

2003 SESSION

HOUSE SUBSTITUTE

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SENATE BILL NO. 1315

AMENDMENT IN THE NATURE OF A SUBSTITUTE (Proposed by the House Committee on Rules on February 11, 2003)

(Patron Prior to Substitute—Senator Trumbo)

A BILL to amend and reenact §§ 2.2-218, 2.2-220, 2.2-2424, 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, 32.1-73.7, 51.5-39.2, 56-579, 56-581.1, 56-585, 56-592, 56-592.1, 56-596, 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, 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 of the Code of Virginia and § 56-595 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; reports.

1. That §§ 2.2-218, 2.2-220, 2.2-2424, 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, 32.1-73.7, 51.5-39.2, 56-579, 56-581.1, 56-585, 56-592, 56-592.1, 56-596, 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, 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:

§ 2.2-218. Development of strategies to restore the water quality and living resources of the Chesapeake Bay and its tributaries.

The Secretary shall coordinate the development of tributary plans designed to improve water quality and restore the living resources of the Chesapeake Bay and its tributaries. Each plan shall be tributary-specific in nature and prepared for the Potomac, Rappahannock, York, and James River Basins as well as the western coastal basins (comprising the small rivers on the western Virginia mainland that drain to the Chesapeake Bay, not including the Potomac, Rappahannock, York and James Rivers) and the eastern coastal basin (encompassing the creeks and rivers of the Eastern Shore of Virginia that are west of U.S. Route 13 and drain to the Chesapeake Bay). Each plan shall (i) address the reduction of nutrients and suspended solids, including sediments, entering the Chesapeake Bay and its tributaries and (ii) summarize other existing programs, strategies, goals and commitments for reducing toxics; the preservation and protection of living resources; and the enhancement of the amount of submerged aquatic vegetation, for each tributary basin and the Bay. The plans shall be developed in consultation with affected stakeholders, including, but not limited to, local government officials; wastewater treatment operators; seafood industry representatives; commercial and recreational fishing interests; developers; farmers; local, regional and statewide conservation and environmental interests; the Virginia Chesapeake Bay Partnership Council; and the Virginia delegation to the Chesapeake Bay Commission.

§ 2.2-220. Annual reporting.

The Secretary shall report by November 1 of each year to the House Committee on Agriculture, Chesapeake and Its TributariesNatural Resources, the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Appropriations, the Senate Committee on Finance, and the Virginia delegation to the Chesapeake Bay Commission and the Virginia Chesapeake Bay Partnership Council on progress made in the development and implementation of each plan. The annual report shall include, but not be limited to:

1. An analysis of actions taken and proposed and their relation to the timetables and programmatic and environmental benchmarks and indicators.

2. The results and analyses of quantitative or qualitative tests or studies, including but not limited to water quality monitoring and submerged aquatic vegetation surveys, which relate to actual resource improvements in each tributary. The results and analyses are to be clearly related to designated portions of each tributary.

3. A complete summary of public comments received on each plan.

4. The current or revised cost estimates for implementation of the plans.

5. The status of Virginia's strategies as compared to the development, content and implementation of tributary strategies by the other jurisdictions that are signatories to the Chesapeake Bay Agreement.

§ 2.2-2424. Virginia-Israel Advisory Board; purpose; membership; terms; compensation and expenses; staff; chairman's executive summary.

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

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

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

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

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

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

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

92 § 2.2-2503. Special Advisory Commission on Mandated Health Insurance Benefits; membership;
93 terms; meetings; compensation and expenses; staff; chairman's executive summary.

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

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

118 C. All nonlegislative citizen members shall be appointed for terms of ~~four~~ 4 years each, except that
119 appointments to fill vacancies shall be made for the unexpired terms. No person shall be eligible to
120 serve for or during more than two successive four-year terms; but after the expiration of a term of two
121 years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two

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122 additional four-year terms may be served by such a member if so appointed. Legislative and ex officio
123 members shall serve terms coincident with their terms of office. All members may be reappointed.
124 However, no House member shall serve more than 4 consecutive 2-year terms, no Senate member shall
125 serve more than 2 consecutive 4-year terms, and no nonlegislative citizen member shall serve more than
126 2 consecutive 4-year terms. Vacancies occurring other than by expiration of a term shall be filled for
127 the unexpired term. Vacancies shall be filled in the manner as the original appointments. The remainder
128 of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining
129 the member's eligibility for reappointment.

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

134 E. Legislative members of the Commission shall receive reimbursement such compensation as
135 provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the
136 performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all
137 reasonable and necessary expenses incurred in the discharge performance of their duties as provided in
138 §§ 2.2-2813 and 2.2-2825. Funding for the compensation and costs of expenses of the members shall be
139 provided by the State Corporation Commission.

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

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

147 § 2.2-2506. Virginia Advisory Commission on Intergovernmental Relations; membership; terms;
148 compensation and expenses; reports to Governor and General Assembly; chairman's executive summary.

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

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

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

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

177 E. The members of the Commission shall be paid their necessary expenses incident to their work on
178 the Commission as provided in § 2.2-2823. Legislative members of the Commission shall receive such
179 compensation as is set forth in § 30-19.12, and nonlegislative members shall receive such compensation
180 for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all
181 reasonable and necessary expenses incurred in the performance of their duties as provided in
182 §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses shall be provided by the

183 *Commission on Local Government.*

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

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

194 § 2.2-2628. Council on Indians; membership; terms; chairman; compensation and expenses;
195 chairman's executive summary.

196 A. The Council on Indians (the "Council") is established as an advisory council, within the meaning
197 of § 2.2-2100, in the executive branch of state government. The Council shall be composed of thirteen
198 16 members to be appointed that include 4 legislative members, 11 nonlegislative citizen members, and
199 1 ex officio member as follows: (i) the eight 8 Virginia tribes officially recognized by the
200 Commonwealth shall be entitled but not required to be represented by one 1 member from each tribe,
201 (ii) two 2 members at-large at large from the Indian population residing in Virginia, and (iii) one 1
202 member from the Commonwealth at large, all of whom shall be appointed by the Governor; and (iv)
203 one member from 3 members of the House of Delegates appointed by the Speaker of the House of
204 Delegates, and in accordance with the principles of proportional representation contained in the Rules
205 of the House of Delegates; (v) one 1 member from of the Senate of Virginia appointed by the Senate
206 Committee on Privileges and Elections; and (vi) the Secretary of Health and Human Resources, or his
207 designee, shall be an ex officio voting member. If a recognized tribe elects not to be represented, then
208 that seat on the Council shall be filled by appointment of an additional member from the at-large Indian
209 population of Virginia. The Secretary of Health and Human Resources shall be an ex officio member of
210 the Council.

211 B. After the original appointments, all nonlegislative citizen appointments shall be for terms of three
212 3 years except appointments to fill vacancies, which shall be for the unexpired terms. Legislative and ex
213 officio members shall serve terms coincident with their terms of office. All members may be reappointed.
214 However, no nonlegislative citizen member shall be eligible to serve more than two 3 successive 3-year
215 terms in succession, no member of the Senate shall be eligible to serve more than 2 successive 4-year
216 terms, and no member of the House of Delegates shall be eligible to serve more than 4 successive
217 2-year terms, provided that no appointments to terms commencing prior to July 1, 1988, shall not be
218 considered in determining such limit, nor shall appointments to fill vacancies for an unexpired term shall
219 be included in determining the term limit.

220 C. The Governor shall appoint one 1 of the members appointed pursuant to clause (i) or (ii) of
221 subsection A as chairman, who shall serve in such position at the pleasure of the Governor. The Council
222 shall elect a vice chairman from among its membership. The meetings of the Council shall be held at
223 the call of the chairman or whenever the majority of the voting members so request. A majority of the
224 members shall constitute a quorum.

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

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

234 § 2.2-2666.1. Council created; composition; compensation and expenses; meetings; chairman's
235 executive summary.

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

242 B. The Council shall be composed of not more than twenty-five 25 members and shall include the
243 Lieutenant Governor, the Attorney General, the Adjutant General, the Chairman of the House Committee
244 on Militia, Police and Public Safety and the Chairman of the Senate Committee on General Laws, or

245 their designees; ~~four~~ 4 members, ~~one~~ 1 of whom shall be a representative of the Virginia Defense Force,
246 to be appointed by and serve at the pleasure of the Governor; and not more than ~~sixteen~~ 16 members,
247 including representatives of major military commands and installations located in the Commonwealth or
248 in jurisdictions adjacent thereto, who shall be appointed by the Governor from persons nominated by the
249 Secretaries of the Armed Forces of the United States and who shall serve at the pleasure of the
250 Governor. The provisions of § 49-1 shall not apply to federal civilian officials and military personnel
251 appointed to the Council.

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

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

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

266 § 2.2-2705. Virginia War Memorial Foundation; purpose; membership; terms; compensation and
267 expenses; staff; chairman's executive summary.

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

273 B. The Foundation board of trustees shall consist of the Secretary of Administration, who shall serve
274 ex officio, and seventeen other persons as follows: ~~four~~ 19 members that include 8 legislative members,
275 10 nonlegislative citizen members, and 1 ex officio member as follows: 5 members of the House of
276 Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles
277 of proportional representation contained in the Rules of House of Delegates; three 3 members of the
278 Senate to be appointed by the Senate Committee on Privileges and Elections of the Senate; and ten
279 other persons 10 nonlegislative citizen members appointed by the Governor, subject to confirmation by
280 the General Assembly; and the Secretary of Administration who shall serve ex officio with voting
281 privileges. A majority of the trustees shall be members or veterans of the armed forces of the United
282 States or the Virginia National Guard. Members appointed should include representatives of some or all
283 of the various veterans organizations active in Virginia, as the Governor deems appropriate.

284 C. Except for initial appointments, all nonlegislative citizen member appointments shall be for a term
285 terms of ~~three~~ 3 years. Appointments to fill vacancies shall be made for the unexpired term. Legislative
286 members and the Secretary of Administration shall serve terms coincident with their terms of office. All
287 members may be reappointed. However, no person nonlegislative citizen member shall be eligible to
288 serve for more than ~~three~~ 3 successive full ~~three~~ 3-year terms. However, any person appointed to an
289 initial term of less than ~~three~~ 3 years or to a vacancy shall be eligible to serve three additional successive
290 full ~~three~~ 3-year terms thereafter. No Senate member shall be eligible to serve more than 2 successive
291 4-year terms and no member of the House of Delegates shall be eligible to serve more than 4 successive
292 2-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not
293 constitute a term in determining the member's eligibility for reappointment. Appointments to fill
294 vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be
295 filled in the same manner as the original appointments. Trustees may be removed appointed by the
296 Governor shall serve at his pleasure.

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

306 E. The Secretary of Administration shall designate a state agency to *The Department of General*
307 *Services shall provide the Foundation with administrative and other services.*

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

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

320 § 2.2-5601. Appointment and term of members of Southern States Energy Board; compensation and
321 expenses.

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

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

335 § 3.1-1108. Membership; terms; vacancies; compensation and expenses; chairman; chairman's
336 executive summary.

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

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

342 2. Four members shall be of the Senate appointed by the Senate Committee on Privileges and
343 Elections Committee of the Senate from the membership of the Senate;

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

345 4. The Secretary of Finance or his designee;

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

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

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

355 8. One nonlegislative citizen member who shall be a representative of the Virginia Farm Bureau
356 Federation appointed by the Governor from a list of at least three 3 persons provided by Virginia Farm
357 Bureau Federation; and

358 9. Eleven members shall be nonlegislative citizen citizens appointed by the Governor. Of the eleven
359 eleven nonlegislative citizen members, three 3 shall be appointed by the Governor from a list of nine 9
360 provided by the members of the General Assembly appointed to the Commission.

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

367 Except as otherwise provided herein, all appointments shall be for terms of four 4 years each.

368 Vacancies shall be filled for the unexpired terms. *Legislative members, the Secretary of Commerce and*
369 *Trade, the Secretary of Finance, and the Commissioner of Agriculture and Consumer Services shall*
370 *serve terms coincident with their terms of office.* No nonlegislative citizen member shall be eligible to
371 serve more than two 2 successive four 4-year terms; however, after expiration of a term of three 3
372 years or less, or after the expiration of the remainder of a term to which he was appointed to fill a
373 vacancy, two additional 4-year terms may be served by such member if appointed thereto. Whenever
374 any legislative member fails to retain his membership in the house from which he was appointed, he
375 shall relinquish his membership on the Commission and the appointing authority who appointed such
376 member shall make an appointment from his respective house to complete the term. *Appointments to fill*
377 *vacancies, other than by expiration of a term, shall be made for the unexpired terms.* Any appointment
378 to fill a vacancy shall be made in the same manner as the original appointment. *The remainder of any*
379 *term to which a member is appointed to fill a vacancy shall not constitute a term in determining the*
380 *member's eligibility for reappointment.*

381 The initial appointments of the active flue-cured tobacco producers, the active burley tobacco
382 producers, and the other nonlegislative citizen members shall be as follows: one 1 active flue-cured
383 tobacco producer, one 1 active burley tobacco producer and four 4 nonlegislative citizen members shall
384 be appointed for terms of two 2 years; one 1 active flue-cured tobacco producer, one 1 active burley
385 tobacco producer and four 4 nonlegislative citizen members shall be appointed for terms of three 3
386 years; and one 1 active flue-cured tobacco producer, one 1 active burley tobacco producer and three 3
387 nonlegislative citizen members shall be appointed for terms of four 4 years. Thereafter all appointments
388 shall be for terms of four 4 years.

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

395 C. Members of the Commission shall receive compensation for their services at the rate provided in
396 the appropriation act and reimbursement for actual expenses incurred in the performance of their duties
397 on behalf of the Commission. *Legislative members of the Commission shall receive such compensation*
398 *as is set forth in § 30-19.12, and nonlegislative members shall receive such compensation for the*
399 *performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all*
400 *reasonable and necessary expenses incurred in the performance of their duties as provided in*
401 *§§ 2.2-2813 and 2.2-2825. Such compensation and expenses shall be paid from the Fund.*

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

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

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

413 § 10.1-1018. Virginia Land Conservation Board of Trustees; membership; terms; vacancies;
414 compensation and expenses; chairman's executive summary.

415 A. The Foundation shall be governed and administered by a Board of Trustees. The Board shall
416 include one member from each congressional district, appointed by the Governor, and six members
417 appointed from the Commonwealth at large, four by the Speaker of the House of Delegates and two by
418 the Senate Committee on Privileges and Elections consist of 18 members that include 17 citizen
419 members and 1 ex officio voting member as follows: 4 citizen members, who may be members of the
420 House of Delegates, to be appointed by the Speaker of the House of Delegates and, if such members are
421 members of the House of Delegates, in accordance with the principles of proportional representation
422 contained in the Rules of the House of Delegates; 2 citizen members, who may be members of the
423 Senate, to be appointed by the Senate Committee on Privileges and Elections; 11 nonlegislative citizen
424 members, 1 from each congressional district, to be appointed by the Governor; and the Secretary of
425 Natural Resources, or his designee, to serve ex officio with voting privileges. Such Nonlegislative citizen
426 members shall be appointed for four 4-year terms, except that initial appointments shall be made for
427 terms of one 1 to four 4 years in a manner whereby no more than six 6 members shall have terms
428 which that expire in the same year. Such Legislative members and the ex officio member shall serve

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

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

452 C. Trustees of the Foundation shall receive no compensation for their services but shall receive
453 reimbursement for actual. All members shall be reimbursed for all reasonable and necessary expenses
454 incurred in the performance of their duties on behalf of the Foundation as provided in §§ 2.2-2813 and
455 2.2-2825. Funding for the costs of expenses of the members shall be provided by the Department of
456 Conservation and Recreation.

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

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

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

473 § 18.2-271.2. Commission on VASAP; purpose; membership; terms; meetings; staffing; compensation
474 and expenses; chairman's executive summary.

475 A. There is hereby established a in the legislative branch of state government the Commission on the
476 Virginia Alcohol Safety Action Program (VASAP) which. The Commission shall administer and
477 supervise the state system of local alcohol and safety action programs, develop and maintain operation
478 and performance standards for local alcohol and safety action programs, and allocate funding to such
479 programs. The Commission shall be composed consist of three 15 members that include 6 legislative
480 members and 9 nonlegislative citizen members. Members shall be appointed as follows: 4 current or
481 former members from of the House Committee for Courts of Justice, to be appointed by the Speaker of
482 the House of Delegates and two in accordance with the principles of proportional representation
483 contained in the Rules of the House of Delegates; 2 members from of the Senate Committee for Courts
484 of Justice, to be appointed by the Senate Privileges and Elections Committee; three 3 sitting or retired
485 judges, one 1 each from the circuit, general district and juvenile and domestic relations district courts,
486 who regularly hear or heard cases involving driving under the influence and are familiar with their local
487 alcohol safety action programs, to be appointed by the Chairman of the Committee on District Courts;
488 two 2 directors of local alcohol safety action programs, to be appointed by the legislative members of
489 the Commission; one 1 representative from the law-enforcement profession, to be appointed by the
490 Speaker of the House and one 1 nonlegislative citizen at large, to be appointed by the Senate Committee

491 on Privileges and Elections; ~~one~~ 1 representative from the Virginia Department of Motor Vehicles whose
492 duties are substantially related to matters to be addressed by the Commission to be appointed by the
493 Commissioner of the Department of Motor Vehicles, and ~~one~~ 1 representative from the Department of
494 Mental Health, Mental Retardation and Substance Abuse Services whose duties also substantially involve
495 such matters, to be appointed by the Commissioner of the Department of Mental Health, Mental
496 Retardation and Substance Abuse Services. All Commission members, other than those members
497 appointed from the House or Senate Committee for Courts of Justice, Legislative members shall serve
498 terms coincident with their terms of office. In accordance with the staggered terms previously
499 established, nonlegislative citizen members shall serve two 2-year terms. However, one-half of such
500 members initially appointed to the Commission shall serve one-year terms and the other one-half shall
501 serve two-year terms. Thereafter, all such appointments shall be for two years. All members may be
502 reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the
503 unexpired terms. Any appointment to fill a vacancy shall be made in the same manner as the original
504 appointment.

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

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

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

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

525 E. For the performance of their duties, Legislative members of the Commission shall receive
526 compensation as provided in § 30-19.12. Funding for the costs of compensation of legislative members
527 shall be provided by the Commission. All members shall be reimbursed for their actual all reasonable
528 and necessary expenses as provided in §§ 2.2-2813 and 2.2-2825 to be paid out of that portion of
529 moneys paid in VASAP defendant entry fees which is forwarded to the Virginia Alcohol Safety Action
530 Program. In addition, per diem compensation shall be allowed for current members of the General
531 Assembly for each day spent in performing their duties.

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

537 § 20-108.2. Guideline for determination of child support.

538 A. There shall be a rebuttable presumption in any judicial or administrative proceeding for child
539 support under this title or Title 16.1 or 63.2, including cases involving split custody or shared custody,
540 that the amount of the award which would result from the application of the guidelines set forth in this
541 section is the correct amount of child support to be awarded. In order to rebut the presumption, the
542 court shall make written findings in the order as set out in § 20-108.1, which findings may be
543 incorporated by reference, that the application of the guidelines would be unjust or inappropriate in a
544 particular case as determined by relevant evidence pertaining to the factors set out in §§ 20-107.2 and
545 20-108.1. The Department of Social Services shall set child support at the amount resulting from
546 computations using the guidelines set out in this section pursuant to the authority granted to it in
547 Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 and subject to the provisions of § 63.2-1918.

548 B. For purposes of application of the guideline, a basic child support obligation shall be computed
549 using the schedule set out below. For combined monthly gross income amounts falling between amounts
550 shown in the schedule, basic child support obligation amounts shall be extrapolated. However, unless
551 one of the following exemptions applies where the sole custody child support obligation as computed

552 pursuant to subdivision G. 1. is less than \$65 per month, there shall be a presumptive minimum child
553 support obligation of \$65 per month payable by the payor parent. Exemptions from this presumptive
554 minimum monthly child support obligation shall include: parents unable to pay child support because
555 they lack sufficient assets from which to pay child support and who, in addition, are institutionalized in
556 a psychiatric facility; are imprisoned with no chance of parole; are medically verified to be totally and
557 permanently disabled with no evidence of potential for paying child support, including recipients of
558 Supplemental Security Income (SSI); or are otherwise involuntarily unable to produce income. "Number
559 of children" means the number of children for whom the parents share joint legal responsibility and for
560 whom support is being sought.

SCHEDULE OF MONTHLY BASIC CHILD SUPPORT OBLIGATIONS

562 COMBINED

563 MONTHLY

564 GROSS 565 INCOME	566 ONE 567 CHILD 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608	566 TWO 567 CHILDREN 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608	566 THREE 567 CHILDREN 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608	566 FOUR 567 CHILDREN 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608	566 FIVE 567 CHILDREN 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608	566 SIX 567 CHILDREN 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608
566 65 567 110 568 138 569 153 570 160 571 168 572 175 573 182 574 189 575 196 576 203 577 210 578 217 579 225 580 232 581 241 582 249 583 257 584 265 585 274 586 282 587 289 588 295 589 302 590 309 591 315 592 321 593 326 594 332 595 338 596 343 597 349 598 355 599 360 600 366 601 371 602 377 603 383 604 388 605 394 606 399 607 405 608 410	566 65 567 111 568 140 569 169 570 197 571 226 572 254 573 281 574 292 575 304 576 315 577 326 578 337 579 348 580 360 581 373 582 386 583 398 584 411 585 426 586 436 587 447 588 458 589 468 590 479 591 488 592 497 593 506 594 514 595 523 596 532 597 540 598 549 599 558 600 567 601 575 602 584 603 593 604 601 605 610 606 619 607 627 608 635	566 65 567 113 568 142 569 170 570 199 571 228 572 257 573 286 574 315 575 344 576 373 577 402 578 422 579 436 580 451 581 467 582 483 583 499 584 515 585 533 586 547 587 560 588 573 589 587 590 600 591 612 592 623 593 634 594 645 595 655 596 666 597 677 598 688 599 699 600 710 601 721 602 732 603 743 604 754 605 765 606 776 607 787 608 797	566 65 567 114 568 143 569 172 570 202 571 231 572 260 573 289 574 318 575 348 576 377 577 406 578 435 579 465 580 497 581 526 582 545 583 563 584 581 585 602 586 617 587 632 588 647 589 662 590 676 591 690 592 702 593 714 594 727 595 739 596 751 597 763 598 776 599 788 600 800 601 812 602 825 603 837 604 849 605 862 606 874 607 886 608 897	566 65 567 115 568 145 569 174 570 204 571 232 572 263 573 292 574 321 575 350 576 379 577 408 578 437 579 467 580 499 581 528 582 547 583 565 584 584 585 605 586 624 587 644 588 664 589 684 590 703 591 722 592 741 593 760 594 779 595 798 596 817 597 836 598 855 599 874 600 893 601 912 602 931 603 950 604 969 605 988 606 1006 607 1025 608 1044	566 65 567 116 568 146 569 175 570 205 571 233 572 264 573 293 574 322 575 351 576 380 577 409 578 438 579 468 580 499 581 529 582 548 583 567 584 586 585 605 586 624 587 644 588 664 589 684 590 703 591 722 592 741 593 760 594 779 595 798 596 817 597 836 598 855 599 874 600 893 601 912 602 931 603 950 604 969 605 988 606 1006 607 1025 608 1044	

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609	2700	415	643	806	908	991	1060
610	2750	420	651	816	919	1003	1073
611	2800	425	658	826	930	1015	1085
612	2850	430	667	836	941	1027	1098
613	2900	435	675	846	953	1039	1112
614	2950	440	683	856	964	1052	1125
615	3000	445	691	866	975	1064	1138
616	3050	450	699	876	987	1076	1152
617	3100	456	707	886	998	1089	1165
618	3150	461	715	896	1010	1101	1178
619	3200	466	723	906	1021	1114	1191
620	3250	471	732	917	1032	1126	1205
621	3300	476	740	927	1044	1139	1218
622	3350	481	748	937	1055	1151	1231
623	3400	486	756	947	1067	1164	1245
624	3450	492	764	957	1078	1176	1258
625	3500	497	772	967	1089	1189	1271
626	3550	502	780	977	1101	1201	1285
627	3600	507	788	987	1112	1213	1298
628	3650	512	797	997	1124	1226	1311
629	3700	518	806	1009	1137	1240	1326
630	3750	524	815	1020	1150	1254	1342
631	3800	530	824	1032	1163	1268	1357
632	3850	536	834	1043	1176	1283	1372
633	3900	542	843	1055	1189	1297	1387
634	3950	547	852	1066	1202	1311	1402
635	4000	553	861	1078	1214	1325	1417
636	4050	559	871	1089	1227	1339	1432
637	4100	565	880	1101	1240	1353	1448
638	4150	571	889	1112	1253	1367	1463
639	4200	577	898	1124	1266	1382	1478
640	4250	583	907	1135	1279	1396	1493
641	4300	589	917	1147	1292	1410	1508
642	4350	594	926	1158	1305	1424	1523
643	4400	600	935	1170	1318	1438	1538
644	4450	606	944	1181	1331	1452	1553
645	4500	612	954	1193	1344	1467	1569
646	4550	618	963	1204	1357	1481	1584
647	4600	624	972	1216	1370	1495	1599
648	4650	630	981	1227	1383	1509	1614
649	4700	635	989	1237	1395	1522	1627
650	4750	641	997	1247	1406	1534	1641
651	4800	646	1005	1257	1417	1546	1654
652	4850	651	1013	1267	1428	1558	1667
653	4900	656	1021	1277	1439	1570	1679
654	4950	661	1028	1286	1450	1582	1692
655	5000	666	1036	1295	1460	1593	1704
656	5050	671	1043	1305	1471	1605	1716
657	5100	675	1051	1314	1481	1616	1728
658	5150	680	1058	1323	1492	1628	1741
659	5200	685	1066	1333	1502	1640	1753
660	5250	690	1073	1342	1513	1651	1765
661	5300	695	1081	1351	1524	1663	1778
662	5350	700	1088	1361	1534	1674	1790
663	5400	705	1096	1370	1545	1686	1802
664	5450	710	1103	1379	1555	1697	1815

665	5500	714	1111	1389	1566	1709	1827
666	5550	719	1118	1398	1576	1720	1839
667	5600	724	1126	1407	1587	1732	1851
668	5650	729	1133	1417	1598	1743	1864
669	5700	734	1141	1426	1608	1755	1876
670	5750	739	1148	1435	1619	1766	1888
671	5800	744	1156	1445	1629	1778	1901
672	5850	749	1163	1454	1640	1790	1913
673	5900	753	1171	1463	1650	1801	1925
674	5950	758	1178	1473	1661	1813	1937
675	6000	763	1186	1482	1672	1824	1950
676	6050	768	1193	1491	1682	1836	1962
677	6100	773	1201	1501	1693	1847	1974
678	6150	778	1208	1510	1703	1859	1987
679	6200	783	1216	1519	1714	1870	1999
680	6250	788	1223	1529	1724	1882	2011
681	6300	792	1231	1538	1735	1893	2023
682	6350	797	1238	1547	1745	1905	2036
683	6400	802	1246	1557	1756	1916	2048
684	6450	807	1253	1566	1767	1928	2060
685	6500	812	1261	1575	1777	1940	2073
686	6550	816	1267	1583	1786	1949	2083
687	6600	820	1272	1590	1794	1957	2092
688	6650	823	1277	1597	1801	1965	2100
689	6700	827	1283	1604	1809	1974	2109
690	6750	830	1288	1610	1817	1982	2118
691	6800	834	1293	1617	1824	1990	2127
692	6850	837	1299	1624	1832	1999	2136
693	6900	841	1304	1631	1839	2007	2145
694	6950	845	1309	1637	1847	2016	2154
695	7000	848	1315	1644	1855	2024	2163
696	7050	852	1320	1651	1862	2032	2172
697	7100	855	1325	1658	1870	2041	2181
698	7150	859	1331	1665	1878	2049	2190
699	7200	862	1336	1671	1885	2057	2199
700	7250	866	1341	1678	1893	2066	2207
701	7300	870	1347	1685	1900	2074	2216
702	7350	873	1352	1692	1908	2082	2225
703	7400	877	1358	1698	1916	2091	2234
704	7450	880	1363	1705	1923	2099	2243
705	7500	884	1368	1712	1931	2108	2252
706	7550	887	1374	1719	1938	2116	2261
707	7600	891	1379	1725	1946	2124	2270
708	7650	895	1384	1732	1954	2133	2279
709	7700	898	1390	1739	1961	2141	2288
710	7750	902	1395	1746	1969	2149	2297
711	7800	905	1400	1753	1977	2158	2305
712	7850	908	1405	1758	1983	2164	2313
713	7900	910	1409	1764	1989	2171	2320
714	7950	913	1414	1770	1995	2178	2328
715	8000	916	1418	1776	2001	2185	2335
716	8050	918	1423	1781	2007	2192	2343
717	8100	921	1428	1787	2014	2198	2350
718	8150	924	1432	1793	2020	2205	2357
719	8200	927	1437	1799	2026	2212	2365
720	8250	929	1441	1804	2032	2219	2372
721	8300	932	1446	1810	2038	2226	2380

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722	8350	935	1450	1816	2045	2232	2387
723	8400	937	1455	1822	2051	2239	2395
724	8450	940	1459	1827	2057	2246	2402
725	8500	943	1464	1833	2063	2253	2410
726	8550	945	1468	1839	2069	2260	2417
727	8600	948	1473	1845	2076	2266	2425
728	8650	951	1478	1850	2082	2273	2432
729	8700	954	1482	1856	2088	2280	2440
730	8750	956	1487	1862	2094	2287	2447
731	8800	959	1491	1868	2100	2294	2455
732	8850	962	1496	1873	2107	2300	2462
733	8900	964	1500	1879	2113	2307	2470
734	8950	967	1505	1885	2119	2314	2477
735	9000	970	1509	1891	2125	2321	2484
736	9050	973	1514	1896	2131	2328	2492
737	9100	975	1517	1901	2137	2334	2498
738	9150	977	1521	1905	2141	2339	2503
739	9200	979	1524	1909	2146	2344	2509
740	9250	982	1527	1914	2151	2349	2514
741	9300	984	1531	1918	2156	2354	2520
742	9350	986	1534	1922	2160	2359	2525
743	9400	988	1537	1926	2165	2365	2531
744	9450	990	1541	1930	2170	2370	2536
745	9500	993	1544	1935	2175	2375	2541
746	9550	995	1547	1939	2179	2380	2547
747	9600	997	1551	1943	2184	2385	2552
748	9650	999	1554	1947	2189	2390	2558
749	9700	1001	1557	1951	2194	2396	2563
750	9750	1003	1561	1956	2198	2401	2569
751	9800	1006	1564	1960	2203	2406	2574
752	9850	1008	1567	1964	2208	2411	2580
753	9900	1010	1571	1968	2213	2416	2585
754	9950	1012	1574	1972	2218	2421	2590
755	10000	1014	1577	1977	2222	2427	2596
756							

757 For gross monthly income between \$10,000 and \$20,000, add the amount of child support for
 758 \$10,000 to the following percentages of gross income above \$10,000:

759	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
760	3.1%	5.1%	6.8%	7.8%	8.8%	9.5%

761
 762 For gross monthly income between \$20,000 and \$50,000, add the amount of child support for
 763 \$20,000 to the following percentages of gross income above \$20,000:

765	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
766	2%	3.5%	5%	6%	6.9%	7.8%

767
 768 For gross monthly income over \$50,000, add the amount of child support for \$50,000 to the
 769 following percentages of gross income above \$50,000:

771	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
772	1%	2%	3%	4%	5%	6%

773
 774 C. For purposes of this section, "gross income" means all income from all sources, and shall include,
 775 but not be limited to, income from salaries, wages, commissions, royalties, bonuses, dividends, severance
 776 pay, pensions, interest, trust income, annuities, capital gains, social security benefits except as listed
 777 below, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits,
 778

779 veterans' benefits, spousal support, rental income, gifts, prizes or awards.

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

786 Gross income shall be subject to deduction of reasonable business expenses for persons with income
787 from self-employment, a partnership, or a closely held business. "Gross income" shall not include
788 benefits from public assistance and social services programs as defined in § 63.2-100, federal
789 supplemental security income benefits, or child support received. For purposes of this subsection: (i)
790 spousal support received shall be included in gross income and spousal support paid shall be deducted
791 from gross income when paid pursuant to an order or written agreement and (ii) one-half of any
792 self-employment tax paid shall be deducted from gross income.

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

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

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

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

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

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

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

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

839 2. Split custody support. In cases involving split custody, the amount of child support to be paid
840 shall be the difference between the amounts owed by each parent as a noncustodial parent, computed in

841 accordance with subdivision 1, with the noncustodial parent owing the larger amount paying the
842 difference to the other parent.

843 For the purpose of this section and § 20-108.1, split custody shall be limited to those situations
844 where each parent has physical custody of a child or children born of the parents, born of either parent
845 and adopted by the other parent or adopted by both parents. For the purposes of calculating a child
846 support obligation where split custody exists, a separate family unit exists for each parent, and child
847 support for that family unit shall be calculated upon the number of children in that family unit who are
848 born of the parents, born of either parent and adopted by the other parent or adopted by both parents.
849 Where split custody exists, a parent is a custodial parent to the children in that parent's family unit and
850 is a noncustodial parent to the children in the other parent's family unit.

851 3. Shared custody support.

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

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

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

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

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

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

892 (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
893 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
894 a day of custody for that period.

895 (d) Minimum standards. Any calculation under this subdivision shall not create or reduce a support
896 obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal
897 adequate housing and provide other basic necessities for the child. If the gross income of either party is
898 equal to or less than 150 percent of the federal poverty level promulgated by the U.S. Department of
899 Health and Human Services from time to time, then the shared custody support calculated pursuant to
900
901

902 this subsection shall not be the presumptively correct support and the court may consider whether the
903 sole custody support or the shared custody support is more just and appropriate.

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

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

911 H. The Secretary of Health and Human Resources shall ensure that the guideline set out in this
912 section is reviewed by October 31, 2001, and every three years thereafter, by a panel the Child Support
913 Guidelines Review Panel, consisting of 15 members that includes a include 4 legislative members and 11
914 nonlegislative citizen members. Members shall be appointed as follows: 3 members of the House
915 Committee for Courts of Justice, upon the recommendation of the chairman of such committee, to be
916 appointed by the Speaker of the House of Delegates in accordance with the principles of proportional
917 representation contained in the Rules of the House of Delegates; 1 member of the Senate Committee for
918 Courts of Justice, upon the recommendation of the chairman of such committee, to be appointed by the
919 Senate Committee on Privileges and Elections; and 1 representative of a juvenile and domestic relations
920 district court and a, 1 representative of a circuit court, a 1 representative of the executive branch, a
921 member of the House of Delegates, a member of the Senate to be appointed by the chairmen of the
922 House and Senate Committees for Courts of Justice, Department of Social Services' Division of Child
923 Support Enforcement, 3 members of the bar Virginia State Bar, two 2 custodial and two parents, 2
924 noncustodial parents, and a 1 child advocate, upon the recommendation of the Secretary of Health and
925 Human Resources, to be appointed by the Governor. The panel Panel shall determine the adequacy of
926 the guideline for the determination of appropriate awards for the support of children by considering
927 current research and data on the cost of and expenditures necessary for rearing children, and any other
928 resources it deems relevant to such review. The panel Panel shall report its findings to the General
929 Assembly as provided in the procedures of the Division of Legislative Automated Systems for the
930 processing of legislative documents and reports before it the General Assembly next convenes following
931 such review.

932 Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen
933 members shall serve at the pleasure of the Governor. All members may be reappointed. Appointments to
934 fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies
935 shall be filled in the same manner as the original appointments.

936 Legislative members shall receive such compensation as provided in § 30-19.12, and nonlegislative
937 citizen members shall receive such compensation for the performance of their duties as provided in
938 § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the
939 performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of
940 compensation and expenses of the members shall be provided by the Department of Social Services.

941 The Department of Social Services shall provide staff support to the Panel. All agencies of the
942 Commonwealth shall provide assistance to the Panel, upon request.

943 The chairman of the Panel shall submit to the Governor and the General Assembly a triennial
944 executive summary of the interim activity and work of the Panel no later than the first day of 2005
945 regular session of the General Assembly and every 3 years thereafter. The executive summary shall be
946 submitted as provided in the procedures of the Division of Legislative Automated Systems for the
947 processing of legislative documents and reports and shall be posted on the General Assembly's website.

948 § 22.1-337. Virginia representatives on Education Commission of the States; membership; terms;
949 compensation and expenses; chairman's executive summary.

950 There In accordance with the Compact for Education of 1968, which established the Education
951 Commission of the States, there shall be seven member 7 commissioners representing Virginia on the
952 Education Commission of the States. These The Virginia commissioners shall consist of the Governor,
953 one 1 member selected from the body of the House of Delegates, to be appointed by the Speaker
954 thereof, one of the House of Delegates; 1 member selected from the body of the Senate of Virginia, to
955 be appointed by the Senate Committee on Privileges and Elections of the Senate, and four; 4
956 nonlegislative citizen members, of whom 1 shall be the Superintendent of Public Instruction, to be
957 appointed by the Governor. The term of the member from the House shall be two years; the term of the
958 member from the Senate shall terminate at the end of his current term as Senator. The terms of the
959 members appointed by the Governor ; and the Governor. The commissioners representing Virginia shall
960 by virtue of their training, experience, knowledge, or affiliations, collectively reflect the broad interests
961 of state government, the state's system of education, public and higher education, nonprofessional and
962 professional public and nonpublic educational leadership.

963 Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen

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964 members shall be for four years each except that appointments serve at the pleasure of the Governor. All
965 members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall
966 be made for the unexpired terms. The Governor, the Committee on Privileges and Elections of the
967 Senate and the Speaker shall have the authority to fill all vacancies in the manner of the original
968 appointment. Vacancies shall be filled in the same manner as the original appointments.

969 The Governor shall designate one member 1 commissioner to serve as chairman of the group
970 Virginia commissioners for a two-year term. The commissioners shall meet on the call of the chairman
971 or at the request of a majority of the members. A majority of the member commissioners commissioners
972 shall constitute a quorum for any meeting. The commissioners may consider any and all matters related
973 to recommendations of the Education Commission of the States or the general activities and business of
974 the organization and shall have the authority to represent the Commonwealth in all actions of the
975 Commission.

976 The commissioners shall serve without compensation but shall be paid their actual and. All members
977 shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their
978 duties, such expenses to be paid from funds appropriated to the General Assembly as provided in
979 §§ 2.2-2813 and 2.2-2825. The costs of expenses of the legislative commissioners incurred in the
980 performance of their duties shall be paid from appropriations to the Virginia Commission on
981 Intergovernmental Cooperation for the attendance of conferences. The costs of expenses of nonlegislative
982 citizen commissioners incurred in the performance of their duties shall be paid from such funds as may
983 be provided for this purpose in the appropriations act.

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

989 § 22.1-354.1. Western Virginia Public Education Consortium and board created; region defined;
990 governing board; chairman's executive summary.

991 A. The Western Virginia Public Education Consortium is hereby established and shall be referred to
992 in this chapter as the Consortium. For the purposes of this chapter and the work of the Consortium,
993 "Western Virginia" shall include the Counties of Alleghany, Bath, Bland, Botetourt, Craig, Floyd,
994 Franklin, Giles, Henry, Montgomery, Patrick, Pulaski, Roanoke, and Wythe, and the Cities of Covington,
995 Clifton Forge, Martinsville, Radford, Roanoke, and Salem. The governing board of the Consortium shall
996 consist of 34 members that include 15 legislative members and the 19 school superintendents of the
997 named localities. The region's legislators shall serve as nonvoting, advisory members of the board as
998 follows: 11 members of the House of Delegates representing the Fifth, Sixth, Seventh, Eighth, Ninth,
999 Tenth, Eleventh, Twelfth, Sixteenth, Seventeenth, and Nineteenth House Districts; 4 members of the
1000 Senate representing the Twentieth, Twenty-first, Twenty-second, and Twenty-fifth Senatorial Districts, all
1001 serving as ex officio nonvoting members; and the school superintendents of Alleghany and Clifton
1002 Forge, Bath, Bland, Botetourt, Craig, Floyd, Franklin, Giles, Henry, Montgomery, Patrick, Pulaski,
1003 Roanoke County, Wythe, Covington, Martinsville, Radford, Roanoke City, and Salem.

1004 B. Legislative members and school superintendents shall serve terms coincident with their terms of
1005 office. The board shall elect a chairman and a vice chairman from among its members.

1006 C. Members of the board shall serve without compensation. All members shall be reimbursed for
1007 their actual all reasonable and necessary expenses incurred in the performance of their duties in the
1008 work of the Consortium. The board shall elect a chairman and a vice-chairman from among its
1009 members, as provided in §§ 2.2-2813 and 2.2-2825. All such expenses shall be paid from existing
1010 appropriations to or received by the Consortium or, if unfunded, shall be approved by the Joint Rules
1011 Committee.

1012 D. A majority of the members of the board shall constitute a quorum. The board shall meet at the
1013 call of the chairman or whenever a majority of the members so request.

1014 E. The chairman of the board shall submit to the Governor and the General Assembly an annual
1015 executive summary of the interim activity and work of the board no later than the first day of each
1016 regular session of the General Assembly. The executive summary shall be submitted as provided in the
1017 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
1018 and reports and shall be posted on the General Assembly's website.

1019 § 30-156. Virginia State Crime Commission; purpose; membership; terms; compensation and
1020 expenses; voting on recommendations; chairman's executive summary.

1021 A. The Virginia State Crime Commission (the "Commission") is established in the legislative branch
1022 of state government. The purpose of the Commission shall be to study, report and make
1023 recommendations on all areas of public safety and protection. In so doing it shall endeavor to ascertain
1024 the causes of crime and recommend ways to reduce and prevent it, explore and recommend methods of

1025 rehabilitation of convicted criminals, study compensation of persons in law enforcement and related
1026 fields and study other related matters including apprehension, trial and punishment of criminal offenders.
1027 The Commission shall make such recommendations as it deems appropriate with respect to the foregoing
1028 matters, and shall coordinate the proposals and recommendations of all commissions and agencies as to
1029 legislation affecting crimes, crime control and criminal procedure. The Commission shall cooperate with
1030 the executive branch of state government, the Attorney General's office and the judiciary who are in turn
1031 encouraged to cooperate with the Commission. The Commission will cooperate with governments and
1032 governmental agencies of other states and the United States.

1033 B. The Commission shall consist of thirteen 13 members to be appointed that include 9 legislative
1034 members, 3 nonlegislative citizen members, and 1 state official as follows: six 6 members of the House
1035 of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the
1036 principles of proportional representation contained in the Rules of the House of Delegates; three 3
1037 members of the Senate to be appointed by the Senate Committee on Privileges and Elections; three 3
1038 nonlegislative citizen members to be appointed by the Governor; and the Attorney General or his
1039 designee. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless
1040 otherwise approved by the chairman of the Commission, nonlegislative citizen members shall only be
1041 reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of
1042 attending meetings.

1043 C. The term of each appointee shall be for four 2 years, except that the Attorney General and
1044 legislative members shall serve a term terms coincident with his term their terms of office. Whenever
1045 any legislative member fails to retain his membership in the house from which he was appointed, his
1046 membership on the Commission shall become vacated and the appointing authority who appointed such
1047 vacating member shall make an appointment from his respective house to fulfill the vacated term. All
1048 members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall
1049 be made for the unexpired terms. Vacancies shall be filled in the same manner as the original
1050 appointments.

1051 D. The Commission shall elect its own a chairman and vice chairman annually, who shall be
1052 members of the General Assembly.

1053 E. Members of the Commission shall receive compensation as provided in § 30-19.12 and shall be
1054 reimbursed for all reasonable and necessary expenses incurred in the discharge performance of their
1055 duties as provided in §§ 2.2-2813 and 2.2-2825. All such expense payments, however, shall come from
1056 existing appropriations to the Virginia Crime Commission.

1057 F. At the option of a majority of Senate members appointed to the Commission or a majority of the
1058 members of the House of Delegates appointed to the Commission, no recommendation of the
1059 Commission shall be adopted without the approval of a majority of such members of the Senate and a
1060 majority of such members of the House of Delegates. For the purpose of this provision, a "majority"
1061 constitutes a majority of members present and voting at the meeting of the Commission.

1062 G. The chairman of the Commission shall submit to the General Assembly and the Governor an
1063 annual executive summary of the interim activity and work of the Commission no later than the first day
1064 of each regular session of the General Assembly. The executive summary shall be submitted as provided
1065 in the procedures of the Division of Legislative Automated Systems for the processing of legislative
1066 documents and reports and shall be posted on the General Assembly's website.

1067 § 30-173. Commission of Senate and Commission of House of Delegates on Interstate Cooperation;
1068 membership; compensation and expenses.

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 the 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 the 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 and expenses;
1086 staff; voting on recommendations; chairman's executive summary.

1087 A. The Small Business Commission (the "Commission") is established in the legislative branch of
1088 state government. The purpose of the Commission shall be to study, report and make recommendations
1089 on issues of concern to small businesses in the Commonwealth.

1090 B. The Commission shall consist of ~~fourteen~~ 14 members ~~to that include 10 legislative members and~~
1091 ~~4 nonlegislative citizen members. Members shall~~ be appointed as follows: ~~six~~ 6 members of the House
1092 of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the
1093 principles of proportional representation contained in the Rules of the House of Delegates; ~~four~~ 4
1094 members of the Senate to be appointed by the Senate Committee on Privileges and Elections; and ~~four~~ 4
1095 nonlegislative citizen members, each of whom shall have previously demonstrated small business
1096 experience or expertise, to be appointed by the Governor. Nonlegislative citizen members shall be
1097 citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the
1098 Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel
1099 originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

1100 All gubernatorial appointments to the Commission shall be for terms of ~~four~~ 2 years. Vacancies
1101 occurring other than by expiration of term shall be filled for the unexpired term. Whenever any
1102 legislative member fails to retain his membership in the house from which he was appointed, he shall
1103 relinquish his membership on the Commission and the appointing authority who appointed such member
1104 shall make an appointment from his respective house to complete the term. Any member may be
1105 reappointed for successive terms. Legislative members shall serve terms coincident to their terms of
1106 office. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a
1107 term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the
1108 original appointments.

1109 C. The members of the Commission shall elect a chairman and a vice-chairman vice chairman
1110 annually, who shall be members of the General Assembly. A majority of the members of the Commission
1111 shall constitute a quorum. The Commission shall meet at the call of the chairman or whenever a
1112 majority of the members so request.

1113 D. Legislative members of the Commission shall receive such compensation as is set forth in
1114 § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of
1115 their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary
1116 expenses incurred in the ~~discharge~~ performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.
1117 However, all such compensation and expenses shall be paid from existing appropriations to the
1118 Commission and, if unfunded, shall be approved by the Joint Rules Committee.

1119 E. The Division of Legislative Services shall serve as staff to the Commission. Administrative staff
1120 support shall be provided by the Office of the Clerk of the Senate or the Office of Clerk of the House of
1121 Delegates as may be appropriate for the house in which the chairman of the Commission serves. The
1122 Division of Legislative Services shall provide legal, research, policy analysis and other services as
1123 requested by the Commission. All agencies of the Commonwealth shall assist the Commission, upon
1124 request.

1125 F. At the option of a majority of Senate members appointed to the Commission or a majority of the
1126 members of the House of Delegates appointed to the Commission, no recommendation of the
1127 Commission shall be adopted without the approval of a majority of such members of the Senate and a
1128 majority of such members of the House of Delegates. For the purpose of this provision, a "majority"
1129 constitutes a majority of members present and voting at the meeting of the Commission.

1130 G. The chairman of the Commission shall submit to the General Assembly and the Governor an
1131 annual executive summary of the interim activity and work of the Commission no later than the first day
1132 of each regular session of the General Assembly. The executive summary shall be submitted as provided
1133 in the procedures of the Division of Legislative Automated Systems for the processing of legislative
1134 documents and reports and shall be posted on the General Assembly's website.

CHAPTER 31.

COMMISSION ON ELECTRIC UTILITY RESTRUCTURING.

1136 § 30-201. Commission on Electric Utility Restructuring; purpose.

1137 The Commission on Electric Utility Restructuring (the "Commission") is established in the legislative
1138 branch of state government. The purpose of the Commission is to work collaboratively with the State
1139 Corporation Commission in conjunction with the phase-in of retail competition within the
1140 Commonwealth.

1141 § 30-202. Membership; terms; vacancies; chairman and vice chairman.

1142 The Commission shall consist of 10 legislative members. Members shall be appointed as follows: 4
1143 members of the Senate to be appointed by the Senate Committee on Privileges and Elections and 6
1144 members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
1145 accordance with the principles of proportional representation contained in the Rules of the House of
1146 Delegates.

1148 *Members of the Commission shall serve terms coincident with their terms of office. All members may
1149 be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the
1150 unexpired terms. Vacancies shall be filled in the same manner as the original appointments.*

1151 *The Commission shall elect a chairman and vice chairman from among its membership. The
1152 chairman of the Commission shall be authorized to designate 1 or more members of the Commission to
1153 observe and participate in the discussions of any work group convened by the State Corporation
1154 Commission in furtherance of its duties under the Virginia Electric Utility Restructuring Act (§ 56-576 et
1155 seq.) and this chapter. Members participating in such discussions shall be entitled to compensation and
1156 reimbursement provided in § 30-204, if approved by the Joint Rules Committee or its Budget Oversight
1157 Subcommittee.*

1158 *§ 30-203. Quorum; meetings; voting on recommendations.*

1159 *A majority of the voting members shall constitute a quorum. The meetings of the Commission shall
1160 be held at the call of the chairman or whenever the majority of the voting members so request.*

1161 *At the option of a majority of the Senate members appointed to the Commission or a majority of the
1162 members of the House of Delegates appointed to the Commission, no recommendation of the
1163 Commission shall be adopted without the approval of a majority of such members of the Senate and a
1164 majority of such members of the House of Delegates. For the purpose of this provision, a "majority"
1165 constitutes a majority of members present and voting at the meeting of the Commission.*

1166 *§ 30-204. Compensation; expenses.*

1167 *Members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be
1168 reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as
1169 provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from
1170 existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules
1171 Committee.*

1172 *§ 30-205. Powers and duties of the Commission.*

1173 *The Commission shall have the following powers and duties:*

1174 1. *Monitor the work of the State Corporation Commission in implementing Chapter 23 (§ 56-576 et
1175 seq.) of Title 56, receiving such reports as the Commission may be required to make pursuant thereto,
1176 including reviews, analyses, and impact on consumers of electric utility restructuring programs in other
1177 states;*

1178 2. *Determine whether, and on what basis, incumbent electric utilities should be permitted to discount
1179 capped generation rates established pursuant to § 56-582;*

1180 3. *Monitor, after the commencement of customer choice and with the assistance of the State
1181 Corporation Commission and the Office of Attorney General, the incumbent electric utilities, suppliers,
1182 and retail customers, whether the recovery of stranded costs, as provided in § 56-584, has resulted or is
1183 likely to result in the overrecovery or underrecovery of just and reasonable net stranded costs;*

1184 4. *Examine (i) utility worker protection during the transition to retail competition, (ii) generation,
1185 transmission and distribution systems reliability concerns, and (iii) energy assistance programs for
1186 low-income households;*

1187 5. *Establish 1 or more subcommittees of its membership, to meet at the direction of the chairman of
1188 the Commission, for any purpose within the scope of the duties prescribed to the Commission by this
1189 section; and*

1190 6. *Report annually to the General Assembly and the Governor on the progress of each stage of the
1191 phase-in of retail competition and offer such recommendations as may be appropriate for legislative and
1192 administrative consideration in order to maintain the Commonwealth's position as a low-cost electricity
1193 market and ensure that residential customers and small business customers benefit from competition.*

1194 *§ 30-206. Staffing.*

1195 *Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office
1196 of Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the
1197 Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis
1198 and other services as requested by the Commission. All agencies of the Commonwealth shall provide
1199 assistance to the Commission, upon request.*

1200 *§ 30-207. Chairman's executive summary of activity and work of the Commission.*

1201 *The chairman of the Commission shall submit to the Governor and the General Assembly an annual
1202 executive summary of the interim activity and work of the Commission no later than the first day of
1203 each regular session of the General Assembly. The executive summary shall be submitted as provided in
1204 the procedures of the Division of Legislative Automated Systems for the processing of legislative
1205 documents and reports and shall be posted on the General Assembly's website.*

1206 *§ 30-208. Consumer Advisory Board; purpose; membership; compensation and expenses; staffing.*

1207 *A. There shall be established a Consumer Advisory Board to assist the Commission on Electric
1208 Utility Restructuring in its work as prescribed in § 30-205 and on other issues as may be directed by
1209 the Commission. The Board shall consist of 8 members as follows: 3 nonlegislative citizen members*

1210 appointed by the Senate Committee on Privileges and Elections; 4 nonlegislative citizen members
1211 appointed by the Speaker of the House of Delegates and 1 member of the Commission designated by the
1212 chairman to serve as a nonvoting liaison member. Appointed members shall be from all classes of
1213 consumers and with geographical representation of the regions of the Commonwealth and shall be
1214 citizens of the Commonwealth. The chairman of the Commission shall select the chairman of the Board.

1215 B. The Board shall be limited to meeting on the call of the chairman of the Commission.

1216 C. The legislative member of the Board shall receive compensation as provided in § 30-19.12, and
1217 nonlegislative citizen members shall receive such compensation for the performance of their duties as
1218 provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses
1219 incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such
1220 compensation shall be paid from existing appropriations to the Commission or, if unfunded, shall be
1221 approved by the Joint Rules Committee. Unless otherwise approved in writing by the chairman of the
1222 Commission, nonlegislative citizen members shall only be reimbursed for travel originating and ending
1223 within the Commonwealth of Virginia for the purpose of attending meetings.

1224 D. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the
1225 Office of Clerk of the House of Delegates as may be appropriate for the house in which the chairman of
1226 the Commission serves. The Division of Legislative Services shall provide legal, research, policy
1227 analysis, and other services as requested by the Board. All agencies of the Commonwealth shall provide
1228 assistance to the Board, upon request.

1229 § 30-209. Sunset.

1230 This chapter shall expire on July 1, 2008.

CHAPTER 32.

VIRGINIA DELEGATION TO MULTISTATE TAX ADMINISTRATION DISCUSSIONS.

1231 § 30-210. Virginia Delegation to Multistate Tax Administration Discussions; purpose.

1232 There is hereby created the Virginia Delegation to the Multistate Tax Administration Discussions, in
1233 the legislative branch of government, to consider whether the Commonwealth should enter into an
1234 agreement with 1 or more other states to simplify and modernize tax administration.

1235 § 30-211. Definitions.

1236 "Agreement" means an interstate agreement for simplification and uniformity of taxation among
1237 member states in order to reduce the burden of tax compliance for sellers and for all types of
1238 commerce.

1239 "Seller" means an individual, trust, estate, fiduciary, partnership, limited liability company, limited
1240 liability partnership, corporation or any other similar legal entity that sells, leases or rents tangible
1241 personal property or services.

1242 "State" means a state of the United States and the District of Columbia.

1243 "Tax" or "taxes" means sales and use taxes imposed pursuant to Title 58.1, or a similar tax imposed
1244 by a political subdivision of the Commonwealth.

1245 § 30-212. Membership; terms; vacancies; chairman and vice chairman; quorum; meetings.

1246 The Virginia delegation shall consist of 5 legislative members. Members shall be appointed as
1247 follows: 2 members of the Senate, to be appointed by the Senate Committee on Privileges and Elections;
1248 and 3 members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in
1249 accordance with the principles of proportional representation contained in the Rules of the House of
1250 Delegates. Members shall serve terms coincident with their terms of office. All members may be
1251 reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the
1252 unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

1253 The Delegation shall elect a chairman and a vice chairman from among its membership. A majority
1254 of the members shall constitute a quorum. The Delegation shall meet at least 4 times each year. The
1255 meetings of the Delegation shall be held at the call of the chairman or whenever the majority of the
1256 members so request.

1257 § 30-213. Powers and duties of the Delegation.

1258 A. The Virginia Delegation to the Multistate Tax Administration Discussions regarding the
1259 simplification and modernization of tax administration shall consider whether to enter into agreement
1260 with 1 or more states to:

1261 1. Simplify and modernize tax administration in order to substantially reduce the burden of tax
1262 compliance for sellers and for all types of commerce;

1263 2. Establish standards for tax compliance software and service providers; and

1264 3. Establish performance standards for multistate sellers.

1265 B. After meeting with similar delegations from other states, the delegates shall make
1266 recommendations, including but not limited to proposed legislation, to the 2004 and 2005 Sessions of
1267 the General Assembly regarding the issues the delegates are required to consider pursuant to this
1268 section and any other related issues the delegates deem advisable.

1271 § 30-214. Compensation and expenses.

1272 Members shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all
1273 reasonable and necessary expenses incurred in the performance of their duties as provided in
1274 §§ 2.2-2813 and 2.2-2825. All such compensation and expenses shall be paid from existing
1275 appropriations to the Delegation or, if unfunded, shall be approved by the Joint Rules Committee.

1276 § 30-215. Staff Support.

1277 Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office
1278 of Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the
1279 Delegation serves. The Division of Legislative Services shall provide legal, research, policy analysis and
1280 other services as requested by the Delegation. All agencies of the Commonwealth shall provide
1281 assistance to the Delegation, upon request.

1282 § 30-216. Chairman's executive summary of activity and work of the Delegation.

1283 The chairman of the Delegation shall submit to the General Assembly and the Governor an annual
1284 executive summary of the interim activity and work of the Delegation no later than the first day of each
1285 regular session of the General Assembly. The executive summary shall be submitted as provided in the
1286 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
1287 and reports and shall be posted to the General Assembly's website.

1288 § 30-217. Sunset.

1289 This chapter shall expire on July 1, 2006.

1290 § 32.1-73.7. Department to be lead agency for youth suicide prevention.

1291 With such funds as may be appropriated for this purpose, the Department, in consultation with the
1292 Department of Education, the Department of Mental Health, Mental Retardation and Substance Abuse
1293 Services, the Virginia Council on Coordinating Prevention, community services boards, and local
1294 departments of health, shall have the lead responsibility for the youth suicide prevention program within
1295 the Commonwealth. This responsibility includes coordination of the activities of the agencies of the
1296 Commonwealth pertaining to youth suicide prevention in order to develop a comprehensive youth
1297 suicide prevention plan addressing the promotion of health development, early identification, crisis
1298 intervention, and support to survivors. The plan shall be targeted to the specific needs of children and
1299 adolescents. The Department shall cooperate with federal, state and local agencies, private and public
1300 agencies, survivor groups and other interested individuals in order to prevent youth suicide within the
1301 Commonwealth. The Department shall report annually by December 1 of each year to the Governor and
1302 the General Assembly on its youth suicide prevention activities.

1303 The provisions of this section shall not limit the powers and duties of other state agencies.

1304 § 51.5-39.2. The Virginia Office for Protection and Advocacy established; governing board; terms.

1305 A. The Department for Rights of Virginians with Disabilities is hereby reestablished as an
1306 independent state agency, *to be known as* the Virginia Office for Protection and Advocacy. The Office
1307 is designated as the agency to protect and advocate for the rights of persons with mental, cognitive,
1308 sensory, physical or other disabilities and to receive federal funds on behalf of the Commonwealth of
1309 Virginia to implement the federal Protection and Advocacy for Individuals with Mental Illness Act, the
1310 federal Developmental Disabilities Assistance and Bill of Rights Act, the federal Rehabilitation Act, the
1311 Virginians with Disabilities Act and such other related programs as may be established by state and
1312 federal law. Notwithstanding any other provision of law, the Office shall be independent of the Office of
1313 the Attorney General and shall have the authority, pursuant to subdivision 5 of § 2.2-510, to employ and
1314 contract with legal counsel to carry out the purposes of this chapter and to employ and contract with
1315 legal counsel to advise and represent the Office, to initiate actions on behalf of the Office, and to defend
1316 the Office and its officers, agents and employees in the course and scope of their employment or
1317 authorization, in any matter, including state, federal and administrative proceedings. Compensation for
1318 legal counsel shall be paid out of the funds appropriated for the administration of the Office. However,
1319 in the event defense is provided under Article 5 (§ 2.2-1832 et seq.) of Chapter 18 of Title 2.2, counsel
1320 shall be appointed pursuant to subdivision 4 of § 2.2-510. The Office shall provide ombudsman,
1321 advocacy and legal services to persons with disabilities who may be represented by the Office. The
1322 Office is authorized to receive and act upon complaints concerning discrimination on the basis of
1323 disability, abuse and neglect or other denial of rights, and practices and conditions in institutions,
1324 hospitals, and programs for persons with disabilities, and to investigate complaints relating to abuse and
1325 neglect or other violation of the rights of persons with disabilities in proceedings under state or federal
1326 law, and to initiate any proceedings to secure the rights of such persons.

1327 B. The Office shall be governed by an eleven-member board. The Board shall be composed of
1328 members who broadly represent or are knowledgeable about the needs of persons with disabilities served
1329 by the Office. Two or more members shall have experience in the fields of developmental disabilities
1330 and mental health. Persons with mental, cognitive, sensory or physical disabilities or family members,
1331 guardians, advocates, or authorized representatives of such persons shall be included. No elected official
1332 shall serve on the Board. No current employee of the Departments of Mental Health, Mental Retardation

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1333 and Substance Abuse Services, Health, Rehabilitative Services or for the Blind and Vision Impaired or a
1334 community services board, behavioral health authority, or local government department with a
1335 policy advisory community services board shall serve as a member. In appointing the members of the
1336 Board, consideration shall be given to persons nominated by statewide groups that advocate for the
1337 physically, developmentally and mentally disabled. The Governor and General Assembly shall not be
1338 limited in their appointments to persons so nominated; however, the Governor and General Assembly
1339 shall seriously consider the persons nominated and appoint such persons whenever feasible.

1340 C. The Governor shall appoint three members of the Board who shall be confirmed by the
1341 affirmative vote of a majority of those voting in each house of the General Assembly. The Speaker of
1342 the House of Delegates shall appoint five members, and the Senate Committee on Privileges and
1343 Elections shall appoint three members of the Board. No such appointments shall be members of the
1344 General Assembly. The Board appointments shall be made to give representation insofar as feasible to
1345 various geographic areas of the Commonwealth.

1346 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

1351 4. One gubernatorial and two legislative appointees shall be appointed for a term of four years each.
1352 consisting of 11 nonlegislative citizen members. The members shall be appointed as follows: 5 citizens
1353 at large, of whom 1 shall be a person with a developmental disability or the parent, family member,
1354 guardian, advocate, or authorized representative of such an individual, 1 shall be a person with a
1355 physical disability or the parent, family member, guardian, advocate, or authorized representative of
1356 such an individual, 1 shall be a person who represents persons with cognitive disabilities, 1 shall be a
1357 person who represents persons with developmental disabilities, and 1 shall be a person who represents
1358 persons with sensory or physical disabilities, to be appointed by the Speaker of the House of Delegates;
1359 3 citizens at large, of whom 1 shall be a person with a cognitive disability or the parent, family
1360 member, guardian, advocate, or authorized representative of such an individual, 1 shall be a person
1361 who represents persons with mental illnesses, and 1 shall be a person who represents people with
1362 mental or neurological disabilities, to be appointed by the Senate Committee on Privileges and
1363 Elections; and 3 citizens at large, of whom 1 shall be a person with a mental illness or the parent,
1364 family member, guardian, advocate, or authorized representative of such an individual, 1 shall be a person
1365 with a sensory disability or the parent, family member, guardian, advocate, or authorized
1366 representative of such an individual, and 1 shall be a person with a mental or neurological disability or
1367 the parent, family member, guardian, advocate, or authorized representative of such an individual, to be
1368 appointed by the Governor. Persons appointed to the board to represent individuals with a disability
1369 shall be knowledgeable of the broad range of needs of such persons served by the Office. Persons
1370 appointed to the board who have a disability shall be individuals who are eligible for, are receiving, or
1371 have received services through the state system that protects and advocates for the rights of individuals
1372 with disabilities. In appointing the members of the Board, consideration shall be given to persons
1373 nominated by statewide groups that advocate for the physically, developmentally, and mentally disabled.
1374 The Speaker of the House of Delegates, the Senate Committee on Privileges and Elections and the
1375 Governor shall not be limited in their appointments to persons so nominated; however, such appointing
1376 authorities shall seriously consider the persons nominated and appoint such persons whenever feasible.

1377 No member of the General Assembly, elected official, or current employee of the Department of
1378 Mental Health, Mental Retardation and Substance Abuse Services, State Health Department, Department
1379 of Rehabilitative Services, Department for the Blind and Vision Impaired, Virginia Department for the
1380 Deaf and Hard-of-Hearing, a community services board, a behavioral health authority, or a local
1381 government department with a policy-advisory community services board shall be appointed to the
1382 Board.

1383 C. Appointments of nonlegislative citizen members shall be staggered as follows: 2 members for a
1384 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
1385 term of 4 years appointed by the Speaker of the House of Delegates; 1 member for a term of 2 years, 1
1386 member for a term of 3 years, and 1 member for a term of 4 years appointed by the Senate Committee
1387 on Privileges and Elections; and 1 member for a term of 2 years, 1 member for a term of 3 years, and
1388 1 member for a term of 4 years appointed by the Governor. Thereafter, nonlegislative citizen members
1389 shall be appointed for four-year terms. A term of 4 years. Appointments to fill vacancies shall be for
1390 the unexpired terms. A vacancy of a legislatively appointed member shall be filled by either the
1391 Speaker of the House of Delegates or the Senate Committee on Privileges and Elections, and any such
1392 appointee shall enter upon and continue in office. All members may be reappointed, except that any
1393 member appointed initially to a 4-year term shall not be eligible for reappointment for 2 years after the

1394 *expiration of his term. However, no nonlegislative citizen member shall serve more than 2 consecutive*
1395 *4-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not*
1396 *constitute a term in determining the member's eligibility for reappointment. Appointments to fill*
1397 *vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be*
1398 *filled in the same manner as the original appointments. All appointments and reappointments shall be*
1399 *subject to confirmation at the next session of the General Assembly. If the General Assembly fails to*
1400 *confirm his appointment, such person shall not be eligible for reappointment. Members shall continue to*
1401 *serve until such time as their successors have been appointed and duly qualified to serve.*

1402 F. A member who has been appointed to a four year term shall not be eligible for reappointment
1403 during the two year period beginning on the date on which such four year term expired. However, upon
1404 the expiration of an appointment to an unexpired term, or an appointment described in subdivision D 1,
1405 D 2, or D 3, a member may be reappointed to a four year term.

1406 G. D. The Board shall elect a chairman and a vice chairman vice chairman from among its members
1407 and appoint a secretary who may or may not be a member of the Board. A majority of the members of
1408 the Board shall constitute a quorum. The chairman shall preside over meetings of the Board and perform
1409 additional duties as may be set by resolution of the Board.

1410 H. The Board shall meet at least four 4 times each year. The meetings of the Board shall be held at
1411 the call of the chairman or whenever the majority of the voting members so request. The chairman shall
1412 perform such additional duties as may be established by resolution of the Board.

1413 E. Members shall serve without compensation for their services; however, all members shall be
1414 reimbursed for their all reasonable and necessary and actual expenses incurred in the performance of
1415 their official duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the
1416 members shall be provided by the Virginia Office for Protection and Advocacy.

1417 I. F. Members of the Board shall be subject to removal from office only as set forth in Article 7
1418 (§ 24.2-230 et seq.) of Chapter 2 of Title 24.2. The Circuit Court of the City of Richmond shall have
1419 exclusive jurisdiction over all proceedings for such removal.

1420 G. The chairman of the Board shall submit to the Governor and the General Assembly an annual
1421 executive summary of the interim activity and work of the Board no later than the first day of each
1422 regular session of the General Assembly. The executive summary shall be submitted as provided in the
1423 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
1424 and reports and shall be posted to the General Assembly's website.

1425 § 56-579. Regional transmission entities.

1426 A. As set forth in § 56-577, on or before January 1, 2001, each incumbent electric utility owning,
1427 operating, controlling, or having an entitlement to transmission capacity shall join or establish a regional
1428 transmission entity (RTE) to which such utility shall transfer the management and control of its
1429 transmission assets, subject to the following:

1430 1. No such incumbent electric utility shall transfer to any person any ownership or control of, or any
1431 responsibility to operate, any portion of any transmission system located in the Commonwealth without
1432 obtaining the prior approval of the Commission, as hereinafter provided.

1433 2. The Commission shall develop rules and regulations under which any such incumbent electric
1434 utility owning, operating, controlling, or having an entitlement to transmission capacity within the
1435 Commonwealth, may transfer all or part of such control, ownership or responsibility to an RTE, upon
1436 such terms and conditions that the Commission determines will:

1437 a. Promote:

1438 (1) Practices for the reliable planning, operating, maintaining, and upgrading of the transmission
1439 systems and any necessary additions thereto; and

1440 (2) Policies for the pricing and access for service over such systems, which are safe, reliable,
1441 efficient, not unduly discriminatory and consistent with the orderly development of competition in the
1442 Commonwealth;

1443 b. Be consistent with lawful requirements of the Federal Energy Regulatory Commission;

1444 c. Be effectuated on terms that fairly compensate the transferor;

1445 d. Generally promote the public interest, and are consistent with (i) ensuring the successful
1446 development of interstate regional transmission entities and (ii) meeting the transmission needs of
1447 electric generation suppliers both within and without this Commonwealth.

1448 B. The Commission shall also adopt rules and regulations, with appropriate public input, establishing
1449 elements of regional transmission entity structures essential to the public interest, which elements shall
1450 be applied by the Commission in determining whether to authorize transfer of ownership or control from
1451 an incumbent electric utility to a regional transmission entity.

1452 C. The Commission shall, to the fullest extent permitted under federal law, participate in any and all
1453 proceedings concerning regional transmission entities furnishing transmission services within the
1454 Commonwealth, before the Federal Energy Regulatory Commission. Such participation may include such
1455 intervention as is permitted state utility regulators under FERC rules and procedures.

1456 D. Nothing in this section shall be deemed to abrogate or modify:

1457 1. The Commission's authority over transmission line or facility construction, enlargement or
1458 acquisition within this Commonwealth, as set forth in Chapter 10.1 (§ 56-265.1 et seq.) of this title;

1459 2. The laws of this Commonwealth concerning the exercise of the right of eminent domain by a
1460 public service corporation pursuant to the provisions of Article 5 (§ 56-257 et seq.) of Chapter 10 of this
1461 title; however, on and after January 1, 2002, a petition may not be filed to exercise the right of eminent
1462 domain in conjunction with the construction or enlargement of any utility facility whose purpose is the
1463 generation of electric energy; or

1464 3. The Commission's authority over retail electric energy sold to retail customers within the
1465 Commonwealth by licensed suppliers of electric service, including necessary reserve requirements, all as
1466 specified in § 56-587.

1467 E. For purposes of this section, transmission capacity shall not include capacity that is primarily
1468 operated in a distribution function, as determined by the Commission, taking into consideration any
1469 binding federal precedents.

1470 F. On or after January 1, 2002, the Commission shall report to the *Legislative Transition Task Force*
1471 *Commission on Electric Utility Restructuring* its assessment of the success in the practices and policies
1472 of the RTE facilitating the orderly development of competition in the Commonwealth.

1473 § 56-581.1. Competitive retail electric billing and metering.

1474 A. Effective January 1, 2002, (i) distributors shall offer consolidated billing services to licensed
1475 suppliers, aggregators, and retail customers, and (ii) licensed suppliers and aggregators shall be permitted
1476 to bill all retail customers separately for services rendered on and after the first regular meter reading
1477 date after January 1, 2002, subject to conditions, regulations, and licensing requirements established by
1478 the Commission.

1479 B. Effective January 1, 2003, licensed suppliers and aggregators may offer consolidated billing
1480 service to distributors and retail customers for services rendered on and after the first regular meter
1481 reading date after January 1, 2003, subject to conditions, regulations, and licensing requirements
1482 established by the Commission.

1483 C. Upon application by a distributor or upon its own motion, the Commission may delay any
1484 element of the competitive provision of billing services to retail customers for the period of time
1485 necessary, but no longer than ~~one~~ 1 year, to resolve issues arising from considerations of billing
1486 accuracy, timeliness, quality, consumer readiness, or adverse effects upon development of competition in
1487 electric service. The Commission shall report any such delays and the underlying reasons therefor to the
1488 *Legislative Transition Task Force Commission on Electric Utility Restructuring* within a reasonable time.

1489 D. The Commission shall promulgate such rules and regulations as may be necessary to implement
1490 the provisions of this section in a manner that is consistent with its Recommendation and Draft Plan
1491 filed with the Legislative Transition Task Force, *the predecessor of the Commission on Electric Utility*
1492 *Restructuring*, on December 12, 2000, to facilitate the development of effective competition in electric
1493 service for all customer classes, and to ensure reasonable levels of billing accuracy, timeliness, and
1494 quality, and adequate consumer readiness and protection. Such rules and regulations shall include
1495 provisions regarding the licensing of persons seeking to sell, offering to sell, or selling competitive
1496 billing services, pursuant to the licensure requirements of § 56-587.

1497 E. The Commission shall implement the provision of competitive metering services by licensed
1498 providers for large industrial and large commercial customers of investor-owned distributors on January
1499 1, 2002, and may approve such services for residential and small business customers of investor-owned
1500 distributors on or after January 1, 2003, as determined to be in the public interest by the Commission.
1501 Such implementation and approvals shall:

1502 1. Be consistent with the goal of facilitating the development of effective competition in electric
1503 service for all customer classes;

1504 2. Take into account the readiness of customers and suppliers to buy and sell such services;

1505 3. Take into account the technological feasibility of furnishing any such services on a competitive
1506 basis;

1507 4. Take into account whether reasonable steps have been or will be taken to educate and prepare
1508 customers for the implementation of competition for any such services;

1509 5. Not jeopardize the safety, reliability or quality of electric service;

1510 6. Consider the degree of control exerted over utility operations by utility customers;

1511 7. Not adversely affect the ability of an incumbent electric utility authorized or obligated to provide
1512 electric service to customers who do not buy such services from competitors to provide electric service
1513 to such customers at reasonable rates;

1514 8. Give due consideration to the potential effects of such determinations on utility tax collection by
1515 state and local governments in the Commonwealth; and

1516 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, offers competitive electric energy supply to retail customers in the service territory of any other Virginia incumbent electric utility. The Commission may permit any municipal electric utility or utility consumer services cooperative that pursues such competitive activity to maintain such exemption upon application to the Commission demonstrating good cause for relief. In addition, upon petition by a utility consumer services cooperative, the Commission may approve the provision of competitive metering services by licensed providers for large industrial and large commercial customers of such cooperative on or after January 1, 2002, and for residential and small business customers of such cooperative on or after January 1, 2003, as determined to be in the public interest by the Commission consistent with the criteria set forth in subsection E.

§ 56-585. Default service.

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

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

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

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

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

1579 4. Notwithstanding imposition on a distributor by the Commission of the requirement provided in
1580 subdivision 3, the Commission may thereafter, upon a finding that the public interest will be served,
1581 designate through the competitive bidding process established in subdivision 2 one or more willing and
1582 suitable providers to provide one or more components of such services, in one or more regions of the
1583 Commonwealth, to one or more classes of customers.

1584 C. If a distributor is required to provide default services pursuant to subdivision B 3, after notice and
1585 opportunity for hearing, the Commission shall periodically, for each distributor, determine the rates,
1586 terms and conditions for default services, taking into account the characteristics and qualifications set
1587 forth in subdivision B 1, as follows:

1588 1. Until the expiration or termination of capped rates, the rates for default service provided by a
1589 distributor shall equal the capped rates established pursuant to subdivision A 2 of § 56-582. After the
1590 expiration or termination of such capped rates, the rates for default services shall be based upon
1591 competitive market prices for electric generation services.

1592 2. The Commission shall, after notice and opportunity for hearing, determine the rates, terms and
1593 conditions for default service by such distributor on the basis of the provisions of Chapter 10 (§ 56-232
1594 et seq.) of this title, except that the generation-related components of such rates shall be (i) based upon
1595 a plan approved by the Commission as set forth in subdivision 3 or (ii) in the absence of an approved
1596 plan, based upon prices for generation capacity and energy in competitive regional electricity markets.

1597 3. Prior to a distributor's provision of default service, and upon request of such distributor, the
1598 Commission shall review any plan filed by the distributor to procure electric generation services for
1599 default service. The Commission shall approve such plan if the Commission determines that the
1600 procurement of electric generation capacity and energy under such plan is adequately based upon prices
1601 of capacity and energy in competitive regional electricity markets. If the Commission determines that the
1602 plan does not adequately meet such criteria, then the Commission shall modify the plan, with the
1603 concurrence of the distributor, or reject the plan.

1604 4. a. For purposes of this subsection, in determining whether regional electricity markets are
1605 competitive and rates for default service, the Commission shall consider (i) the liquidity and price
1606 transparency of such markets, (ii) whether competition is an effective regulator of prices in such
1607 markets, (iii) the wholesale or retail nature of such markets, as appropriate, (iv) the reasonable
1608 accessibility of such markets to the regional transmission entity to which the distributor belongs, and (v)
1609 such other factors it finds relevant. As used in this subsection, the term "competitive regional electricity
1610 market" means a market in which competition, and not statutory or regulatory price constraints,
1611 effectively regulates the price of electricity.

1612 b. If, in establishing a distributor's default service generation rates, the Commission is unable to
1613 identify regional electricity markets where competition is an effective regulator of rates, then the
1614 Commission shall establish such distributor's default service generation rates by setting rates that would
1615 approximate those likely to be produced in a competitive regional electricity market. Such proxy
1616 generation rates shall take into account: (i) the factors set forth in subdivision C 4 a, and (ii) such
1617 additional factors as the Commission deems necessary to produce such proxy generation rates.

1618 D. In implementing this section, the Commission shall take into consideration the need of default
1619 service customers for rate stability and for protection from unreasonable rate fluctuations.

1620 E. On or before July 1, 2004, and annually thereafter, the Commission shall determine, after notice
1621 and opportunity for hearing, whether there is a sufficient degree of competition such that the elimination
1622 of default service for particular customers, particular classes of customers or particular geographic areas
1623 of the Commonwealth will not be contrary to the public interest. The Commission shall report its
1624 findings and recommendations concerning modification or termination of default service to the General
1625 Assembly and to the *Legislative Transition Task Force Commission on Electric Utility Restructuring*, not
1626 later than December 1, 2004, and annually thereafter.

1627 F. A distribution electric cooperative, or one or more affiliates thereof, shall have the obligation and
1628 right to be the supplier of default services in its certificated service territory. A distribution electric
1629 cooperative's rates for such default services shall be the capped rate for the duration of the capped rate
1630 period and shall be based upon the distribution electric cooperative's prudently incurred cost thereafter.
1631 Subsections B and C shall not apply to a distribution electric cooperative or its rates. Such default
1632 services, for the purposes of this subsection, shall include the supply of electric energy and all services
1633 made competitive pursuant to § 56-581.1. If a distribution electric cooperative, or one or more affiliates
1634 thereof, elects or seeks to be a default supplier of another electric utility, then the Commission shall
1635 designate the default supplier for that distribution electric cooperative, or any affiliate thereof, pursuant
1636 to subsection B.

1637 § 56-592. Consumer education and protection; Commission report to Commission Electric Utility
1638 Restructuring.

1639 A. The Commission shall develop a consumer education program designed to provide the following

1640 information to retail customers during the period of transition to retail competition and thereafter:
1641 1. Opportunities and options in choosing (i) suppliers and aggregators of electric energy and (ii) any
1642 other service made competitive pursuant to this chapter;
1643 2. Marketing and billing information suppliers and aggregators of electric energy will be required to
1644 furnish retail customers;
1645 3. Retail customers' rights and obligations concerning the purchase of electric energy and related
1646 services; and
1647 4. Such other information as the Commission may deem necessary and appropriate in the public
1648 interest.

1649 B. The Commission shall complete the development of the consumer education program described in
1650 subsection A, and report its findings and recommendations to the *Legislative Transition Task Force*
1651 *Commission on Electric Utility Restructuring* on or before December 1, 1999, and as frequently
1652 thereafter as may be required by the *Task Force* such *Commission* concerning:

1653 1. The scope of such recommended program consistent with the requirements of subsection A;
1654 2. Materials and media required to effectuate any such program;
1655 3. State agency and nongovernmental entity participation;
1656 4. Program duration;
1657 5. Funding requirements and mechanisms for any such program; and
1658 6. Such other findings and recommendations the Commission deems appropriate in the public
1659 interest.

1660 C. The Commission shall develop regulations governing marketing practices by public service
1661 companies, licensed suppliers, aggregators or any other providers of services made competitive by this
1662 chapter, including regulations to prevent unauthorized switching of suppliers, unauthorized charges, and
1663 improper solicitation activities. The Commission shall also establish standards for marketing information
1664 to be furnished by licensed suppliers, aggregators or any other providers of services made competitive
1665 by this chapter during the period of transition to retail competition, and thereafter, which information
1666 shall include standards concerning:

1667 1. Pricing and other key contract terms and conditions;
1668 2. To the extent feasible, fuel mix and emissions data on at least an annualized basis;
1669 3. Customer's rights of cancellation following execution of any contract;
1670 4. Toll-free telephone number for customer assistance; and
1671 5. Such other and further marketing information as the Commission may deem necessary and
1672 appropriate in the public interest.

1673 D. The Commission shall also establish standards for billing information to be furnished by public
1674 service companies, suppliers, aggregators or any other providers of services made competitive by this
1675 chapter during the period of transition to retail competition, and thereafter. Such billing information
1676 standards shall require that billing formation:

1677 1. Distinguishes between charges for regulated services and unregulated services;
1678 2. Itemizes any and all nonbypassable wires charges;
1679 3. Is presented in a format that complies with standards to be established by the Commission;
1680 4. Discloses, to the extent feasible, fuel mix and emissions data on at least an annualized basis; and
1681 5. Includes such other billing information as the Commission deems necessary and appropriate in the
1682 public interest.

1683 E. The Commission shall establish or maintain a complaint bureau for the purpose of receiving,
1684 reviewing and investigating complaints by retail customers against public service companies, licensed
1685 suppliers, aggregators and other providers of any services made competitive under this chapter. Upon the
1686 request of any interested person or the Attorney General, or upon its own motion, the Commission shall
1687 be authorized to inquire into possible violations of this chapter and to enjoin or punish any violations
1688 thereof pursuant to its authority under this chapter, this title, and under Title 12.1. The Attorney General
1689 shall have a right to participate in such proceedings consistent with the Commission's Rules of Practice
1690 and Procedure.

1691 F. The Commission shall establish reasonable limits on customer security deposits required by public
1692 service companies, suppliers, aggregators or any other persons providing competitive services pursuant to
1693 this chapter.

1694 § 56-592.1. Consumer education program; scope and funding.

1695 A. The Commission shall establish and implement a consumer education program in conjunction with
1696 the implementation of this chapter. In establishing such a program, the Commission shall take into
1697 account findings and recommendations in the Commission's December 1, 1999, report to the Legislative
1698 Transition Task Force made pursuant to § 56-592, *the predecessor of the Commission on Electric Utility*
1699 *Restructuring*.

1700 B. The program shall be designed to (i) enable consumers to make rational and informed choices
1701 about energy providers in a competitive retail market, (ii) help consumers reduce transaction costs in

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1702 selecting energy suppliers, and (iii) foster compliance with the consumer protection provisions of this
1703 chapter, and those contained in other laws of this Commonwealth, by all participants in a competitive
1704 retail market.

1705 C. The Commission shall regularly consult with representatives of consumer organizations,
1706 community-based groups, state agencies, incumbent utilities, competitive suppliers and other interested
1707 parties throughout the program's implementation and operation.

1708 D. Pursuant to the provisions of § 56-595.30-205, the Commission shall provide periodic updates to
1709 the *Legislative Transition Task Force Commission on Electric Utility Restructuring* concerning the
1710 program's implementation and operation.

1711 E. The Commission shall fund the establishment and operation of such consumer education program
1712 through the special regulatory revenue tax currently authorized by § 58.1-2660 and the special regulatory
1713 tax authorized by Chapter 29 (§ 58.1-2900 et seq.) of Title 58.1.

1714 § 56-596. Advancing competition.

1715 A. In all relevant proceedings pursuant to this Act, the Commission shall take into consideration,
1716 among other things, the goals of advancement of competition and economic development in the
1717 Commonwealth.

1718 B. By September 1 of each year, the Commission shall report to the *Legislative Transition Task*
1719 *Force Commission on Electric Utility Restructuring* and the Governor information on the status of
1720 competition in the Commonwealth, the status of the development of regional competitive markets, and
1721 its recommendations to facilitate effective competition in the Commonwealth as soon as practical. This
1722 report shall include any recommendations of actions to be taken by the General Assembly, the
1723 Commission, electric utilities, suppliers, generators, distributors and regional transmission entities it
1724 considers to be in the public interest. Such recommendations shall include actions regarding the supply
1725 and demand balance for generation services, new and existing generation capacity, transmission
1726 constraints, market power, suppliers licensed and operating in the Commonwealth, and the shared or
1727 joint use of generation sites.

1728 § 62.1-69.34. Virginia Roanoke River Basin Advisory Committee established; purpose; membership;
1729 terms; meetings.

1730 A. The Virginia Roanoke River Basin Advisory Committee, *hereinafter referred to as the*
1731 *"Committee,"* is hereby established *in the executive branch of state government* as an advisory committee
1732 to the Virginia delegation to the Roanoke River Basin Bi-State Commission, *to*. *The Committee shall*
1733 assist the delegation in fulfilling *the its* duties and carrying out the objectives of the Commission,
1734 pursuant to § 62.1-69.35 62.1-69.39. The advisory committee shall be composed of *eighteen* 21
1735 members *to that include* 6 legislative members and 11 nonlegislative citizen members, and 4 ex officio
1736 members. *Members shall* be appointed as follows: *two* 2 members of the Senate, whose districts include
1737 a part of the Virginia portion of the Roanoke River Basin, to be appointed by the Senate Committee on
1738 Privileges and Elections; *four* 4 members of the House of Delegates, whose districts include a part of
1739 the Virginia portion of the Roanoke River Basin, to be appointed by the Speaker of the House, *of*
1740 Delegates in accordance with the principles of proportional representation contained in the Rules of the
1741 House of Delegates; the Virginia member of the U.S. House of Representatives, whose district includes
1742 the largest portion of the Basin, or his designee, if he elects to serve on the advisory committee; ten 11
1743 nonlegislative citizen members selected by the legislative members of the advisory committee such that
1744 two are chosen from recommendations of whom each of the following: the 2 each shall be members of
1745 the Central Virginia Planning District Commission, and the West Piedmont Planning District
1746 Commission, and 1 shall be a member of the New River Valley Planning District Commission, from
1747 among recommendations submitted by the respective planning district commissions, to be appointed by
1748 the Senate Committee on Privileges and Elections; 2 each shall be members of the Southside Planning
1749 District Commission, the Piedmont Planning District Commission, and the Roanoke Valley Alleghany
1750 Planning District Commission; and one member selected by the legislative members of the advisory
1751 committee from among recommendations submitted by the New River Valley Planning District
1752 Commission, from among recommendations submitted by the respective planning district commissions, to
1753 be appointed by the Speaker of the House of Delegates; and the Virginia member of the United States
1754 House of Representatives, whose district includes the largest portion of the Basin, or his designee, and 3
1755 representatives of the State of North Carolina appointed in a manner as the General Assembly of North
1756 Carolina may determine appropriate. Except for the representatives of North Carolina, all nonlegislative
1757 citizen members shall be citizens of the Commonwealth of Virginia. The Virginia member of the United
1758 States House of Representatives and the representatives of North Carolina shall serve ex officio without
1759 voting privileges. Of the recommendations submitted by planning district commissions authorized to
1760 recommend *two* 2 members, *one* 1 member shall be a nonlegislative citizen who resides within the
1761 respective planning district. However, the New River Valley Planning District Commission may
1762 recommend either a 1 nonlegislative citizen at large who resides within the planning district or a

1763 1 member, who at the time of the recommendation, is serving as an elected member or an employee of
1764 a local governing body, or a 1 member of the board of directors or an employee of the planning district
1765 commission. All persons recommended by the planning district commissions to serve as members of the
1766 advisory committee shall reside within the Basin's watershed, represent the diversity of interests in the
1767 jurisdictions comprising the respective planning district commissions, and demonstrate interest,
1768 experience, or expertise in water-related Basin issues. In addition, persons representing the interests of
1769 the State of North Carolina who may be appointed to the advisory committee shall serve as non-voting
1770 ex officio members.

1771 The advisory committee shall elect a chairman and a vice chairman from among its members.

1772 B. State and federal legislative members and local government officials appointed to the advisory
1773 committee shall serve terms coincident with their terms of office. Members recommended by planning
1774 district commissions to serve on the advisory committee and ex officio members representing the State
1775 of North Carolina shall serve a term of two years. Initially, planning district commissions authorized to
1776 recommend two members to the advisory committee Initial appointments of nonlegislative citizen
1777 members shall recommend one member for a term of two years and one member for a term of one year.
1778 However, the member recommended to serve on the advisory committee by the New River Valley
1779 Planning District Commission shall serve a term of one year. be staggered as follows: 2 members for a
1780 term of 2 years and 3 members for a term of 1 year appointed by the Senate Committee on Privileges
1781 and Elections; and 3 members for a term of 2 years and 3 members for a term of 1 year appointed by
1782 the Speaker of the House of Delegates. Thereafter, the nonlegislative citizen members shall be appointed
1783 for a term of office of members recommended by planning district commissions shall be for two 2
1784 years. Members All members may be reappointed. Nonlegislative citizen members recommended by
1785 planning district commissions shall be eligible for reappointment, if such members shall have attended at
1786 least one-half of all meetings of the Commission during their current term of service. However, no
1787 member recommended by a planning district commission shall serve more than three 3 consecutive
1788 two-year terms. Appointments to fill vacancies, other than by expiration of a term, shall be made for
1789 the unexpired terms. Vacancies shall be filled in the same manner as the original appointment.

1790 The advisory committee shall elect a chairman and a vice chairman from among its voting members.
1791 A majority of the voting members shall constitute a quorum. The meetings of the advisory committee
1792 shall be held at the call of the chairman or whenever the majority of the voting members so request.

1793 § 62.1-69.35. Compensation and expenses.

1794 Legislative members of the advisory committee shall receive such compensation as provided in
1795 § 30-19.12, and nonlegislative members shall receive such compensation for the performance of their
1796 duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary
1797 expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding
1798 for the costs of compensation and expenses of members shall be paid from such funds as may be
1799 provided to the Department of Environmental Quality in the appropriations act for this purpose.

1800 § 62.1-69.35:1. Staffing.

1801 The Department of Environmental Quality shall provide staff support to the advisory committee. All
1802 agencies of the Commonwealth shall provide assistance to the advisory committee, upon request.

1803 § 62.1-69.35:2. Chairman's executive summary of activity and work of the advisory committee.

1804 The chairman of the advisory committee shall submit to the Governor and the General Assembly an
1805 annual executive summary of the interim activity and work of the advisory committee no later than the
1806 first day of each regular session of the General Assembly. The executive summary shall be submitted as
1807 provided in the procedures of the Division of Legislative Automated Systems for the processing of
1808 legislative documents and reports and shall be posted on the General Assembly's website.

1809 § 62.1-69.38. Membership; terms.

1810 A. The Commission shall be composed of eighteen 18 voting members with each state appointing
1811 nine that include 9 members representing the Commonwealth of Virginia and 9 members representing
1812 the State of North Carolina. The Virginia delegation shall consist of the six state 6 legislative members
1813 appointed to the Virginia Roanoke River Basin Advisory Committee, and 3 nonlegislative citizen
1814 members appointed to the Virginia Roanoke River Basin Advisory Committee by the Senate Committee
1815 on Privileges and Elections and the Speaker of the House of Delegates, and three nonlegislative
1816 members of the Virginia Roanoke River Basin Advisory Committee, who represent different
1817 geographical areas of the Virginia portion of the Roanoke River Basin, to be appointed by the Governor
1818 of Virginia. The North Carolina delegation to the Commission shall be appointed as determined by the
1819 State of North Carolina. All members appointed to the Commission by the Commonwealth of Virginia
1820 and the State of North Carolina shall reside within the Basin's watershed. Members of the Virginia
1821 House of Delegates and the Senate of Virginia, the North Carolina House of Representatives and Senate,
1822 and federal legislators, who have not been appointed to the Commission and whose districts include any
1823 portion of the Basin, may shall serve as nonvoting ex officio members of the Commission.

1824 B. The terms of office for appointed Legislative members of the Virginia delegation, federal

1825 *legislators, and local government officials, whether appointed or ex officio, shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be two years appointed to serve 2-year terms, unless the member is reappointed by the appointing authorities of each state. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointment. State and federal legislators and local government officials, whether appointed or ex officio, shall serve terms coincident with their terms of office.*

1831 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. A majority of the voting members shall constitute a quorum.

1834 § 62.1-69.43. Compensation and expenses.

1835 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 voting members shall be reimbursed for all 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 or, if unfunded, shall be approved by the Joint Rules Committee.

1841 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.

1845 Nonlegislative citizen members appointed to any standing committees or ad hoc committees shall serve without compensation and expenses.

1847 B. The North Carolina members of the Commission shall receive per diem, subsistence, and travel expenses as follows:

1849 1. Ex officio legislative members who are members of the General Assembly at the rate established in North Carolina G.S. 138-6;

1851 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

1853 3. All other members at the rate established in North Carolina G.S. 138-5.

1854 2. That Article 3 (§§ 2.2-2709 and 2.2-2710) of Chapter 27 of Title 2.2 of the Code of Virginia and § 56-595 of the Code of Virginia are repealed.

1856 3. That Chapter 476 of the Acts of Assembly of 2002 is repealed.

1857 4. That Chapter 657 of the Acts of Assembly of 2002 is repealed.

1858 5. That the current members of the Legislative Transition Task Force appointed pursuant to § 56-595 of the Code of Virginia and members appointed to fill vacancies may continue to serve as members of the Commission on Electric Utility Restructuring until July 1, 2008, if such members retain their legislative seats.

1862 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.

1865 7. That 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.

1868 8. That notwithstanding the provisions of § 2.2-2424 of the Code of Virginia, 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.

1873 9. That the current term of the members appointed to the governing board of the Virginia Office for Protection and Advocacy prior to July 1, 2003, shall continue and not be affected by this act.