per diem rate established for members of the General Assembly pursuant to ~~§ 30-19.12~~. Legislative members of the Foundation shall receive such compensation as is set forth in § 30-19.12, and nonlegislative members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for the reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation of legislative members shall be provided by the Office of the Clerk of the member. Funding for the costs of expenses of all members shall be provided by the Foundation.

E. The Secretary of Administration shall designate a state agency to provide the Foundation with administrative and other services.

305 F. The trustees shall adopt bylaws governing their organization and procedures and may amend the
306 same. The trustees shall elect from their number a chairman and such other officers as their bylaws may
307 provide. They shall also appoint an executive committee, composed of not less than ~~five~~ 5 trustees,
308 which committee shall exercise the powers and duties imposed on the Foundation by this section to the
309 extent permitted by the trustees in their bylaws. *Meetings of the board of trustees shall be held at the*
310 *call of the chairman or whenever a majority of the members so request. A majority of members shall*
311 *constitute a quorum.*

312 G. *The chairman of the board of trustees shall submit to the Governor and the General Assembly an*
313 *annual executive summary of the interim activity and work of the board no later than the first day of*
314 *each regular session of the General Assembly. The executive summary shall be submitted as provided in*
315 *the procedures of the Division of Legislative Automated Systems for the processing of legislative*
316 *documents and reports and shall be posted on the General Assembly's website.*

317 § 2.2-5601. Appointment and term of members of Southern States Energy Board; compensation and
318 expenses.

319 The Governor, the Senate Committee on Privileges and Elections, and the Speaker of the House of
320 Delegates shall each appoint ~~one~~ 1 member of the Southern States Energy Board as established by
321 Article II of the compact, ~~to serve at the pleasure of their appointive authority for a term of four years.~~
322 *Legislative members shall serve terms coincident with their terms of office. The gubernatorial appointee*
323 *shall serve at the pleasure of the Governor.* If any member appointed is the head of a department or
324 agency of the Commonwealth, he may designate a subordinate officer or employee of his department or
325 agency to serve in his stead as permitted by Article II A. of the compact and in conformity with any
326 applicable bylaws of the Board.

327 *Legislative members of the Board shall receive such compensation as is set forth in § 30-19.12 and*
328 *shall be reimbursed for the reasonable and necessary expenses incurred in the performance of their*
329 *duties as provided in §§ 2.2-2813 and 2.2-2825. The costs of expenses of the legislative members shall*
330 *be paid from appropriations to the Virginia Commission on Intergovernmental Cooperation for the*
331 *attendance of conferences.*

332 § 3.1-1108. Membership; terms; vacancies; compensation and expenses; chairman; chairman's
333 executive summary.

334 A. The Commission shall be composed of ~~thirty-one~~ 31 members as follows:

335 1. Six members ~~shall be of the House of Delegates~~ appointed by the Speaker of the House of
336 Delegates ~~from the membership thereof~~ in accordance with the principles of ~~Rule 16 of proportional~~
337 ~~representation contained in the Rules of the House of Delegates adopted at the 1998 Regular Session of~~
338 ~~the General Assembly;~~

339 2. Four members ~~shall be of the Senate~~ appointed by the *Committee on Privileges and Elections*
340 ~~Committee of the Senate from the membership of the Senate;~~

341 3. The Secretary of Commerce and Trade or his designee;

342 4. The Secretary of Finance or his designee;

343 5. The Commissioner of Agriculture and Consumer Affairs or his designee;

344 6. Three *nonlegislative citizen* members *who* shall be active flue-cured tobacco producers appointed
345 by the Governor. Of the active flue-cured tobacco producers, ~~two~~ 2 shall be appointed by the Governor
346 from a list of ~~six~~ 6 persons provided by the members of the General Assembly appointed to the
347 Commission;

348 7. Three *nonlegislative citizen* members *who* shall be active burley tobacco producers appointed by
349 the Governor. Of the active burley tobacco producers, ~~one~~ 1 member shall be appointed by the Governor
350 from a list of ~~three~~ 3 persons provided by the members of the General Assembly appointed to the
351 Commission;

352 8. One *nonlegislative citizen* member *who* shall be a representative of the Virginia Farm Bureau
353 Federation appointed by the Governor from a list of at least ~~three~~ 3 persons provided by Virginia Farm
354 Bureau Federation; and

355 9. Eleven members shall be *nonlegislative citizen* citizens appointed by the Governor. Of the ~~eleven~~
356 ~~11 nonlegislative~~ citizen members, ~~three~~ 3 shall be appointed by the Governor from a list of ~~nine~~ 9
357 provided by the members of the General Assembly appointed to the Commission.

358 With the exception of the Secretary of Commerce and Trade or his designee, the Secretary of
359 Finance or his designee and the Commissioner of Agriculture and Consumer Affairs or his designee, all
360 members of the Commission shall reside in the Southside and Southwest regions of the Commonwealth
361 and shall be subject to confirmation by the General Assembly. To the extent feasible, appointments
362 representing the Southside and Southwest regions shall be proportional to the tobacco quota production
363 of each region.

364 Except as otherwise provided herein, all appointments shall be for terms of ~~four~~ 4 years each.
365 ~~Vacancies shall be filled for the unexpired terms.~~ *Legislative members, the Secretary of Commerce and*
366 *Trade, the Secretary of Finance, and the Commissioner of Agriculture and Consumer Affairs shall serve*

terms coincident with their terms of office. No nonlegislative citizen member shall be eligible to serve more than ~~two~~ 2 successive ~~four~~ 4-year terms; however, after expiration of a term of three years or less, or after the expiration of the remainder of a term to which he was appointed to fill a vacancy, two additional terms may be served by such member if appointed thereto. Whenever any legislative member fails to retain his membership in the house from which he was appointed, he shall relinquish his membership on the Commission and the appointing authority who appointed such member shall make an appointment from his respective house to complete the term. No Senate member shall be eligible to serve more than 2 consecutive 4-year terms and no House member shall be eligible to serve more than 4 consecutive 2-year terms. Vacancies shall be filled for the unexpired terms. Any appointment to fill a vacancy shall be made in the same manner as the original appointment. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

The initial appointments of the active flue-cured tobacco producers, the active burley tobacco producers, and the citizen members shall be as follows: ~~one~~ 1 active flue-cured tobacco producer, ~~one~~ 1 active burley tobacco producer and ~~four~~ 4 nonlegislative citizen members shall be appointed for terms of ~~two~~ 2 years; ~~one~~ 1 active flue-cured tobacco producer, ~~one~~ 1 active burley tobacco producer and ~~four~~ 4 nonlegislative citizen members shall be appointed for terms of ~~three~~ 3 years; and ~~one~~ 1 active flue-cured tobacco producer, ~~one~~ 1 active burley tobacco producer and ~~three~~ 3 nonlegislative citizen members shall be appointed for terms of ~~four~~ 4 years. Thereafter all appointments shall be for terms of ~~four~~ 4 years.

B. The Commission shall appoint from its membership a chairman and a ~~vice-chairman~~ vice chairman, both of whom shall serve in such capacities at the pleasure of the Commission. The chairman, or in his absence, the ~~vice-chairman~~ vice chairman, shall preside at all meetings of the Commission. The meetings of the Commission shall be held on the call of the chairman or whenever the majority of the members so request. A majority of members of the Commission serving at any ~~one~~ 1 time shall constitute a quorum for the transaction of business.

C. Members of the Commission shall receive compensation for their services at the rate provided in the appropriation act and reimbursement for actual expenses incurred in the performance of their duties on behalf of the Commission. Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12, and nonlegislative members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for the reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Such compensation and expenses shall be paid from the Fund.

D. Members and employees of the Commission shall be subject to the standards of conduct set forth in the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and may be removed from office for misfeasance, malfeasance, nonfeasance, neglect of duty, or misconduct in the manner set forth therein.

E. Except as otherwise provided in this chapter, members and employees of the Commission shall be subject to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

F. The chairman of the Board shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 10.1-1018. Virginia Land Conservation Board of Trustees; membership; terms; vacancies; compensation and expenses.

A. The Foundation shall be governed and administered by a Board of Trustees. The Board shall include ~~one~~ member from each congressional district, appointed by the Governor, and six members appointed from the Commonwealth at large, ~~four~~ by the Speaker of the House of Delegates and two by the Senate Committee on Privileges and Elections consist of 18 members that include 17 citizen members and 1 ex officio voting member. Members shall be appointed as follows: 4 citizen members, who may be members of the House of Delegates, to be appointed by the Speaker of the House of Delegates and, if members of the House of Delegates, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; 2 citizen members, who may be members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; 11 nonlegislative citizen members, 1 from each congressional district, to be appointed by the Governor; and the Secretary of Natural Resources or his designee to serve ex officio with voting privileges. Such Nonlegislative citizen members shall be appointed for ~~four~~ 4-year terms, except that initial appointments shall be made for terms of ~~one~~ 1 to ~~four~~ 4 years in a manner whereby no more than ~~six~~ 6 members shall have terms which that expire in the same year. Such Legislative members and ex officio members shall serve terms coincident with their terms of office. All members may be reappointed. However, no nonlegislative citizen member shall serve more than 2 consecutive 4-year terms, no Senate member shall

serve more than 2 consecutive 4-year terms, and no House member shall serve more than 4 consecutive 2-year terms. Appointments to fill vacancies shall be for the unexpired terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments. Nonlegislative citizen members shall have experience or expertise, professional or personal, in one or more of the following areas: natural resource protection and conservation, construction and real estate development, natural habitat protection, environmental resource inventory and identification, forestry management, farming, farmland preservation, fish and wildlife management, historic preservation, and outdoor recreation. At least ~~one~~ 1 of the nonlegislative citizen members shall be a farmer. No such member shall be eligible to serve more than two consecutive four-year terms. Such members shall post bond in the penalty of \$5,000 with the State Comptroller prior to entering upon the functions of office. Appointments to fill vacancies shall be made for the unexpired term.

B. The Secretary of Natural Resources or his designee shall also serve on the Board of Trustees. The term of the Secretary of Natural Resources or his designee shall be coincident with that of the Governor. The Secretary of Natural Resources shall serve as the chairman of the Board of Trustees. The chairman shall serve until his successor is appointed. The members appointed as provided in subsection A shall elect a ~~vice chairman~~ vice chairman annually from among the members of the Board. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business. The board shall meet at the call of the chairman or whenever a majority of the members so request.

C. Trustees of the Foundation shall receive no compensation for their services but shall receive reimbursement for actual. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties on behalf of the Foundation as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Department of Conservation and Recreation.

D. The chairman of the Board and any other person designated by the Board to handle the funds of the Foundation shall give bond, with corporate surety, in such penalty as is fixed by the Governor, conditioned upon the faithful discharge of his duties. The premium on the bonds shall be paid from funds available to the Foundation for such purpose.

E. The Board shall seek assistance in developing grant criteria and advice on grant priorities and any other appropriate issues from a task force consisting of the following agency heads or their designees: the Director of the Department of Conservation and Recreation, the Commissioner of Agriculture and Consumer Services, the State Forester, the Director of the Department of Historic Resources, the Director of the Department of Game and Inland Fisheries and the Executive Director of the Virginia Outdoors Foundation. The Board may request any other agency head to serve on or appoint a designee to serve on the task force.

F. The chairman shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the board no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 18.2-271.2. Commission on VASAP.

A. There is hereby established a in the legislative branch of state government the Commission on the Virginia Alcohol Safety Action Program (VASAP) which. The Commission shall administer and supervise the state system of local alcohol and safety action programs, develop and maintain operation and performance standards for local alcohol and safety action programs, and allocate funding to such programs. The Commission shall be composed consist of ~~three~~ 15 members that includes 6 legislative members and 9 nonlegislative citizen members. Members shall be appointed as follows: 4 current or former members from of the House Committee for Courts of Justice, to be appointed by the Speaker of the House of Delegates and two in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; 2 members from of the Senate Committee for Courts of Justice, to be appointed by the Senate Privileges and Elections Committee; ~~three~~ 3 sitting or retired judges, ~~one~~ 1 each from the circuit, general district and juvenile and domestic relations district courts, who regularly hear or heard cases involving driving under the influence and are familiar with their local alcohol safety action programs, to be appointed by the Chairman of the Committee on District Courts; ~~two~~ 2 directors of local alcohol safety action programs, to be appointed by the legislative members of the Commission; ~~one~~ 1 representative from the law-enforcement profession, to be appointed by the Speaker of the House and ~~one~~ 1 nonlegislative citizen at large, to be appointed by the Senate Committee on Privileges and Elections; ~~one~~ 1 representative from the Virginia Department of Motor Vehicles whose duties are substantially related to matters to be addressed by the Commission to be appointed by the Commissioner of the Department of Motor Vehicles, and ~~one~~ 1 representative from the Department of Mental Health, Mental Retardation and Substance Abuse Services whose duties also substantially involve such matters, to be appointed by the Commissioner of the Department of Mental Health, Mental

Retardation and Substance Abuse Services. All Commission members, other than those members appointed from the House or Senate Committee for Courts of Justice, Legislative members shall serve terms coincident with their terms of office. In accordance with the staggered terms previously established, nonlegislative citizen members shall serve two 2-year terms. However, one-half of such members initially appointed to the Commission shall serve one-year terms and the other one-half shall serve two-year terms. Thereafter, all such appointments shall be for two years.

B. The Commission shall meet quarterly at least 4 times each year at such places as it may from time to time designate. A majority of the members shall constitute a quorum. The Commission shall elect a chairman and vice chairman from among its membership.

The Commission shall be empowered to establish and assure the maintenance of minimum standards and criteria for program operations and performance, accounting, auditing, public information and administrative procedures for the various local alcohol safety action programs and shall be responsible for overseeing the administration of the statewide VASAP system. Such programs shall be certified by the Commission in accordance with procedures set forth in the Commission on VASAP Certification Manual. The Commission shall also oversee program plans, operations and performance and a system for allocating funds to cover deficits which that may occur in the budgets of local programs.

C. The Commission shall appoint and employ and, at its pleasure, remove an executive director and such other persons as it may deem necessary, and determine their duties and fix their salaries or compensation.

D. The Commission shall appoint a Virginia Alcohol Safety Action Program Advisory Board to make recommendations to the Commission regarding its duties and administrative functions. The membership of such Board shall be appointed in the discretion of the Commission and include personnel from (i) local safety action programs, (ii) state or local boards of mental health and mental retardation and (iii) other community mental health services organizations. An assistant attorney general who provides counsel in matters relating to driving under the influence shall also be appointed to the Board.

E. For the performance of their duties, Legislative members of the Commission shall receive compensation as provided in § 30-19.12. Funding for the costs of compensation of legislative members shall be provided by the Commission. All members shall be reimbursed for their actual expenses out of that portion of moneys paid in VASAP defendant entry fees which is forwarded to the Virginia Alcohol Safety Action Program. In addition, per diem compensation shall be allowed for current members of the General Assembly for each day spent in performing their duties.

F. The chairman of the Commission shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 20-108.2. Guideline for determination of child support.

A. There shall be a rebuttable presumption in any judicial or administrative proceeding for child support under this title or Title 16.1 or 63.2, including cases involving split custody or shared custody, that the amount of the award which would result from the application of the guidelines set forth in this section is the correct amount of child support to be awarded. In order to rebut the presumption, the court shall make written findings in the order as set out in § 20-108.1, which findings may be incorporated by reference, that the application of the guidelines would be unjust or inappropriate in a particular case as determined by relevant evidence pertaining to the factors set out in §§ 20-107.2 and 20-108.1. The Department of Social Services shall set child support at the amount resulting from computations using the guidelines set out in this section pursuant to the authority granted to it in Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 and subject to the provisions of § 63.2-1918.

B. For purposes of application of the guideline, a basic child support obligation shall be computed using the schedule set out below. For combined monthly gross income amounts falling between amounts shown in the schedule, basic child support obligation amounts shall be extrapolated. However, unless one of the following exemptions applies where the sole custody child support obligation as computed pursuant to subdivision G. 1. is less than \$65 per month, there shall be a presumptive minimum child support obligation of \$65 per month payable by the payor parent. Exemptions from this presumptive minimum monthly child support obligation shall include: parents unable to pay child support because they lack sufficient assets from which to pay child support and who, in addition, are institutionalized in a psychiatric facility; are imprisoned with no chance of parole; are medically verified to be totally and permanently disabled with no evidence of potential for paying child support, including recipients of Supplemental Security Income (SSI); or are otherwise involuntarily unable to produce income. "Number of children" means the number of children for whom the parents share joint legal responsibility and for whom support is being sought.

SCHEDULE OF MONTHLY BASIC CHILD SUPPORT OBLIGATIONS

551	COMBINED						
552	MONTHLY						
553	GROSS	ONE	TWO	THREE	FOUR	FIVE	SIX
554	INCOME	CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
555	0-599	65	65	65	65	65	65
556	600	110	111	113	114	115	116
557	650	138	140	142	143	145	146
558	700	153	169	170	172	174	176
559	750	160	197	199	202	204	206
560	800	168	226	228	231	233	236
561	850	175	254	257	260	263	266
562	900	182	281	286	289	292	295
563	950	189	292	315	318	322	325
564	1000	196	304	344	348	351	355
565	1050	203	315	373	377	381	385
566	1100	210	326	402	406	410	415
567	1150	217	337	422	435	440	445
568	1200	225	348	436	465	470	475
569	1250	232	360	451	497	502	507
570	1300	241	373	467	526	536	542
571	1350	249	386	483	545	570	576
572	1400	257	398	499	563	605	611
573	1450	265	411	515	581	633	645
574	1500	274	426	533	602	656	680
575	1550	282	436	547	617	672	714
576	1600	289	447	560	632	689	737
577	1650	295	458	573	647	705	754
578	1700	302	468	587	662	721	772
579	1750	309	479	600	676	738	789
580	1800	315	488	612	690	752	805
581	1850	321	497	623	702	766	819
582	1900	326	506	634	714	779	834
583	1950	332	514	645	727	793	848
584	2000	338	523	655	739	806	862
585	2050	343	532	666	751	819	877
586	2100	349	540	677	763	833	891
587	2150	355	549	688	776	846	905
588	2200	360	558	699	788	860	920
589	2250	366	567	710	800	873	934
590	2300	371	575	721	812	886	948
591	2350	377	584	732	825	900	963
592	2400	383	593	743	837	913	977
593	2450	388	601	754	849	927	991
594	2500	394	610	765	862	940	1006
595	2550	399	619	776	874	954	1020
596	2600	405	627	787	886	967	1034
597	2650	410	635	797	897	979	1048
598	2700	415	643	806	908	991	1060
599	2750	420	651	816	919	1003	1073
600	2800	425	658	826	930	1015	1085
601	2850	430	667	836	941	1027	1098
602	2900	435	675	846	953	1039	1112
603	2950	440	683	856	964	1052	1125
604	3000	445	691	866	975	1064	1138
605	3050	450	699	876	987	1076	1152
606	3100	456	707	886	998	1089	1165
607	3150	461	715	896	1010	1101	1178

608	3200	466	723	906	1021	1114	1191
609	3250	471	732	917	1032	1126	1205
610	3300	476	740	927	1044	1139	1218
611	3350	481	748	937	1055	1151	1231
612	3400	486	756	947	1067	1164	1245
613	3450	492	764	957	1078	1176	1258
614	3500	497	772	967	1089	1189	1271
615	3550	502	780	977	1101	1201	1285
616	3600	507	788	987	1112	1213	1298
617	3650	512	797	997	1124	1226	1311
618	3700	518	806	1009	1137	1240	1326
619	3750	524	815	1020	1150	1254	1342
620	3800	530	824	1032	1163	1268	1357
621	3850	536	834	1043	1176	1283	1372
622	3900	542	843	1055	1189	1297	1387
623	3950	547	852	1066	1202	1311	1402
624	4000	553	861	1078	1214	1325	1417
625	4050	559	871	1089	1227	1339	1432
626	4100	565	880	1101	1240	1353	1448
627	4150	571	889	1112	1253	1367	1463
628	4200	577	898	1124	1266	1382	1478
629	4250	583	907	1135	1279	1396	1493
630	4300	589	917	1147	1292	1410	1508
631	4350	594	926	1158	1305	1424	1523
632	4400	600	935	1170	1318	1438	1538
633	4450	606	944	1181	1331	1452	1553
634	4500	612	954	1193	1344	1467	1569
635	4550	618	963	1204	1357	1481	1584
636	4600	624	972	1216	1370	1495	1599
637	4650	630	981	1227	1383	1509	1614
638	4700	635	989	1237	1395	1522	1627
639	4750	641	997	1247	1406	1534	1641
640	4800	646	1005	1257	1417	1546	1654
641	4850	651	1013	1267	1428	1558	1667
642	4900	656	1021	1277	1439	1570	1679
643	4950	661	1028	1286	1450	1582	1692
644	5000	666	1036	1295	1460	1593	1704
645	5050	671	1043	1305	1471	1605	1716
646	5100	675	1051	1314	1481	1616	1728
647	5150	680	1058	1323	1492	1628	1741
648	5200	685	1066	1333	1502	1640	1753
649	5250	690	1073	1342	1513	1651	1765
650	5300	695	1081	1351	1524	1663	1778
651	5350	700	1088	1361	1534	1674	1790
652	5400	705	1096	1370	1545	1686	1802
653	5450	710	1103	1379	1555	1697	1815
654	5500	714	1111	1389	1566	1709	1827
655	5550	719	1118	1398	1576	1720	1839
656	5600	724	1126	1407	1587	1732	1851
657	5650	729	1133	1417	1598	1743	1864
658	5700	734	1141	1426	1608	1755	1876
659	5750	739	1148	1435	1619	1766	1888
660	5800	744	1156	1445	1629	1778	1901
661	5850	749	1163	1454	1640	1790	1913
662	5900	753	1171	1463	1650	1801	1925
663	5950	758	1178	1473	1661	1813	1937

664	6000	763	1186	1482	1672	1824	1950
665	6050	768	1193	1491	1682	1836	1962
666	6100	773	1201	1501	1693	1847	1974
667	6150	778	1208	1510	1703	1859	1987
668	6200	783	1216	1519	1714	1870	1999
669	6250	788	1223	1529	1724	1882	2011
670	6300	792	1231	1538	1735	1893	2023
671	6350	797	1238	1547	1745	1905	2036
672	6400	802	1246	1557	1756	1916	2048
673	6450	807	1253	1566	1767	1928	2060
674	6500	812	1261	1575	1777	1940	2073
675	6550	816	1267	1583	1786	1949	2083
676	6600	820	1272	1590	1794	1957	2092
677	6650	823	1277	1597	1801	1965	2100
678	6700	827	1283	1604	1809	1974	2109
679	6750	830	1288	1610	1817	1982	2118
680	6800	834	1293	1617	1824	1990	2127
681	6850	837	1299	1624	1832	1999	2136
682	6900	841	1304	1631	1839	2007	2145
683	6950	845	1309	1637	1847	2016	2154
684	7000	848	1315	1644	1855	2024	2163
685	7050	852	1320	1651	1862	2032	2172
686	7100	855	1325	1658	1870	2041	2181
687	7150	859	1331	1665	1878	2049	2190
688	7200	862	1336	1671	1885	2057	2199
689	7250	866	1341	1678	1893	2066	2207
690	7300	870	1347	1685	1900	2074	2216
691	7350	873	1352	1692	1908	2082	2225
692	7400	877	1358	1698	1916	2091	2234
693	7450	880	1363	1705	1923	2099	2243
694	7500	884	1368	1712	1931	2108	2252
695	7550	887	1374	1719	1938	2116	2261
696	7600	891	1379	1725	1946	2124	2270
697	7650	895	1384	1732	1954	2133	2279
698	7700	898	1390	1739	1961	2141	2288
699	7750	902	1395	1746	1969	2149	2297
700	7800	905	1400	1753	1977	2158	2305
701	7850	908	1405	1758	1983	2164	2313
702	7900	910	1409	1764	1989	2171	2320
703	7950	913	1414	1770	1995	2178	2328
704	8000	916	1418	1776	2001	2185	2335
705	8050	918	1423	1781	2007	2192	2343
706	8100	921	1428	1787	2014	2198	2350
707	8150	924	1432	1793	2020	2205	2357
708	8200	927	1437	1799	2026	2212	2365
709	8250	929	1441	1804	2032	2219	2372
710	8300	932	1446	1810	2038	2226	2380
711	8350	935	1450	1816	2045	2232	2387
712	8400	937	1455	1822	2051	2239	2395
713	8450	940	1459	1827	2057	2246	2402
714	8500	943	1464	1833	2063	2253	2410
715	8550	945	1468	1839	2069	2260	2417
716	8600	948	1473	1845	2076	2266	2425
717	8650	951	1478	1850	2082	2273	2432
718	8700	954	1482	1856	2088	2280	2440
719	8750	956	1487	1862	2094	2287	2447
720	8800	959	1491	1868	2100	2294	2455

721	8850	962	1496	1873	2107	2300	2462
722	8900	964	1500	1879	2113	2307	2470
723	8950	967	1505	1885	2119	2314	2477
724	9000	970	1509	1891	2125	2321	2484
725	9050	973	1514	1896	2131	2328	2492
726	9100	975	1517	1901	2137	2334	2498
727	9150	977	1521	1905	2141	2339	2503
728	9200	979	1524	1909	2146	2344	2509
729	9250	982	1527	1914	2151	2349	2514
730	9300	984	1531	1918	2156	2354	2520
731	9350	986	1534	1922	2160	2359	2525
732	9400	988	1537	1926	2165	2365	2531
733	9450	990	1541	1930	2170	2370	2536
734	9500	993	1544	1935	2175	2375	2541
735	9550	995	1547	1939	2179	2380	2547
736	9600	997	1551	1943	2184	2385	2552
737	9650	999	1554	1947	2189	2390	2558
738	9700	1001	1557	1951	2194	2396	2563
739	9750	1003	1561	1956	2198	2401	2569
740	9800	1006	1564	1960	2203	2406	2574
741	9850	1008	1567	1964	2208	2411	2580
742	9900	1010	1571	1968	2213	2416	2585
743	9950	1012	1574	1972	2218	2421	2590
744	10000	1014	1577	1977	2222	2427	2596

745
746 For gross monthly income between \$10,000 and \$20,000, add the amount of child support for
747 \$10,000 to the following percentages of gross income above \$10,000:

748 ONE	TWO	THREE	FOUR	FIVE	SIX
749 CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
750 3.1%	5.1%	6.8%	7.8%	8.8%	9.5%

751
752 For gross monthly income between \$20,000 and \$50,000, add the amount of child support for
753 \$20,000 to the following percentages of gross income above \$20,000:

754 ONE	TWO	THREE	FOUR	FIVE	SIX
755 CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
756 2%	3.5%	5%	6%	6.9%	7.8%

757
758 For gross monthly income over \$50,000, add the amount of child support for \$50,000 to the
759 following percentages of gross income above \$50,000:

760 ONE	TWO	THREE	FOUR	FIVE	SIX
761 CHILD	CHILDREN	CHILDREN	CHILDREN	CHILDREN	CHILDREN
762 1%	2%	3%	4%	5%	6%

763
764 C. For purposes of this section, "gross income" means all income from all sources, and shall include,
765 but not be limited to, income from salaries, wages, commissions, royalties, bonuses, dividends, severance
766 pay, pensions, interest, trust income, annuities, capital gains, social security benefits except as listed
767 below, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits,
768 veterans' benefits, spousal support, rental income, gifts, prizes or awards.

769 If a parent's gross income includes disability insurance benefits, it shall also include any amounts
770 paid to or for the child who is the subject of the order and derived by the child from the parent's
771 entitlement to disability insurance benefits. To the extent that such derivative benefits are included in a
772 parent's gross income, that parent shall be entitled to a credit against his or her ongoing basic child
773 support obligation for any such amounts, and, if the amount of the credit exceeds the parent's basic child
774 support obligations, the credit may be used to reduce arrearages.

775 Gross income shall be subject to deduction of reasonable business expenses for persons with income
776 from self-employment, a partnership, or a closely held business. "Gross income" shall not include
777 benefits from public assistance and social services programs as defined in § 63.2-100, federal
778 supplemental security income benefits, or child support received. For purposes of this subsection: (i)

779 spousal support received shall be included in gross income and spousal support paid shall be deducted
780 from gross income when paid pursuant to an order or written agreement and (ii) one-half of any
781 self-employment tax paid shall be deducted from gross income.

782 Where there is an existing court or administrative order or written agreement relating to the child or
783 children of a party to the proceeding, who are not the child or children who are the subject of the
784 present proceeding, then there is a presumption that there shall be deducted from the gross income of
785 the party subject to such order or written agreement, the amount that the party is actually paying for the
786 support of a child or children pursuant to such order or agreement.

787 Where a party to the proceeding has a natural or adopted child or children in the party's household
788 or primary physical custody, and the child or children are not the subject of the present proceeding,
789 there is a presumption that there shall be deducted from the gross income of that party the amount as
790 shown on the Schedule of Monthly Basic Child Support Obligations contained in subsection B that
791 represents that party's support obligation based solely on that party's income as being the total income
792 available for the natural or adopted child or children in the party's household or primary physical
793 custody, who are not the subject of the present proceeding. Provided, however, that the existence of a
794 party's financial responsibility for such a child or children shall not of itself constitute a material change
795 in circumstances for modifying a previous order of child support in any modification proceeding. Any
796 adjustment to gross income under this subsection shall not create or reduce a support obligation to an
797 amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and
798 provide other basic necessities for the child, as determined by the court.

799 In cases in which retroactive liability for support is being determined, the court or administrative
800 agency may use the gross monthly income of the parties averaged over the period of retroactivity.

801 D. Any extraordinary medical and dental expenses for treatment of the child or children shall be
802 added to the basic child support obligation. For purposes of this section, extraordinary medical and
803 dental expenses are uninsured expenses in excess of \$100 for a single illness or condition and shall
804 include but not be limited to eyeglasses, prescription medication, prostheses, and mental health services
805 whether provided by a social worker, psychologist, psychiatrist, or counselor.

806 E. Any costs for health care coverage as defined in § 63.2-1900 and dental care coverage, when
807 actually being paid by a parent, to the extent such costs are directly allocable to the child or children,
808 and which are the extra costs of covering the child or children beyond whatever coverage the parent
809 providing the coverage would otherwise have, shall be added to the basic child support obligation.

810 F. Any child-care costs incurred on behalf of the child or children due to employment of the
811 custodial parent shall be added to the basic child support obligation. Child-care costs shall not exceed
812 the amount required to provide quality care from a licensed source. When requested by the noncustodial
813 parent, the court may require the custodial parent to present documentation to verify the costs incurred
814 for child care under this subsection. Where appropriate, the court shall consider the willingness and
815 availability of the noncustodial parent to provide child care personally in determining whether child-care
816 costs are necessary or excessive.

817 G. 1. Sole custody support. The sole custody total monthly child support obligation shall be
818 established by adding (i) the monthly basic child support obligation, as determined from the schedule
819 contained in subsection B, (ii) all extraordinary medical expenses, (iii) costs for health care coverage to
820 the extent allowable by subsection E, and (iv) work-related child-care costs and taking into consideration
821 all the factors set forth in subsection B of § 20-108.1. The total monthly child support obligation shall
822 be divided between the parents in the same proportion as their monthly gross incomes bear to their
823 monthly combined gross income. The monthly obligation of each parent shall be computed by
824 multiplying each parent's percentage of the parents' monthly combined gross income by the total
825 monthly child support obligation.

826 However, the monthly obligation of the noncustodial parent shall be reduced by the cost for health
827 care coverage to the extent allowable by subsection E when paid directly by the noncustodial parent.

828 2. Split custody support. In cases involving split custody, the amount of child support to be paid
829 shall be the difference between the amounts owed by each parent as a noncustodial parent, computed in
830 accordance with subdivision 1, with the noncustodial parent owing the larger amount paying the
831 difference to the other parent.

832 For the purpose of this section and § 20-108.1, split custody shall be limited to those situations
833 where each parent has physical custody of a child or children born of the parents, born of either parent
834 and adopted by the other parent or adopted by both parents. For the purposes of calculating a child
835 support obligation where split custody exists, a separate family unit exists for each parent, and child
836 support for that family unit shall be calculated upon the number of children in that family unit who are
837 born of the parents, born of either parent and adopted by the other parent or adopted by both parents.
838 Where split custody exists, a parent is a custodial parent to the children in that parent's family unit and
839 is a noncustodial parent to the children in the other parent's family unit.

840 3. Shared custody support.

(a) Where a party has custody or visitation of a child or children for more than ninety days of the year, as such days are defined in subdivision G 3 (c), a shared custody child support amount based on the ratio in which the parents share the custody and visitation of any child or children shall be calculated in accordance with this subdivision. The presumptive support to be paid shall be the shared custody support amount, unless a party affirmatively shows that the sole custody support amount calculated as provided in subdivision G 1 is less than the shared custody support amount. If so, the lesser amount shall be the support to be paid. For the purposes of this subsection, the following shall apply:

(i) Income share. "Income share" means a parent's percentage of the combined monthly gross income of both parents. The income share of a parent is that parent's gross income divided by the combined gross incomes of the parties.

(ii) Custody share. "Custody share" means the number of days that a parent has physical custody, whether by sole custody, joint legal or joint residential custody, or visitation, of a shared child per year divided by the number of days in the year. The actual or anticipated "custody share" of the parent who has or will have fewer days of physical custody shall be calculated for a one-year period. The "custody share" of the other parent shall be presumed to be the number of days in the year less the number of days calculated as the first parent's "custody share." For purposes of this calculation, the year may begin on such date as is determined in the discretion of the court, and the day may begin at such time as is determined in the discretion of the court. For purposes of this calculation, a day shall be as defined in subdivision G 3 (c).

(iii) Shared support need. "Shared support need" means the presumptive guideline amount of needed support for the shared child or children calculated pursuant to subsection B of this section, for the combined gross income of the parties and the number of shared children, multiplied by 1.4.

(iv) Sole custody support. "Sole custody support" means the support amount determined in accordance with subdivision G 1.

(b) Support to be paid. The shared support need of the shared child or children shall be calculated pursuant to subdivision G 3 (a) (iii). This amount shall then be multiplied by the other parent's custody share. To that sum for each parent shall be added the other parent's cost of health care coverage to the extent allowable by subsection E, plus the other parent's work-related child-care costs to the extent allowable by subsection F. This total for each parent shall be multiplied by that parent's income share. The support amounts thereby calculated that each parent owes the other shall be subtracted one from the other and the difference shall be the shared custody support one parent owes to the other, with the payor parent being the one whose shared support is the larger. Any extraordinary medical and dental expenses, to the extent allowable by subsection D, shall be shared directly by the parents in accordance with their income shares, and shall not be adjusted by the custody share. The parents shall pay their respective shares of these extraordinary medical expenses as they are incurred, and they are not added to each party's shared custody support owed to the other party. The method of payment of said allowable expenses shall be contained in the support order. When the shared support is compared to the sole custody support to determine which is the lesser support, pursuant to subdivision G 3 (a), the extraordinary medical expenses shall not enter into either calculation.

(c) Definition of a day. For the purposes of this section, "day" means a period of ~~twenty-four~~ 24 hours; however, where the parent who has the fewer number of overnight periods during the year has an overnight period with a child, but has physical custody of the shared child for less than ~~twenty-four~~ 24 hours during such overnight period, there is a presumption that each parent shall be allocated one-half of a day of custody for that period.

(d) Minimum standards. Any calculation under this subdivision shall not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child. If the gross income of either party is equal to or less than 150 percent of the federal poverty level promulgated by the U.S. Department of Health and Human Services from time to time, then the shared custody support calculated pursuant to this subsection shall not be the presumptively correct support and the court may consider whether the sole custody support or the shared custody support is more just and appropriate.

(e) Support modification. When there has been an award of child support based on the shared custody formula and one parent consistently fails to exercise custody or visitation in accordance with the parent's custody share upon which the award was based, there shall be a rebuttable presumption that the support award should be modified.

(f) In the event that the shared custody support calculation indicates that the net support is to be paid to the parent who would not be the parent receiving support pursuant to the sole custody calculation, then the shared support shall be deemed to be the lesser support.

H. The Secretary of Health and Human Resources shall ensure that the guideline set out in this section is reviewed by October 31, 2001, and every ~~three~~ 3 years thereafter, by a ~~panel~~ the Child

902 *Support Guidelines Review Panel, consisting of 15 members that includes a 4 legislative members and*
 903 *11 nonlegislative citizen members. Members shall be appointed as follows: 3 members of the House*
 904 *Committee for Courts of Justice, to be appointed by the Speaker of the House of Delegates; 1 member*
 905 *of the Senate Committee for Courts, to be appointed by the Senate Committee on Privileges and*
 906 *Elections; and 1 representative of a juvenile and domestic relations district court and a, 1 representative*
 907 *of a circuit court, a 1 representative of the executive branch; a member of the House of Delegates, a*
 908 *member of the Senate to be appointed by the chairmen of the House and Senate Committees for Courts*
 909 *of Justice, Department of Social Services' Division of Child Support Enforcement, 3 members of the bar*
 910 *Virginia State Bar, two 2 custodial and two parents, 2 noncustodial parents, and a 1 child advocate,*
 911 *upon the recommendation of the Secretary of Health and Human Resources, to be appointed by the*
 912 *Governor. The panel Panel shall determine the adequacy of the guideline for the determination of*
 913 *appropriate awards for the support of children by considering current research and data on the cost of*
 914 *and expenditures necessary for rearing children, and any other resources it deems relevant to such*
 915 *review. The panel Panel shall report its findings to the General Assembly as provided in the procedures*
 916 *of the Division of Legislative Automated Systems for the processing of legislative documents and reports*
 917 *before it the General Assembly next convenes following such review.*

918 *I. Legislative members shall serve terms coincident with their terms of office. All members may be*
 919 *reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the*
 920 *unexpired terms. However, no House member shall serve more than 4 consecutive 2-year terms, and no*
 921 *Senate member shall serve more than 2 consecutive 4-year terms. The remainder of any term to which a*
 922 *legislative member is appointed to fill a vacancy shall not constitute a term in determining the member's*
 923 *eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.*
 924 *Nonlegislative citizen members shall serve at the pleasure of the Governor.*

925 *J. Legislative members shall receive such compensation as provided in § 30-19.12, and nonlegislative*
 926 *citizen members shall receive such compensation for the performance of their duties as provided in*
 927 *§ 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the*
 928 *performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of*
 929 *compensation and expenses of the members shall be provided by the Department of Social Services.*

930 *K. The Department of Social Services shall provide staff support to the Panel. All agencies of the*
 931 *Commonwealth shall provide assistance to the Panel, upon request.*

932 *L. The chairman shall submit to the Governor and the General Assembly a triennial executive*
 933 *summary of the interim activity and work of the Panel no later than the first day of each regular session*
 934 *of the General Assembly. The executive summary shall be submitted as provided in the procedures of the*
 935 *Division of Legislative Automated Systems for the processing of legislative documents and reports and*
 936 *shall be posted on the General Assembly's website.*

937 *§ 22.1-337. Virginia representatives on Education Commission of the States.*

938 *There In accordance with the Compact for Education of 1968, which established the Education*
 939 *Commission of the States, there shall be seven 7 member commissioners representing Virginia on the*
 940 *Education Commission of the States. These The commissioners shall consist of the Governor, one 1*
 941 *member selected from the body of the House of Delegates, to be appointed by the Speaker thereof, one*
 942 *of the House of Delegates; 1 member selected from the body of the Senate of Virginia, to be appointed*
 943 *by the Committee on Privileges and Elections of the Senate, and four; 4 nonlegislative citizen members,*
 944 *of whom 1 shall be the Superintendent of Public Instruction, to be appointed by the Governor. The term*
 945 *of the member from the House shall be two years; the term of the member from the Senate shall*
 946 *terminate at the end of his current term as Senator. The terms of the members appointed by the*
 947 *Governor; and the Governor. The commissioners representing Virginia shall by virtue of their training,*
 948 *experience, knowledge, or affiliations, collectively reflect the broad interests of state government, the*
 949 *state's system of education, public and higher education, nonprofessional and professional public and*
 950 *nonpublic educational leadership.*

951 *Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen*
 952 *members shall be for four years each except that appointments serve at the pleasure of the Governor.*
 953 *Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. The*
 954 *Governor, the Committee on Privileges and Elections of the Senate and the Speaker shall have the*
 955 *authority to fill all vacancies in the manner of the original appointment. All members may be*
 956 *reappointed. However, no House member shall serve more than 4 consecutive 2-year terms, no Senate*
 957 *member shall serve more than 2 consecutive 4-year terms, and no nonlegislative citizen member shall*
 958 *serve for more than 8 consecutive years. The remainder of any term to which a member is appointed to*
 959 *fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.*
 960 *Vacancies shall be filled in the same manner as the original appointments.*

961 *The Governor shall designate one 1 member commissioner to serve as chairman of the group*
 962 *Virginia commissioners for a two2-year term. The commissioners shall meet on the call of the chairman*
 963 *or at the request of a majority of the members. A majority of the member commissioners shall constitute*

a quorum for any meeting. The commissioners may consider any and all matters related to recommendations of the Education Commission of the States or the general activities and business of the organization and shall have the authority to represent the Commonwealth in all actions of the Commission.

The commissioners shall serve without compensation ~~but shall be paid their actual and~~. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties; ~~such expenses to be paid from funds appropriated to the General Assembly as provided in §§ 2.2-2813 and 2.2-2825. The costs of expenses of the legislative commissioners incurred in the performance of their duties shall be paid from appropriations to the Virginia Commission on Intergovernmental Cooperation for the attendance of conferences. The costs of expenses of nonlegislative citizen commissioners incurred in the performance of their duties shall be paid from such funds as may be provided for this purpose in the appropriations act.~~

The chairman of the Commissioners shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the group no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 22.1-354.1. Western Virginia Public Education Consortium and board created; region defined; governing board.

A. The Western Virginia Public Education Consortium is hereby established and shall be referred to in this chapter as the Consortium. For the purposes of this chapter and the work of the Consortium, "Western Virginia" shall include the Counties of Alleghany, Bath, Bland, Botetourt, Craig, Floyd, Franklin, Giles, Henry, Montgomery, Patrick, Pulaski, Roanoke, and Wythe, and the Cities of Covington, Clifton Forge, Martinsville, Radford, Roanoke, and Salem. The governing board of the Consortium shall consist of 35 members, that include 16 legislative members and the 19 school superintendents of the named localities. ~~The region's legislators shall serve as nonvoting, advisory members of the board~~ Members shall be appointed as follows: 11 members of the House of Delegates representing the Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Sixteenth, Seventeenth, and Nineteenth House Districts, to be appointed by the Speaker of the House of Delegates; 5 members of the Senate representing the Twentieth, Twenty-first, Twenty-second, and Twenty-fifth Senatorial Districts and the Senatorial District comprising Montgomery County and the City of Clifton Forge, to be appointed by the Senate Committee on Privileges and Elections, all serving as ex officio nonvoting members; and the school superintendents of Alleghany and Clifton Forge, Bath, Bland, Botetourt, Craig, Floyd, Franklin, Giles, Henry, Montgomery, to be appointed by the Speaker of the House; and Patrick, Pulaski, Roanoke County, Wythe, Covington, Martinsville, Radford, Roanoke City, and Salem, to be appointed by the Senate Committee on Privileges and Elections.

B. Legislative and nonlegislative citizen members shall serve terms coincident with their terms of office. Appointments to fill vacancies shall be for the unexpired terms. All members may be reappointed. The remainder of any term to which a member is appointed to fill a vacancy shall be filled in the same manner as the original appointments. The board shall elect a chairman and a vice chairman from among its members.

C. Members of the board shall serve without compensation. All members shall be reimbursed for ~~their actual~~ reasonable and necessary expenses incurred in the performance of their duties in the work of the Consortium. ~~The board shall elect a chairman and a vice-chairman from among its members, as provided in §§ 2.2-2813 and 2.2-2825. All such expenses shall be paid from existing appropriations to or received by the Consortium, or if unfunded shall be approved by the Joint Rules Committee.~~

D. A majority of the members of the board shall constitute a quorum. The board shall meet at the call of the chairman or whenever a majority of the members so request.

E. The chairman of the board shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the board no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-156. Virginia State Crime Commission; purpose; membership; terms; compensation; voting on recommendations; chairman's executive summary.

A. The Virginia State Crime Commission (the "Commission") is established in the legislative branch of state government. The purpose of the Commission shall be to study, report and make recommendations on all areas of public safety and protection. In so doing it shall endeavor to ascertain the causes of crime and recommend ways to reduce and prevent it, explore and recommend methods of rehabilitation of convicted criminals, study compensation of persons in law enforcement and related fields and study other related matters including apprehension, trial and punishment of criminal offenders.

1025 The Commission shall make such recommendations as it deems appropriate with respect to the foregoing
 1026 matters, and shall coordinate the proposals and recommendations of all commissions and agencies as to
 1027 legislation affecting crimes, crime control and criminal procedure. The Commission shall cooperate with
 1028 the executive branch of state government, the Attorney General's office and the judiciary who are in turn
 1029 encouraged to cooperate with the Commission. The Commission will cooperate with governments and
 1030 governmental agencies of other states and the United States.

1031 B. The Commission shall consist of ~~thirteen~~ 13 members ~~to be appointed that include 9 legislative~~
 1032 ~~members, 3 nonlegislative citizen members, and a state official~~ as follows: ~~six~~ 6 members of the House
 1033 of Delegates to be appointed by the Speaker of the House of Delegates ~~in accordance with the~~
 1034 ~~principles of proportional representation contained in the Rules of the House of Delegates;~~ ~~three~~ 3
 1035 members of the Senate to be appointed by the Senate Committee on Privileges and Elections; ~~three~~ 3
 1036 nonlegislative citizen members to be appointed by the Governor; and the Attorney General or his
 1037 designee. *Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless*
 1038 *otherwise approved by the chairman of the Commission, nonlegislative citizen members shall only be*
 1039 *reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of*
 1040 *attending meetings.*

1041 C. The term of each appointee shall be for ~~four~~ 2 years, except that the Attorney General ~~and~~
 1042 ~~legislative members~~ shall serve a ~~term~~ *terms* coincident with ~~his term~~ *their terms* of office. ~~Whenever~~
 1043 ~~any legislative member fails to retain his membership in the house from which he was appointed, his~~
 1044 ~~membership on the Commission shall become vacated and the appointing authority who appointed such~~
 1045 ~~vacating member shall make an appointment from his respective house to fulfill the vacated term. All~~
 1046 ~~members may be reappointed. However, no House member shall serve more than 4 consecutive 2-year~~
 1047 ~~terms, no Senate member shall serve more than 2 consecutive 4-year terms, and no nonlegislative citizen~~
 1048 ~~member shall serve more than 4 consecutive 2-year terms. The remainder of any term to which a~~
 1049 ~~member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility~~
 1050 ~~for reappointment. Appointments to fill vacancies shall be made for the unexpired terms. Vacancies shall~~
 1051 ~~be filled in the same manner as the original appointment.~~

1052 D. The Commission shall elect ~~its own~~ a chairman and vice chairman annually, who shall be
 1053 members of the General Assembly.

1054 E. Members of the Commission shall receive compensation as provided in § 30-19.12 and shall be
 1055 reimbursed for all reasonable and necessary expenses incurred in the discharge of their duties as
 1056 provided in §§ 2.2-2813 and 2.2-2825. All such expense payments, however, shall come from existing
 1057 appropriations to the Virginia Crime Commission.

1058 F. *Upon the election of a majority of Senate members appointed to the Commission or a majority of*
 1059 *the members of the House of Delegates appointed to the Commission, no recommendation of the*
 1060 *Commission shall be adopted without the approval of a majority of such members of the Senate and a*
 1061 *majority of such members of the House of Delegates. For the purpose of this provision, a "majority"*
 1062 *constitutes the members present and voting at the meeting of the Commission.*

1063 G. The chairman of the Commission shall submit to the Governor and the General Assembly an
 1064 annual executive summary of the interim activity and work of the Commission no later than the first day
 1065 of each regular session of the General Assembly. The executive summary shall be submitted as provided
 1066 in the procedures of the Division of Legislative Automated Systems for the processing of legislative
 1067 documents and reports and shall be posted on the General Assembly's website.

1068 § 30-173. Commission of Senate and Commission of House of Delegates on Interstate Cooperation.

1069 A. There is established a Commission on Interstate Cooperation of the Senate, to consist of ~~six~~ 6
 1070 senators. The members shall be appointed and the chairman of this Commission shall be designated
 1071 from among the membership of the Commission by the Senate Committee on Privileges and Elections.

1072 B. There is established a Commission on Interstate Cooperation of the House of Delegates, also to
 1073 consist of ~~six~~ 6 members; and the members shall be appointed and the chairman of this Commission
 1074 shall be designated ~~in the same manner as is customary in the case of the members and chairmen of~~
 1075 ~~standing committees of the House of Delegates from among the membership of the Commission by the~~
 1076 ~~Speaker of the House of Delegates in accordance with the principles of proportional representation as~~
 1077 ~~contained in the Rules of the House of Delegates.~~

1078 C. Such bodies of the Senate and of the House of Delegates shall function during the regular
 1079 sessions of the General Assembly and also during the interim periods between such sessions. ~~Their~~
 1080 ~~members shall serve until their successors are designated~~ *Members appointed and designated shall serve*
 1081 *terms coincident with their terms of office.*

1082 D. Members of the commissions shall receive such compensation as provided in § 30-19.12 and shall
 1083 be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties
 1084 pursuant to § 30-171 and this section as provided in §§ 2.2-2813 and 2.2-2825.

1085 § 30-182. Small Business Commission; purpose; membership; terms; compensation; staff.

1086 A. The Small Business Commission (the "Commission") is established in the legislative branch of

state government. The purpose of the Commission shall be to study, report and make recommendations on issues of concern to small businesses in the Commonwealth.

B. The Commission shall consist of ~~fourteen~~ 14 members ~~to that include 10 legislative members and 4 nonlegislative citizen members.~~ Members shall be appointed as follows: ~~six~~ 6 members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~four~~ 4 members of the Senate to be appointed by the Senate Committee on Privileges and Elections; and ~~four~~ 4 nonlegislative citizen members, each of whom shall have previously demonstrated small business experience or expertise, to be appointed by the Governor. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

All gubernatorial appointments to the Commission shall be for terms of ~~four~~ 2 years. Legislative members shall serve terms coincident to their terms of office. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. ~~Whenever any legislative member fails to retain his membership in the house from which he was appointed, he shall relinquish his membership on the Commission and the appointing authority who appointed such member shall make an appointment from his respective house to complete the term. Any member may be reappointed for successive terms. All members may be reappointed. However, no House member shall serve more than 4 consecutive 2-year terms, no Senate member shall serve more than 2 consecutive 4-year terms, and no nonlegislative citizen member shall serve more than 4 consecutive 2-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.~~

C. The members of the Commission shall elect a chairman and a ~~vice-chairman~~ vice-chairman annually, who shall be members of the General Assembly.

D. Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the ~~discharge~~ performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing appropriations to the Commission and, if unfunded, shall be approved by the Joint Rules Committee.

E. ~~The Division of Legislative Services shall serve as staff to the Commission.~~ The office of the Clerk of the chairman of the Commission shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. All agencies of the Commonwealth shall assist the Commission, upon request.

F. Upon the election of a majority of Senate members appointed to the Commission or a majority of the members of the House of Delegates appointed to the Commission, no recommendation of the Commission shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates. For the purpose of this provision, a "majority" constitutes the members present and voting at the meeting of the Commission.

G. The chairman of the Commission shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

CHAPTER 31 .

COMMISSION ON ELECTRIC UTILITY RESTRUCTURING.

§ 30-201. Commission on Electric Utility Restructuring; purpose.

The Commission on Electric Utility Restructuring (the "Commission") is established in the legislative branch of state government. The purpose of the Commission is to work collaboratively with the State Corporation Commission in conjunction with the phase-in of retail competition within the Commonwealth.

§ 30-202. Membership; terms; vacancies; chairman and vice chairman.

The Commission shall consist of 10 legislative members. Members shall be appointed as follows: 4 members of the Senate to be appointed by the Senate Committee on Privileges and Elections and 6 members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates.

Members of the Commission shall serve terms coincident with their terms of office. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice chairman from among its membership, who shall be

1148 members of the General Assembly.

1149 The chairman of the Commission shall be authorized to designate 1 or more members of the
1150 Commission to observe and participate in the discussions of any work group convened by the State
1151 Corporation Commission in furtherance of its duties under the Virginia Electric Utility Restructuring Act
1152 (§ 56-576 et seq.) and this chapter. Members participating in such discussions shall be entitled to
1153 compensation and reimbursement provided in § 30-204, if approved by the Joint Rules Committee or its
1154 Budget Oversight Subcommittee.

1155 § 30-203. Quorum; meetings; voting on recommendations.

1156 A majority of the voting members shall constitute a quorum. The meetings of the Commission shall
1157 be held at the call of the chairman or whenever the majority of the voting members so request.

1158 Upon the election of a majority of the Senate members appointed to the Commission or a majority of
1159 the members of the House of Delegates appointed to the Commission, no recommendation of the
1160 Commission shall be adopted without the approval of a majority of such members of the Senate and a
1161 majority of such members of the House of Delegates. For the purpose of this provision, a "majority"
1162 constitutes the members present and voting at the meeting of the Commission.

1163 § 30-204. Compensation; expenses.

1164 Members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be
1165 reimbursed for reasonable and necessary expenses incurred in the performance of their duties as
1166 provided in § 2.2-2813. However, all such compensation and expenses shall be paid from existing
1167 appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

1168 § 30-205. Powers and duties of the Commission.

1169 The Commission shall have the following powers and duties:

1170 1. Monitor the work of the State Corporation Commission in implementing Chapter 23 (§ 56-576 et
1171 seq.) of Title 56, receiving such reports as the Commission may be required to make pursuant thereto,
1172 including reviews, analyses, and impact on consumer of electric utility restructuring programs in other
1173 states;

1174 2. Determine whether, and on what basis, incumbent electric utilities should be permitted to discount
1175 capped generation rates established pursuant to § 56-582;

1176 3. Monitor, after the commencement of customer choice and with the assistance of the State
1177 Corporation Commission and the Office of Attorney General, the incumbent electric utilities, suppliers,
1178 and retail customers, whether the recovery of stranded costs, as provided in § 56-584, has resulted or is
1179 likely to result in the overrecovery or underrecovery of just and reasonable net stranded costs;

1180 4. Examine (i) utility worker protection during the transition to retail competition, (ii) generation,
1181 transmission and distribution systems reliability concerns, and (iii) energy assistance programs for
1182 low-income households;

1183 5. Establish 1 or more subcommittees of its membership, to meet at the direction of the chairman of
1184 the Commission, for any purpose within the scope of the duties prescribed to the Commission by this
1185 section; and

1186 6. Report annually to the Governor and the General Assembly on the progress of each stage of the
1187 phase-in of retail competition and offer such recommendations as may be appropriate for legislative and
1188 administrative consideration in order to maintain the Commonwealth's position as a low-cost electricity
1189 market and ensure that residential customers and small business customers benefit from competition.

1190 § 30-206. Staffing.

1191 The Office of the Clerk of the chairman of the Commission shall provide administrative staff support.
1192 The Division of Legislative Services shall provide legal, research, policy analysis and other services as
1193 requested by the Commission. All agencies of the Commonwealth shall provide assistance to the
1194 Commission, upon request.

1195 § 30-207. Chairman's executive summary of activity and work of the Commission.

1196 The chairman shall submit to the Governor and the General Assembly an annual executive summary
1197 of the interim activity and work of the Commission no later than the first day of each regular session of
1198 the General Assembly. The executive summary shall be submitted as provided in the procedures of the
1199 Division of Legislative Automated Systems for the processing of legislative documents and reports and
1200 shall be posted on the General Assembly's website.

1201 § 30-208. Consumer Advisory Board.

1202 A. There shall be established a Consumer Advisory Board to assist the Commission on Electric
1203 Utility Restructuring in its work as prescribed in § 30-205 and on other issues as may be directed by
1204 the Commission. The Board shall consist of 8 members as follows: 3 nonlegislative citizen members
1205 appointed by the Senate Committee on Privileges and Elections; 4 nonlegislative citizen members
1206 appointed by the Speaker of the House of Delegates and a member of the Commission designated by the
1207 chairman to serve as a nonvoting liaison member. Appointed members shall be from all classes of
1208 consumers and with geographical representation and shall be citizens of the Commonwealth. The
1209 chairman of the Commission shall select the chairman of the Board.

B. The Board shall be limited to meeting on the call of the chairman of the Commission.

C. The legislative member of the Board shall receive compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in § 2.2-2825. However, all such compensation shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee. Unless otherwise approved in writing by the chairman of the Commission, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

D. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Board. The Office of the Clerk of the chairman of the Commission shall provide administrative staff support. All agencies of the Commonwealth shall provide assistance to the Board, upon request.

§ 30-209. Sunset.

This chapter shall expire on July 1, 2005.

CHAPTER 32.

VIRGINIA DELEGATION TO MULTISTATE TAX ADMINISTRATION DISCUSSIONS.

§ 30-210. Virginia Delegation to Multistate Tax Administration Discussions; purpose.

There is hereby created the Virginia Delegation to the Multistate Tax Administration Discussions, in the legislative branch of government, to consider whether the Commonwealth should enter into an agreement with one or more other states to simplify and modernize tax administration.

§ 30-211. Definitions.

"Agreement" means an interstate agreement for simplification and uniformity of taxation among member states in order to reduce the burden of tax compliance for sellers and for all types of commerce.

"Seller" means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation or any other similar legal entity that sells, leases or rents tangible personal property or services.

"State" means a state of the United States and the District of Columbia.

"Tax" or "taxes" means sales and use taxes imposed pursuant to Title 58.1, or a similar tax imposed by a political subdivision of the Commonwealth.

§ 30-212. Membership; terms; vacancies; chairman and vice chairman; quorum; meetings.

The Virginia delegation shall consist of 5 legislative members. Members shall be appointed as follows: 2 members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; and 3 members of the House of Delegates, to be appointed by the Speaker of the House of Delegates, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. Members shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. However, no Senate member shall serve more than 2 consecutive 4-year terms, and no House member shall serve more than 4 consecutive 2-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Delegation shall select a chairman and a vice chairman from among its membership. A majority of the members shall constitute a quorum. The Delegation shall meet at least 4 times each year. The meetings of the Delegation shall be held at the call of the chairman or whenever the majority of the members so request.

§ 30-213. Powers and duties of the Delegation.

A. The Virginia Delegation to the Multistate Tax Administration Discussions regarding the simplification and modernization of tax administration shall consider whether to enter into agreement with one or more states to:

1. Simplify and modernize tax administration in order to substantially reduce the burden of tax compliance for sellers and for all types of commerce.

2. Establish standards for tax compliance software and service providers.

3. Establish performance standards for multistate sellers.

B. After meeting with similar delegations from other states, the delegates shall make recommendations, including but not limited to proposed legislation, to the 2003 and 2004 Sessions of the General Assembly regarding the issues the delegates are required to consider pursuant to this section and any other related issues the delegates deem advisable.

§ 30-214. Compensation and expenses.

Members shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in

§§ 2.2-2813 and 2.2-2825. All such compensation and expenses shall be paid from existing appropriations to the Delegation or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-215. Staff Support.

The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Delegation. The Office of the Clerk of the chairman of the Commission shall provide administrative staff support. All agencies of the Commonwealth shall provide assistance to the Delegation, upon request.

§ 30-216. Chairman's executive summary of activity and work of the Delegation.

The chairman of the Delegation shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Delegation no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted to the General Assembly's website.

§ 30-217. Sunset.

This chapter shall expire on July 1, 2006.

§ 51.5-39.2. The Virginia Office for Protection and Advocacy established; governing board; terms.

A. The Department for Rights of Virginians with Disabilities is hereby reestablished as an independent state agency, to be known as the Virginia Office for Protection and Advocacy. The Office is designated as the agency to protect and advocate for the rights of persons with mental, cognitive, sensory, physical or other disabilities and to receive federal funds on behalf of the Commonwealth of Virginia to implement the federal Protection and Advocacy for Individuals with Mental Illness Act, the federal Developmental Disabilities Assistance and Bill of Rights Act, the federal Rehabilitation Act, the Virginians with Disabilities Act and such other related programs as may be established by state and federal law. Notwithstanding any other provision of law, the Office shall be independent of the Office of the Attorney General and shall have the authority, pursuant to subdivision 5 of § 2.2-510, to employ and contract with legal counsel to carry out the purposes of this chapter and to employ and contract with legal counsel to advise and represent the Office, to initiate actions on behalf of the Office, and to defend the Office and its officers, agents and employees in the course and scope of their employment or authorization, in any matter, including state, federal and administrative proceedings. Compensation for legal counsel shall be paid out of the funds appropriated for the administration of the Office. However, in the event defense is provided under Article 5 (§ 2.2-1832 et seq.) of Chapter 18 of Title 2.2, counsel shall be appointed pursuant to subdivision 4 of § 2.2-510. The Office shall provide ombudsman, advocacy and legal services to persons with disabilities who may be represented by the Office. The Office is authorized to receive and act upon complaints concerning discrimination on the basis of disability, abuse and neglect or other denial of rights, and practices and conditions in institutions, hospitals, and programs for persons with disabilities, and to investigate complaints relating to abuse and neglect or other violation of the rights of persons with disabilities in proceedings under state or federal law, and to initiate any proceedings to secure the rights of such persons.

B. The Office shall be governed by an eleven-member board. The Board shall be composed of members who broadly represent or are knowledgeable about the needs of persons with disabilities served by the Office. Two or more members shall have experience in the fields of developmental disabilities and mental health. Persons with mental, cognitive, sensory or physical disabilities or family members, guardians, advocates, or authorized representatives of such persons shall be included. No elected official shall serve on the Board. No current employee of the Departments of Mental Health, Mental Retardation and Substance Abuse Services, Health, Rehabilitative Services or for the Blind and Vision Impaired or a community services board, behavioral health authority, or local government department with a policy-advisory community services board shall serve as a member. In appointing the members of the Board, consideration shall be given to persons nominated by statewide groups that advocate for the physically, developmentally and mentally disabled. The Governor and General Assembly shall not be limited in their appointments to persons so nominated; however, the Governor and General Assembly shall seriously consider the persons nominated and appoint such persons whenever feasible.

C. The Governor shall appoint three members of the Board who shall be confirmed by the affirmative vote of a majority of those voting in each house of the General Assembly. The Speaker of the House of Delegates shall appoint five members, and the Senate Committee on Privileges and Elections shall appoint three members of the Board. No such appointments shall be members of the General Assembly. The Board appointments shall be made to give representation insofar as feasible to various geographic areas of the Commonwealth.

D. The terms of the initial members of the Board shall be as follows:

1. Two legislative appointees shall be appointed for a term of one year each;

2. One gubernatorial and two legislative appointees shall be appointed for a term of two years each;

3. One gubernatorial and two legislative appointees shall be appointed for a term of three years each;

and

4. One gubernatorial and two legislative appointees shall be appointed for a term of four years each, consisting of 11 nonlegislative citizen members. The members shall be appointed as follows: 5 citizens at large, of whom 1 shall have experience in developmental disabilities and mental health, 1 shall represent persons with mental or cognitive disabilities, and 1 shall represent persons with sensory or physical disabilities, from among nominations by statewide advocacy organizations for persons with physical, developmental, and mental disabilities, to be appointed by the Speaker of the House of Delegates; 3 citizens at large, of whom 1 shall represent the family members or guardians of persons with disabilities, and 1 shall represent the advocates or authorized representatives of persons with disabilities, from among nominations by statewide advocacy organizations for persons with physical, developmental, and mental disabilities, to be appointed by the Senate Committee on Privileges and Elections; and 3 citizens at-large, from among nominations by statewide advocacy organizations for persons with physical, developmental, and mental disabilities, to be appointed by the Governor. Nonlegislative citizen members of the board shall be citizens of the Commonwealth of Virginia. Persons appointed to the board shall represent and be knowledgeable of the broad range of needs of persons with disabilities served by the Office. The Speaker of the House of Delegates, the Senate Committee on Privileges of Elections, and the Governor shall consider such nominations, but in no case shall they be required to appoint persons from among such nominations. However, no member of the General Assembly, elected official, or current employee of the Department of Mental Health, Mental Retardation and Substance Abuse Services, State Health Department, Department of Rehabilitative Services, Department for the Blind and Vision Impaired, a community services board, a behavioral health authority, or a local government department with a policy-advisory community services board shall be appointed to the Board.

C. Appointments of nonlegislative citizen members shall be staggered as follows: 2 members for a term of 1 year, 1 member for a term of 2 years, 1 member for a term of 3 years, and 1 member for a term of 4 years appointed by the Speaker of the House; 1 member for a term of 2 years, 1 member for a term of 3 years, and 1 member for a term of 4 years appointed by the Senate Committee on Privileges and Elections; and 1 member for a term of 2 years, 1 member for a term of 3 years, and 1 member for a term of 4 years appointed by the Governor. Thereafter, nonlegislative citizen members shall be appointed for four-year terms. ~~E. a term of 4 years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. A vacancy of a legislatively appointed member shall be filled by either the Speaker of the House of Delegates or the Senate Committee on Privileges and Elections, and any such appointee shall enter upon and continue in office. All members may be reappointed, except that any member appointed initially to a 4-year term shall not be eligible for reappointment for 2 years after the expiration of his term. However, no nonlegislative citizen member shall serve more than 2 consecutive 4-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments. All appointments and reappointments shall be subject to confirmation at the next session of the General Assembly. If the General Assembly fails to confirm his appointment, such person shall not be eligible for reappointment.~~ Members shall continue to serve until such time as their successors have been appointed and duly qualified to serve.

F. A member who has been appointed to a four-year term shall not be eligible for reappointment during the two-year period beginning on the date on which such four-year term expired. However, upon the expiration of an appointment to an unexpired term, or an appointment described in subdivision D 1, D 2, or D 3, a member may be reappointed to a four-year term.

G. D. The Board shall elect a chairman and a ~~vice chairman~~ vice chairman from among its members and appoint a secretary who may or may not be a member of the Board. A majority of the voting members of the Board shall constitute a quorum. ~~The chairman shall preside over meetings of the Board and perform additional duties as may be set by resolution of the Board.~~

H. The Board shall meet at least ~~four~~ 4 times each year. ~~The meetings of the Board shall be held at the call of the chairman or whenever the majority of the voting members so request. The chairman shall perform such additional duties as may be established by resolution of the Board.~~

E. Members shall serve without compensation for their services; however, all members shall be reimbursed for ~~their~~ all reasonable and necessary and actual expenses incurred in the performance of their official duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Virginia Office for Protection and Advocacy.

F. Members of the Board shall be subject to removal from office only as set forth in Article 7 (§ 24.2-230 et seq.) of Chapter 2 of Title 24.2. The Circuit Court of the City of Richmond shall have exclusive jurisdiction over all proceedings for such removal.

G. The chairman shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the first day of each regular

1394 *session of the General Assembly. The executive summary shall be submitted as provided in the*
1395 *procedures of the Division of Legislative Automated Systems for the processing of legislative documents*
1396 *and reports and shall be posted to the General Assembly's website.*

1397 § 56-579. Regional transmission entities.

1398 A. As set forth in § 56-577, on or before January 1, 2001, each incumbent electric utility owning,
1399 operating, controlling, or having an entitlement to transmission capacity shall join or establish a regional
1400 transmission entity (RTE) to which such utility shall transfer the management and control of its
1401 transmission assets, subject to the following:

1402 1. No such incumbent electric utility shall transfer to any person any ownership or control of, or any
1403 responsibility to operate, any portion of any transmission system located in the Commonwealth without
1404 obtaining the prior approval of the Commission, as hereinafter provided.

1405 2. The Commission shall develop rules and regulations under which any such incumbent electric
1406 utility owning, operating, controlling, or having an entitlement to transmission capacity within the
1407 Commonwealth, may transfer all or part of such control, ownership or responsibility to an RTE, upon
1408 such terms and conditions that the Commission determines will:

1409 a. Promote:

1410 (1) Practices for the reliable planning, operating, maintaining, and upgrading of the transmission
1411 systems and any necessary additions thereto; and

1412 (2) Policies for the pricing and access for service over such systems, which are safe, reliable,
1413 efficient, not unduly discriminatory and consistent with the orderly development of competition in the
1414 Commonwealth;

1415 b. Be consistent with lawful requirements of the Federal Energy Regulatory Commission;

1416 c. Be effectuated on terms that fairly compensate the transferor;

1417 d. Generally promote the public interest, and are consistent with (i) ensuring the successful
1418 development of interstate regional transmission entities and (ii) meeting the transmission needs of
1419 electric generation suppliers both within and without this Commonwealth.

1420 B. The Commission shall also adopt rules and regulations, with appropriate public input, establishing
1421 elements of regional transmission entity structures essential to the public interest, which elements shall
1422 be applied by the Commission in determining whether to authorize transfer of ownership or control from
1423 an incumbent electric utility to a regional transmission entity.

1424 C. The Commission shall, to the fullest extent permitted under federal law, participate in any and all
1425 proceedings concerning regional transmission entities furnishing transmission services within the
1426 Commonwealth, before the Federal Energy Regulatory Commission. Such participation may include such
1427 intervention as is permitted state utility regulators under FERC rules and procedures.

1428 D. Nothing in this section shall be deemed to abrogate or modify:

1429 1. The Commission's authority over transmission line or facility construction, enlargement or
1430 acquisition within this Commonwealth, as set forth in Chapter 10.1 (§ 56-265.1 et seq.) of this title;

1431 2. The laws of this Commonwealth concerning the exercise of the right of eminent domain by a
1432 public service corporation pursuant to the provisions of Article 5 (§ 56-257 et seq.) of Chapter 10 of this
1433 title; however, on and after January 1, 2002, a petition may not be filed to exercise the right of eminent
1434 domain in conjunction with the construction or enlargement of any utility facility whose purpose is the
1435 generation of electric energy; or

1436 3. The Commission's authority over retail electric energy sold to retail customers within the
1437 Commonwealth by licensed suppliers of electric service, including necessary reserve requirements, all as
1438 specified in § 56-587.

1439 E. For purposes of this section, transmission capacity shall not include capacity that is primarily
1440 operated in a distribution function, as determined by the Commission, taking into consideration any
1441 binding federal precedents.

1442 F. On or after January 1, 2002, the Commission shall report to the ~~Legislative Transition Task Force~~
1443 *Commission on Electric Utility Restructuring* its assessment of the success in the practices and policies
1444 of the RTE facilitating the orderly development of competition in the Commonwealth.

1445 § 56-581.1. Competitive retail electric billing and metering.

1446 A. Effective January 1, 2002, (i) distributors shall offer consolidated billing services to licensed
1447 suppliers, aggregators, and retail customers, and (ii) licensed suppliers and aggregators shall be permitted
1448 to bill all retail customers separately for services rendered on and after the first regular meter reading
1449 date after January 1, 2002, subject to conditions, regulations, and licensing requirements established by
1450 the Commission.

1451 B. Effective January 1, 2003, licensed suppliers and aggregators may offer consolidated billing
1452 service to distributors and retail customers for services rendered on and after the first regular meter
1453 reading date after January 1, 2003, subject to conditions, regulations, and licensing requirements
1454 established by the Commission.

1455 C. Upon application by a distributor or upon its own motion, the Commission may delay any

element of the competitive provision of billing services to retail customers for the period of time necessary, but no longer than one year, to resolve issues arising from considerations of billing accuracy, timeliness, quality, consumer readiness, or adverse effects upon development of competition in electric service. The Commission shall report any such delays and the underlying reasons therefor to the ~~Legislative Transition Task Force~~ *Commission on Electric Utility Restructuring* within a reasonable time.

D. The Commission shall promulgate such rules and regulations as may be necessary to implement the provisions of this section in a manner that is consistent with its Recommendation and Draft Plan filed with the ~~Legislative Transition Task Force~~ *Commission on Electric Utility Restructuring* on December 12, 2000, to facilitate the development of effective competition in electric service for all customer classes, and to ensure reasonable levels of billing accuracy, timeliness, and quality, and adequate consumer readiness and protection. Such rules and regulations shall include provisions regarding the licensing of persons seeking to sell, offering to sell, or selling competitive billing services, pursuant to the licensure requirements of § 56-587.

E. The Commission shall implement the provision of competitive metering services by licensed providers for large industrial and large commercial customers of investor-owned distributors on January 1, 2002, and may approve such services for residential and small business customers of investor-owned distributors on or after January 1, 2003, as determined to be in the public interest by the Commission. Such implementation and approvals shall:

1. Be consistent with the goal of facilitating the development of effective competition in electric service for all customer classes;

2. Take into account the readiness of customers and suppliers to buy and sell such services;

3. Take into account the technological feasibility of furnishing any such services on a competitive basis;

4. Take into account whether reasonable steps have been or will be taken to educate and prepare customers for the implementation of competition for any such services;

5. Not jeopardize the safety, reliability or quality of electric service;

6. Consider the degree of control exerted over utility operations by utility customers;

7. Not adversely affect the ability of an incumbent electric utility authorized or obligated to provide electric service to customers who do not buy such services from competitors to provide electric service to such customers at reasonable rates;

8. Give due consideration to the potential effects of such determinations on utility tax collection by state and local governments in the Commonwealth; and

9. Ensure the technical and administrative readiness of a distributor to coordinate and facilitate the provision of competitive metering services for its customers.

Upon the reasonable request of a distributor, the Commission shall delay the provision of competitive metering service in such distributor's service territory until January 1, 2003, for large industrial and large commercial customers, and after January 1, 2004, for residential and small business customers.

F. The Commission shall promulgate such rules and regulations as may be necessary to implement the authorization related to competitive metering services provided for in subsection E. Such rules and regulations shall include provisions regarding the licensing of persons seeking to sell, offering to sell, or selling competitive metering services, pursuant to the licensure requirements of § 56-587.

G. An incumbent electric utility shall coordinate with persons licensed to provide competitive metering service, billing services, or both, as the Commission deems reasonably necessary to the development of such competition. The foregoing shall apply to an affiliate of an incumbent electric utility if such affiliate controls a resource that is necessary to the coordination required of the incumbent electric utility by this subsection.

H. Notwithstanding the provisions of § 56-582, the Commission shall allow a distributor to recover its costs directly associated with the implementation of billing or metering competition through a tariff for all licensed suppliers, but not those that would be incurred by such utilities in any event as part of the restructuring under this Act. The Commission shall also determine the most appropriate method of recovering such costs through a tariff for such licensed suppliers; however, such method shall not unreasonably affect any customer for which the service is not made competitive.

I. The Commission shall adjust the rates for any noncompetitive services provided by a distributor so that such rates do not reflect costs associated with or properly allocable to the service made subject to competition. Such adjustment may be accomplished through unbundled rates, bill credits, the distributor's tariffs for licensed suppliers, or other methods as determined by the Commission.

J. Municipal electric utilities shall not be required to provide consolidated billing services to licensed suppliers, aggregators or retail customers. Municipal electric utilities and utility consumer services cooperatives shall not be required to undertake coordination of the provision of consolidated or direct billing services by suppliers and aggregators; however, the exemptions set forth in this subsection shall not apply if any such municipal electric utility or utility consumer services cooperative, or its affiliate,

1517 offers competitive electric energy supply to retail customers in the service territory of any other Virginia
1518 incumbent electric utility. The Commission may permit any municipal electric utility or utility consumer
1519 services cooperative that pursues such competitive activity to maintain such exemption upon application
1520 to the Commission demonstrating good cause for relief. In addition, upon petition by a utility consumer
1521 services cooperative, the Commission may approve the provision of competitive metering services by
1522 licensed providers for large industrial and large commercial customers of such cooperative on or after
1523 January 1, 2002, and for residential and small business customers of such cooperative on or after
1524 January 1, 2003, as determined to be in the public interest by the Commission consistent with the
1525 criteria set forth in subsection E.

1526 § 56-585. Default service.

1527 A. The Commission shall, after notice and opportunity for hearing, (i) determine the components of
1528 default service and (ii) establish one or more programs making such services available to retail
1529 customers requiring them commencing with the availability throughout the Commonwealth of customer
1530 choice for all retail customers as established pursuant to § 56-577. For purposes of this chapter, "default
1531 service" means service made available under this section to retail customers who (i) do not affirmatively
1532 select a supplier, (ii) are unable to obtain service from an alternative supplier, or (iii) have contracted
1533 with an alternative supplier who fails to perform.

1534 B. From time to time, the Commission shall designate one or more providers of default service. In
1535 doing so, the Commission:

1536 1. Shall take into account the characteristics and qualifications of prospective providers, including
1537 proposed rates, experience, safety, reliability, corporate structure, access to electric energy resources
1538 necessary to serve customers requiring such services, and other factors deemed necessary to ensure the
1539 reliable provision of such services, to prevent the inefficient use of such services, and to protect the
1540 public interest;

1541 2. May periodically, as necessary, conduct competitive bidding processes under procedures
1542 established by the Commission and, upon a finding that the public interest will be served, designate one
1543 or more willing and suitable providers to provide one or more components of such services, in one or
1544 more regions of the Commonwealth, to one or more classes of customers;

1545 3. To the extent that default service is not provided pursuant to a designation under subdivision 2,
1546 may require a distributor to provide, in a safe and reliable manner, one or more components of such
1547 services, or to form an affiliate to do so, in one or more regions of the Commonwealth, at rates
1548 determined pursuant to subsection C and for periods specified by the Commission; however, the
1549 Commission may not require a distributor, or affiliate thereof, to provide any such services outside the
1550 territory in which such distributor provides service; and

1551 4. Notwithstanding imposition on a distributor by the Commission of the requirement provided in
1552 subdivision 3, the Commission may thereafter, upon a finding that the public interest will be served,
1553 designate through the competitive bidding process established in subdivision 2 one or more willing and
1554 suitable providers to provide one or more components of such services, in one or more regions of the
1555 Commonwealth, to one or more classes of customers.

1556 C. If a distributor is required to provide default services pursuant to subdivision B 3, after notice and
1557 opportunity for hearing, the Commission shall periodically, for each distributor, determine the rates,
1558 terms and conditions for default services, taking into account the characteristics and qualifications set
1559 forth in subdivision B 1, as follows:

1560 1. Until the expiration or termination of capped rates, the rates for default service provided by a
1561 distributor shall equal the capped rates established pursuant to subdivision A 2 of § 56-582. After the
1562 expiration or termination of such capped rates, the rates for default services shall be based upon
1563 competitive market prices for electric generation services.

1564 2. The Commission shall, after notice and opportunity for hearing, determine the rates, terms and
1565 conditions for default service by such distributor on the basis of the provisions of Chapter 10 (§ 56-232
1566 et seq.) of this title, except that the generation-related components of such rates shall be (i) based upon
1567 a plan approved by the Commission as set forth in subdivision 3 or (ii) in the absence of an approved
1568 plan, based upon prices for generation capacity and energy in competitive regional electricity markets.

1569 3. Prior to a distributor's provision of default service, and upon request of such distributor, the
1570 Commission shall review any plan filed by the distributor to procure electric generation services for
1571 default service. The Commission shall approve such plan if the Commission determines that the
1572 procurement of electric generation capacity and energy under such plan is adequately based upon prices
1573 of capacity and energy in competitive regional electricity markets. If the Commission determines that the
1574 plan does not adequately meet such criteria, then the Commission shall modify the plan, with the
1575 concurrence of the distributor, or reject the plan.

1576 4. a. For purposes of this subsection, in determining whether regional electricity markets are
1577 competitive and rates for default service, the Commission shall consider (i) the liquidity and price
1578 transparency of such markets, (ii) whether competition is an effective regulator of prices in such

markets, (iii) the wholesale or retail nature of such markets, as appropriate, (iv) the reasonable accessibility of such markets to the regional transmission entity to which the distributor belongs, and (v) such other factors it finds relevant. As used in this subsection, the term "competitive regional electricity market" means a market in which competition, and not statutory or regulatory price constraints, effectively regulates the price of electricity.

b. If, in establishing a distributor's default service generation rates, the Commission is unable to identify regional electricity markets where competition is an effective regulator of rates, then the Commission shall establish such distributor's default service generation rates by setting rates that would approximate those likely to be produced in a competitive regional electricity market. Such proxy generation rates shall take into account: (i) the factors set forth in subdivision C 4 a, and (ii) such additional factors as the Commission deems necessary to produce such proxy generation rates.

D. In implementing this section, the Commission shall take into consideration the need of default service customers for rate stability and for protection from unreasonable rate fluctuations.

E. On or before July 1, 2004, and annually thereafter, the Commission shall determine, after notice and opportunity for hearing, whether there is a sufficient degree of competition such that the elimination of default service for particular customers, particular classes of customers or particular geographic areas of the Commonwealth will not be contrary to the public interest. The Commission shall report its findings and recommendations concerning modification or termination of default service to the General Assembly and to the ~~Legislative Transition Task Force~~ *Commission on Electric Utility Restructuring*, not later than December 1, 2004, and annually thereafter.

F. A distribution electric cooperative, or one or more affiliates thereof, shall have the obligation and right to be the supplier of default services in its certificated service territory. A distribution electric cooperative's rates for such default services shall be the capped rate for the duration of the capped rate period and shall be based upon the distribution electric cooperative's prudently incurred cost thereafter. Subsections B and C shall not apply to a distribution electric cooperative or its rates. Such default services, for the purposes of this subsection, shall include the supply of electric energy and all services made competitive pursuant to § 56-581.1. If a distribution electric cooperative, or one or more affiliates thereof, elects or seeks to be a default supplier of another electric utility, then the Commission shall designate the default supplier for that distribution electric cooperative, or any affiliate thereof, pursuant to subsection B.

§ 56-592. Consumer education and protection; Commission report to Commission Electric Utility Restructuring.

A. The Commission shall develop a consumer education program designed to provide the following information to retail customers during the period of transition to retail competition and thereafter:

1. Opportunities and options in choosing (i) suppliers and aggregators of electric energy and (ii) any other service made competitive pursuant to this chapter;
2. Marketing and billing information suppliers and aggregators of electric energy will be required to furnish retail customers;
3. Retail customers' rights and obligations concerning the purchase of electric energy and related services; and
4. Such other information as the Commission may deem necessary and appropriate in the public interest.

B. The Commission shall complete the development of the consumer education program described in subsection A, and report its findings and recommendations to the ~~Legislative Transition Task Force~~ *Commission on Electric Utility Restructuring* on or before December 1, 1999, and as frequently thereafter as may be required by ~~the Task Force~~ *such Commission* concerning:

1. The scope of such recommended program consistent with the requirements of subsection A;
2. Materials and media required to effectuate any such program;
3. State agency and nongovernmental entity participation;
4. Program duration;
5. Funding requirements and mechanisms for any such program; and
6. Such other findings and recommendations the Commission deems appropriate in the public interest.

C. The Commission shall develop regulations governing marketing practices by public service companies, licensed suppliers, aggregators or any other providers of services made competitive by this chapter, including regulations to prevent unauthorized switching of suppliers, unauthorized charges, and improper solicitation activities. The Commission shall also establish standards for marketing information to be furnished by licensed suppliers, aggregators or any other providers of services made competitive by this chapter during the period of transition to retail competition, and thereafter, which information shall include standards concerning:

1. Pricing and other key contract terms and conditions;

1640 2. To the extent feasible, fuel mix and emissions data on at least an annualized basis;
1641 3. Customer's rights of cancellation following execution of any contract;
1642 4. Toll-free telephone number for customer assistance; and
1643 5. Such other and further marketing information as the Commission may deem necessary and
1644 appropriate in the public interest.

1645 D. The Commission shall also establish standards for billing information to be furnished by public
1646 service companies, suppliers, aggregators or any other providers of services made competitive by this
1647 chapter during the period of transition to retail competition, and thereafter. Such billing information
1648 standards shall require that billing formation:

1649 1. Distinguishes between charges for regulated services and unregulated services;
1650 2. Itemizes any and all nonbypassable wires charges;
1651 3. Is presented in a format that complies with standards to be established by the Commission;
1652 4. Discloses, to the extent feasible, fuel mix and emissions data on at least an annualized basis; and
1653 5. Includes such other billing information as the Commission deems necessary and appropriate in the
1654 public interest.

1655 E. The Commission shall establish or maintain a complaint bureau for the purpose of receiving,
1656 reviewing and investigating complaints by retail customers against public service companies, licensed
1657 suppliers, aggregators and other providers of any services made competitive under this chapter. Upon the
1658 request of any interested person or the Attorney General, or upon its own motion, the Commission shall
1659 be authorized to inquire into possible violations of this chapter and to enjoin or punish any violations
1660 thereof pursuant to its authority under this chapter, this title, and under Title 12.1. The Attorney General
1661 shall have a right to participate in such proceedings consistent with the Commission's Rules of Practice
1662 and Procedure.

1663 F. The Commission shall establish reasonable limits on customer security deposits required by public
1664 service companies, suppliers, aggregators or any other persons providing competitive services pursuant to
1665 this chapter.

1666 § 56-592.1. Consumer education program; scope and funding.

1667 A. The Commission shall establish and implement a consumer education program in conjunction with
1668 the implementation of this chapter. In establishing such a program, the Commission shall take into
1669 account findings and recommendations in the Commission's December 1, 1999, report to the Legislative
1670 Transition Task Force ~~made pursuant to § 56-592, the predecessor of the Commission on Electric Utility~~
1671 *Restructuring*.

1672 B. The program shall be designed to (i) enable consumers to make rational and informed choices
1673 about energy providers in a competitive retail market, (ii) help consumers reduce transaction costs in
1674 selecting energy suppliers, and (iii) foster compliance with the consumer protection provisions of this
1675 chapter, and those contained in other laws of this Commonwealth, by all participants in a competitive
1676 retail market.

1677 C. The Commission shall regularly consult with representatives of consumer organizations,
1678 community-based groups, state agencies, incumbent utilities, competitive suppliers and other interested
1679 parties throughout the program's implementation and operation.

1680 D. Pursuant to the provisions of § ~~56-595~~ 30-205, the Commission shall provide periodic updates to
1681 the ~~Legislative Transition Task Force~~ *Commission on Electric Utility Restructuring* concerning the
1682 program's implementation and operation.

1683 E. The Commission shall fund the establishment and operation of such consumer education program
1684 through the special regulatory revenue tax currently authorized by § 58.1-2660 and the special regulatory
1685 tax authorized by Chapter 29 (§ 58.1-2900 et seq.) of Title 58.1.

1686 § 56-596. Advancing competition.

1687 A. In all relevant proceedings pursuant to this Act, the Commission shall take into consideration,
1688 among other things, the goals of advancement of competition and economic development in the
1689 Commonwealth.

1690 B. By September 1 of each year, the Commission shall report to the ~~Legislative Transition Task~~
1691 ~~Force~~ *Commission on Electric Utility Restructuring* and the Governor information on the status of
1692 competition in the Commonwealth, the status of the development of regional competitive markets, and
1693 its recommendations to facilitate effective competition in the Commonwealth as soon as practical. This
1694 report shall include any recommendations of actions to be taken by the General Assembly, the
1695 Commission, electric utilities, suppliers, generators, distributors and regional transmission entities it
1696 considers to be in the public interest. Such recommendations shall include actions regarding the supply
1697 and demand balance for generation services, new and existing generation capacity, transmission
1698 constraints, market power, suppliers licensed and operating in the Commonwealth, and the shared or
1699 joint use of generation sites.

1700 § 58.1-202.2. Public-private partnerships.

1701 A. The Tax Commissioner is hereby authorized through the Department of General Services in

accordance with the Virginia Public Procurement Act to enter into public-private partnership contracts to finance agency technology needs. The Tax Commissioner may issue a request for information to seek out potential private partners interested in providing programs pursuant to an agreement under this section. The compensation for such services shall be computed with reference to and paid from the increased revenue attributable to the successful implementation of the technology program for the period specified in the contract.

B. An external oversight group including, but not limited to, the State Comptroller, the Director of the Department of Planning and Budget, the State Internal Auditor, one representative appointed by the President pro tempore of the Senate, and one representative appointed by the Speaker of the House of Delegates shall be responsible for reviewing and approving subcommittee, hereinafter referred to as the "subcommittee" is established as an advisory group in the executive branch of state government to review and approve the terms of contracts under this section relating to the measurement of the revenue attributable to the technology program. The external oversight subcommittee shall include 5 members, which includes 2 nonlegislative citizen members and 3 ex officio members. The members shall be appointed as follows: 1 nonlegislative citizen at large, upon the recommendation of the President pro tempore of the Senate, to be appointed by the Senate Committee on Privileges and Elections; 1 nonlegislative citizen at-large, to be appointed by the Speaker of the House; and the State Comptroller, the Director of the Department of Planning and Budget, and the State Internal Auditor, as ex officio voting members. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia.

Ex officio members shall serve terms coincident with their terms of office. Initial appointments of nonlegislative citizen members shall be staggered as follows: 1 member for a term of 4 years appointed by the Senate Committee on Privileges and Elections, and 1 member for a term of 2 years appointed by the Speaker of the House. Thereafter, nonlegislative citizen members shall be appointed for a term of 4 years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. However, no nonlegislative citizen member shall serve more than 2 consecutive 4-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Tax Commissioner shall preside over meetings of the subcommittee. A majority of the voting members shall constitute a quorum. The meetings of the subcommittee shall be held at the call of the Tax Commissioner or whenever the majority of the voting members so request.

Members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Taxation.

The Tax Commissioner shall ~~prepare~~ submit to the Governor and the General Assembly an annual report to the Governor and General Assembly on executive summary of the interim activity and work of the subcommittee, including all agreements under this section, describing each technology program, its progress, revenue impact, and such other information as may be relevant, no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

C. The Tax Commissioner shall determine annually the total amount of increased revenue attributable to the successful implementation of a technology program under this section and such amount shall be deposited in a special fund known as the Technology Partnership Fund (the "Fund"). The Tax Commissioner is authorized to use moneys deposited in the Fund to pay private partners pursuant to the terms of contracts under this section. All moneys in excess of that required to be paid to private partners, as determined by the Department, shall be reported to the Comptroller and transferred to the appropriate general or nongeneral fund.

§ 62.1-69.26. Rappahannock River Basin Commission; establishment.

The Rappahannock River Basin Commission, hereinafter referred to as the "Commission," is established as an advisory commission in the executive branch of state government. The Commission shall be established upon passage of a resolution by two-thirds of the Rappahannock River Basin's localities of a resolution comprising the Senatorial and House of Delegates Districts named in § 62.1-69.25 that commits them to participate in the Commission as described in this chapter. The resolution shall contain the following language:

"The (jurisdiction's governing body) does hereby agree to become a member of and participate in the Rappahannock River Basin Commission as described in Chapter 553 of the Acts of Assembly of 1998."

§ 62.1-69.26:1. Membership; terms; vacancies; chairman and vice chairman; quorum; meetings.

A. The Commission shall consist of 38 members, which includes 17 legislative members and 21 nonlegislative citizen members. The members shall be appointed as follows: 7 members of the Senate, 1

each representing the Fourth, Seventeenth, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, and Twenty-eighth Senatorial Districts, to be appointed by the Senate Committee on Privileges and Elections; 10 members of the House of Delegates, 1 each representing the Fifteenth, Eighteenth, Twenty-eighth, Thirtieth, Thirty-first, Fifty-fourth, Fifty-eighth, Eighty-eighth, Ninety-eighth, and Ninety-ninth House of Delegates Districts, to be appointed by the Speaker of the House; 9 nonlegislative citizen members, 1 each of the elected governing bodies of the Counties of Albemarle, Caroline, Culpeper, Essex, Fauquier, Gloucester, Greene, King and Queen, and the City of Fredericksburg, which at any time has passed a resolution containing the language required by § 62.1-69.26, upon the recommendation of the respective local governing bodies, to be appointed by the Senate Committee on Privileges and Elections; 10 nonlegislative citizen members, 1 each of the elected local governing bodies of the Counties of King George, Lancaster, Madison, Middlesex, Orange, Rappahannock, Richmond, Spotsylvania, Stafford, and Westmoreland, which at any time has passed a resolution containing the language required by § 62.1-69.26, upon the recommendation of the respective local governing bodies, to be appointed by the Speaker of the House; and 2 representatives of the Soil and Water Conservation Districts located wholly or partially within the Rappahannock River Basin, 1 each to be appointed by the Senate Committee on Privileges and Elections, and the Speaker of the House. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia.

Legislative members and nonlegislative citizen members shall serve terms coincident with their terms of office. Initial appointments of nonlegislative citizen members representing local governing bodies and soil and water conservation districts shall be for a term of 1 year. Thereafter, nonlegislative citizen members shall be appointed for a term of 4 years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. However, no Senate member shall serve more than 2 consecutive 4-year terms, no House member shall serve more than 4 consecutive 2-year terms, and no nonlegislative citizen member shall serve more than 2 consecutive 4-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice chairman from among its membership. A majority of the voting members shall constitute a quorum. The Commission shall meet at least 4 times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the voting members so request.

§ 62.1-69.31:1. Compensation; expenses; funding; audit.

A. Legislative members of the Commission shall receive compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Environmental Quality.

B. The Commission shall adopt a budget annually, which shall include the Commission's estimated expenses. The funding of the Commission shall be apportioned between state government and the local governing bodies represented on the Commission. The Commonwealth's contribution shall be set through the normal state appropriations process. The Commission's nonlegislative citizen members shall determine a process for apportioning the Commission's estimated expenses among the governing bodies represented on the Commission.

C. The Commission's fiscal year shall be the same as the Commonwealth's. The Commission shall annually designate a fiscal agent.

D. The accounts and records of the Commission showing the receipt and disbursement of funds from whatever source derived shall be in such form as the Auditor of Public Accounts prescribes, provided that such accounts shall correspond as nearly as possible to the accounts and records for such matters maintained by similar enterprises. The accounts and records of the Commission shall be subject to an annual audit by the Auditor of Public Accounts or his legal representative, and the costs of such audit services shall be borne by the Commission. The results of the audits shall be submitted to the chief elected officers of the local governing bodies represented on the Commission, the members of the Senate and the House of Delegates who serve on the Commission, the chairmen of the Senate Committee on Finance and the House Committee on Appropriations, and the Secretary of Natural Resources.

§ 62.1-69.31:2. Withdrawal of localities; dissolution of Commission.

A. A locality may withdraw from the Commission one year after providing a written notice to the Commission of its intent to do so.

B. The Commission may dissolve itself upon a two-thirds vote of all members.

C. The Commission may be dissolved by repeal of this chapter.

D. The Commission shall be dissolved if the membership of the Commission falls below two-thirds of the localities eligible to participate on the Commission.

E. Upon the Commission's dissolution, all local funds and assets of the Commission shall be divided on a pro rata basis among the local governing bodies represented on the Commission. The Commonwealth's share of the funds and assets shall be transferred to the Office of the Secretary of Natural Resources for appropriate distribution.

§ 62.1-69.31:3. Chairman's executive summary of activity and work of the Commission.

The chairman shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 62.1-69.34. Virginia Roanoke River Basin Advisory Committee established; membership; terms of office.

A. The Virginia Roanoke River Basin Advisory Committee, hereinafter referred to as the "Committee," is hereby established in the executive branch of state government as an advisory committee to the Virginia delegation to the Roanoke River Basin Bi-State Commission; ~~to~~ . The Committee shall assist the delegation in fulfilling ~~the~~ its duties and carrying out the objectives of the Commission, pursuant to ~~§ 62.1-69.35~~ 62.1-69.39. The advisory committee shall be composed of ~~eighteen~~ 26 members ~~to~~, which includes 11 legislative members and 11 nonlegislative citizen members, and 4 ex officio members. Members shall be appointed as follows: ~~two~~ 7 members of the Senate, whose districts include a part of the Virginia portion of the Roanoke River Basin; 1 each representing the Fifth, Eighth, Ninth, Twentieth, Twenty-first, Twenty-second, and Twenty-third Senatorial Districts, to be appointed by the Senate Committee on Privileges and Elections; ~~four~~ 4 members of the House of Delegates, whose districts include a part of the Virginia portion of the Roanoke River Basin; 1 each representing the Eighth, Tenth, Sixtieth, and Sixty-first House of Delegates Districts, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; the Virginia member of the U.S. House of Representatives, whose district includes the largest portion of the Basin, or his designee, if he elects to serve on the advisory committee; ~~ten~~ 11 nonlegislative citizen members selected by the legislative members of the advisory committee such that ~~two~~ are chosen from recommendations of whom each of the following: the 2 each shall be members of the Central Virginia Planning District Commission; and the West Piedmont Planning District Commission, and 1 shall be a member of the New River Valley Planning District Commission, upon the recommendation of the respective planning district commissions, to be appointed by the Senate Committee on Privileges and Elections; 2 each shall be members of the Southside Planning District Commission, the Piedmont Planning District Commission, and the Roanoke Valley Alleghany Planning District Commission; and one member selected by the legislative members of the advisory committee from among recommendations submitted by the New River Valley Planning District Commission, upon the recommendation of the respective planning district commissions, to be appointed by the Speaker of the House; and the Virginia member of the U.S. House of Representatives, whose district includes the largest portion of the Basin, or his designee, and 3 representatives of the State of North Carolina appointed in a manner as the General Assembly of North Carolina may determine appropriate. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia, all to serve ex officio without voting privileges. Of the recommendations submitted by planning district commissions authorized to recommend ~~two~~ 2 members, ~~one~~ 1 member shall be a nonlegislative citizen who resides within the respective planning district. However, the New River Valley Planning District Commission may recommend either a 1 nonlegislative citizen at-large who resides within the planning district or a 1 member, who at the time of the recommendation, is serving as an elected member or an employee of a local governing body, or a 1 member of the board of directors or an employee of the planning district commission. All persons recommended by the planning district commissions to serve as members of the advisory committee shall reside within the Basin's watershed, represent the diversity of interests in the jurisdictions comprising the respective planning district commissions, and demonstrate interest, experience, or expertise in water-related Basin issues. In addition, persons representing the interests of the State of North Carolina who may be appointed to the advisory committee shall serve as non-voting ex officio members.

The advisory committee shall elect a chairman and a vice-chairman from among its members.

B. State and federal legislative members appointed to the advisory committee and ex officio members shall serve terms coincident with their terms of office. Members recommended by planning district commissions to serve on the advisory committee and ex officio members representing the State of North Carolina shall serve a term of two years. Initially, planning district commissions authorized to recommend two members to the advisory committee Initial appointments of nonlegislative citizen members shall recommend one member for a term of two years and one member for a term of one year. However, the member recommended to serve on the advisory committee by the New River Valley

1886 Planning District Commission shall serve a term of one year. *be staggered as follows: 2 members for a*
 1887 *term of 2 years and 3 members for a term of 1 year appointed by the Senate Committee on Privileges*
 1888 *and Elections; and 3 members for a term of 2 years and 3 members for a term of 1 year appointed by*
 1889 *the Speaker of the House. Thereafter, the nonlegislative citizen members shall be appointed for a term*
 1890 *of office of members recommended by planning district commissions shall be for two 2 years. Members*
 1891 *Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All*
 1892 *members may be reappointed. Nonlegislative citizen members recommended by planning district*
 1893 *commissions shall be eligible for reappointment, if such members shall have attended at least one-half of*
 1894 *all meetings of the Commission during their current term of service. However, no Senate member shall*
 1895 *serve more than 2 consecutive 4-year terms, no House member shall serve more than 4 consecutive*
 1896 *2-year terms, and no nonlegislative citizen member recommended by a planning district commission*
 1897 *shall serve more than three 4 consecutive two 2-year terms. Appointments to fill vacancies shall be made*
 1898 *for the unexpired terms. The remainder of any term to which a member is appointed to fill a vacancy*
 1899 *shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be*
 1900 *filled in the same manner as the original appointment appointments.*

1901 *The advisory committee shall elect a chairman and a vice chairman from among its voting members.*
 1902 *A majority of the voting members shall constitute a quorum. The advisory committee shall meet at least*
 1903 *4 times each year. The meetings of the advisory committee shall be held at the call of the chairman or*
 1904 *whenever the majority of the voting members so request.*

1905 § 62.1-69.35. Compensation and expenses of advisory committee members.

1906 Legislative members of the advisory committee shall receive such compensation as provided in
 1907 § 30-19.12, and nonlegislative members shall receive such compensation for the performance of their
 1908 duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary
 1909 expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding
 1910 for the costs of compensation and expenses of members shall be provided by the Department of
 1911 Environmental Quality.

1912 § 62.1-69.35:1. Staffing.

1913 The Department of Environmental Quality shall provide staff support to the advisory committee. All
 1914 agencies of the Commonwealth shall provide assistance to the advisory committee, upon request.

1915 § 62.1-69.35:2. Chairman's executive summary of activity and work of the advisory committee.

1916 The chairman shall submit to the Governor and the General Assembly an annual executive summary
 1917 of the interim activity and work of the advisory committee no later than the first day of each regular
 1918 session of the General Assembly. The executive summary shall be submitted as provided in the
 1919 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
 1920 and reports and shall be posted on the General Assembly's website.

1921 § 62.1-69.38. Membership; terms of office; eligibility for appointment.

1922 A. The Commission shall be composed of ~~eighteen~~ 18 voting members with each state appointing
 1923 ~~nine~~, which includes 9 legislative members representing the Commonwealth of Virginia and 9 legislative
 1924 members representing the State of North Carolina. The Virginia delegation shall consist of the six state
 1925 6 legislative members and 3 nonlegislative citizen members appointed to the Virginia Roanoke River
 1926 Basin Advisory Committee by the Senate Committee on Privileges and Elections and the Speaker of the
 1927 House of Delegates, and three nonlegislative members of the Virginia Roanoke River Basin Advisory
 1928 Committee, who represent different geographical areas of the Virginia portion of the Roanoke River
 1929 Basin, to be appointed by the Governor of Virginia. Members shall be appointed as follows: 2 Senate
 1930 members of the advisory committee, to be appointed by the Senate Committee on Privileges and
 1931 Elections; 4 House members of the advisory committee, to be appointed by the Speaker of the House, in
 1932 accordance with the principles of proportional representation contained in the Rules of the House of
 1933 Delegates; and 3 nonlegislative citizen members of the advisory committee, who shall represent different
 1934 geographical areas of the Virginia portion of the Roanoke River Basin, to be appointed by the
 1935 Governor. The North Carolina delegation to the Commission shall be appointed as determined by the
 1936 State of North Carolina. All members appointed to the Commission by the Commonwealth of Virginia
 1937 and the State of North Carolina shall reside within the Basin's watershed. Members of the Virginia
 1938 House of Delegates and the Senate of Virginia, the North Carolina House of Representatives and Senate,
 1939 and federal legislators, who have not been appointed to the Commission and whose districts include any
 1940 portion of the Basin, may serve as nonvoting ex officio members of the Commission.

1941 B. The terms of office for appointed years Legislative members of the Virginia delegation and
 1942 federal legislators and local government officials, whether appointed or ex officio, shall serve terms
 1943 coincident with their terms of office. Nonlegislative citizen members shall be ~~two~~ appointed to serve a
 1944 2-year term, unless the member is reappointed by the appointing authorities of each state. Appointments
 1945 to fill vacancies shall be made for the unexpired terms. Vacancies shall be filled in the same manner as
 1946 the original appointment. State and federal legislators and local government officials, whether appointed
 1947 or ex officio, shall serve terms coincident with their terms of office.

C. Each state's delegation to the Commission may meet separately to discuss Basin-related issues affecting their state, and may report their findings independently of the Commission.

§ 62.1-69.43. Compensation and expenses of Commission members.

A. Legislative members of the Virginia delegation to the Commission shall receive such compensation as provided in § 30-19.12, and *nonlegislative members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such expenses shall be paid from existing appropriations and funds provided to the Commission Funding for the costs of compensation and expenses of members shall be provided by the Department of Environmental Quality.*

1. *Members of the Virginia House of Delegates and the Senate of Virginia, and members of the Virginia Congressional delegation, who have not been appointed to the Commission, whose districts include any portion of the Basin, and who serve as nonvoting ex officio members of the Commission shall serve without compensation and expenses.*

2. *Nonlegislative citizen members appointed to any standing committees or ad hoc committees shall serve without compensation and expenses.*

B. The North Carolina members of the Commission shall receive per diem, subsistence, and travel expenses as follows:

1. Ex officio legislative members who are members of the General Assembly at the rate established in North Carolina G.S. 138-6;

2. Commission members who are officials or employees of the State or of local government agencies at the rate established in North Carolina G.S. 138-6; and

3. All other members at the rate established in North Carolina G.S. 138-5.

2. That Article 3 (§§ 2.2-2709 and 2.2-2710) of Chapter 27 of Title 2.2 and §§ 2.2-2709, 56-595, 62.1-69.29, 62.1-69.32, and 62.69.33 of the Code of Virginia are repealed.

3. That Chapter 476 of the Acts of Assembly of 2002 is repealed.

4. That Chapter 657 of the Acts of Assembly of 2002 is repealed.

5. That the current members of the Legislative Transition Task Force appointed pursuant to § 56-595 and any members appointed to fill vacancies of such members shall serve as members of the Commission on Electric Utility Restructuring and shall have terms that expire on July 1, 2005.

6. That whenever any reference is made in law or other provision approved by the General Assembly to the former Legislative Transition Task Force, such reference shall be construed to apply mutatis mutandis to the Commission on Electric Utility Restructuring.

7. All current members of the collegial bodies whose terms have been modified by this act shall be eligible, if reappointed, to the full number of terms provided by this act regardless of prior service.

8. Notwithstanding the provisions of § 2.2-2424, beginning July 1, 2004, the Governor shall stagger the terms of his appointments to the Virginia-Israel Advisory Board as follows: 3 members shall serve initial terms of 1 year; 3 members shall serve initial terms of 2 years; 3 members shall serve initial terms of 3 years; and 4 members shall serve initial terms of 4 years. Thereafter, all members appointed by the Governor shall serve terms of 4 years.