

VIRGINIA ACTS OF ASSEMBLY -- 2012 SESSION

CHAPTER 502

An Act to amend and reenact §§ 2.2-2449, 2.2-2630, 2.2-2631, 2.2-2698, 10.1-2002, 32.1-111.10, and 67-1202 of the Code of Virginia, relating to certain executive branch boards and councils; staggering of terms; membership; name change.

[H 490]

Approved April 4, 2012

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2449, 2.2-2630, 2.2-2631, 2.2-2698, 10.1-2002, 32.1-111.10, and 67-1202 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2449. Membership; terms; vacancies; chairman.

The Board shall consist of ~~twenty-one~~ 21 members to be appointed by the Governor as follows: ~~eighteen~~ 18 citizen members who shall represent business, education, the arts, and government, at least ~~eleven~~ 11 of whom shall be of Asian descent; and the Secretaries of Commerce and Trade, Health and Human Resources, and Education, or their designees to serve as ex officio members of the Board.

~~Citizen~~ Beginning July 1, 2012, appointments shall be staggered as follows: seven members for a term of two years, seven members for a term of three years, and seven members for a term of four years. Thereafter, citizen members shall serve for terms of four years. The Secretaries of Commerce and Trade, Health and Human Resources, and Education, or their designees, shall serve terms coincident with their terms of office. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Any member may be reappointed for successive terms.

The members of the Board shall elect a chairman and vice-chairman annually.

Members shall receive no compensation for their services, but shall be reimbursed for their actual and necessary expenses in accordance with § 2.2-2823.

Article 11.

Council on ~~the Status of Women~~.

§ 2.2-2630. Council on Women; purpose; membership; terms; chairman.

A. The Council on ~~the Status of Women~~ (the "Council") is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Council shall be to identify ways in which women can reach their potential and make their full contribution to society and this Commonwealth as wage earners and citizens.

B. The Council shall consist of ~~nineteen~~ 18 members, ~~to be appointed by the Governor from the Commonwealth at large and one of the Governor's Secretaries as defined in § 2.2-200, ex officio with full voting privileges, all to be appointed by the Governor.~~ Appointments shall be for terms of three years, except appointments to fill vacancies, which shall be for the unexpired terms. *The ex officio member shall serve a term coincident with his term of office.* A majority of the membership of the Council shall constitute a quorum.

C. The Governor shall appoint the chairman of the Council.

§ 2.2-2631. Powers and duties of Council.

The Council shall have the following powers and duties to:

1. Determine the studies and research to be conducted by the Council;
2. Collect and disseminate information regarding the status of women in the Commonwealth and the nation;
3. Advise the Governor, General Assembly and ~~Secretary of Health and Human Resources the Governor's Secretaries~~ on matters pertaining to women in the Commonwealth and the nation;
4. Establish and award scholarships pursuant to regulations and conditions prescribed by the Council; ~~and~~
5. Review and comment on all budgets, appropriation requests and grant applications concerning the Council, prior to their submission to the Secretary of Health and Human Resources or the Governor; ~~and~~

6. *Develop programs and projects on matters pertaining to women in the Commonwealth and the nation through public-private partnerships.*

§ 2.2-2698. Modeling and Simulation Advisory Council; purpose; membership; chairman.

A. The Modeling and Simulation Advisory Council (the Council) is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Council shall be to advise the Governor on policy and funding priorities to promote the modeling and simulation industry in the Commonwealth.

B. The Council shall consist of 13 members as follows: three legislative members of the House of Delegates to be appointed by the Speaker of the House of Delegates; one legislative member of the

Senate to be appointed by the Senate Committee on Rules; six citizen representatives of the modeling and simulation industry to be appointed by the Governor; the Secretary of Technology and the Secretary of Commerce and Trade or their designees; and the Executive Director of the Virginia Modeling, Analysis and Simulation Center.

~~Ex officio members shall serve terms coincident with their terms of office. Other~~ *Beginning July 1, 2012, the Governor's appointments shall be staggered as follows: two members for a term of two years, two members for a term of three years, and two members for a term of four years. Thereafter, appointments by the Governor shall be for terms of four years, except an appointment to fill a vacancy, which shall be for the unexpired term. Ex officio members and legislative members shall serve terms coincident with their terms of office. All members shall be appointed for a term of two years and shall be eligible for reappointment. Vacancies shall be filled in the manner of the original appointments.*

C. The Council shall elect a chairman and a vice-chairman annually from among its membership. A majority of the members shall constitute a quorum. The Council shall meet biannually and at such other times as may be called by the chairman or a majority of the Council. Staff to the Council shall be provided by the office of the Secretary of Technology.

§ 10.1-2002. Board of trustees; appointment of members.

The Museum shall be governed by a board of trustees consisting of ~~twenty-five~~ 15 members appointed by the Governor. Two of the members appointed to the Board shall be members of the Virginia Academy of Science. The appointments shall be subject to confirmation by the General Assembly if in session and, if not, then at its next succeeding session. The Board of Trustees shall be referred to as the "Board."

§ 32.1-111.10. State Emergency Medical Services Advisory Board; purpose; membership; duties; reimbursement of expenses; staff support.

A. There is hereby created in the executive branch the State Emergency Medical Services Advisory Board for the purpose of advising the State Board of Health concerning the administration of the statewide emergency medical care system and emergency medical services vehicles maintained and operated to provide transportation to persons requiring emergency medical treatment, and for reviewing and making recommendations on the Statewide Emergency Medical Services Plan. The State Emergency Medical Services Advisory Board shall be composed of 28 members appointed by the Governor as follows: one representative each of the Virginia Municipal League, Virginia Association of Counties, Virginia Hospital and Healthcare Association, and each of the 11 regional emergency medical services councils; one member each from the Medical Society of Virginia, Virginia Chapter of the American College of Emergency Physicians, Virginia Chapter of the American College of Surgeons, Virginia Chapter of the American Academy of Pediatrics, Emergency Nurses Association or the Virginia Nurses' Association, Virginia State Firefighters Association, Virginia Fire Chief's Association, a Virginia professional firefighter, Virginia Ambulance Association, Virginia Association of Governmental Emergency Medical Services Administrators, and Virginia Association of Public Safety Communications Officials; two representatives of the Virginia Association of Volunteer Rescue Squads, Inc.; and one consumer who shall not be involved in or affiliated with emergency medical services in any capacity. Each organization and group shall submit three nominees from among which the Governor may make appointments. Of the three nominees submitted by each of the regional emergency medical services councils, at least one nominee shall be a representative of providers of prehospital care. Any person appointed to the Advisory Board shall be a member of the organization that he represents. To ensure diversity in the organizations and groups represented on the Advisory Board, the Governor may request additional nominees from the applicable organizations and groups. However, the Governor shall not be bound to make any appointment from among any nominees recommended by such organizations and groups.

The members of the Advisory Board shall not be eligible to receive compensation; however, the State Health Department shall provide funding for the reimbursement of expenses incurred by members of the Advisory Board in the performance of their duties.

~~B. Appointments to the Advisory Board shall be for terms of three years or the unexpired portions thereof in a manner to preserve insofar as possible the representation of the specified groups. Beginning July 1, 2012, appointments shall be staggered as follows: nine members for a term of two years, nine members for a term of three years, and 10 members for a term of four years. Thereafter, appointments shall be for terms of three years, except an appointment to fill a vacancy, which shall be for the unexpired term. Appointments shall be in a manner to preserve insofar as possible the representation of the specified groups.~~ No member shall serve more than two successive terms. No person representing any organization or group named in subsection A who has served as a member of the State Emergency Medical Services Advisory Board for two or more successive terms for any period or for six or more consecutive years shall be nominated for appointment or appointed to the Advisory Board unless at least three consecutive years have elapsed since the person has served on the Advisory Board.

The chairman shall be elected from the membership of the Advisory Board for a term of one year and shall be eligible for reelection. The Advisory Board shall meet at least four times annually at the call of the chairman or the Commissioner.

C. The State Emergency Medical Services Advisory Board shall:

1. Advise the State Board of Health on the administration of this article;
2. Review and make recommendations for the Statewide Emergency Medical Services Plan and any revisions thereto;
3. Review the annual financial report of the Virginia Association of Volunteer Rescue Squads, as required by § 32.1-111.13; and
4. Review, on a schedule as it may determine, reports on the status of all aspects of the statewide emergency medical care system, including the Financial Assistance and Review Committee, the Rescue Squad Assistance Fund, the regional emergency medical services councils, and the emergency medical services vehicles, submitted by the State Office of Emergency Medical Services.

D. The State Health Department's Office of Emergency Medical Services shall provide staff support to the State Emergency Medical Services Advisory Board.

§ 67-1202. Membership; terms; vacancies; expenses.

A. The Authority shall be composed of ~~11~~ *nine* nonlegislative citizen members appointed by the Governor. ~~Of these, three members, including representatives of major military commands and installations located in the Commonwealth or in jurisdictions adjacent thereto, shall be appointed, one of whom shall be a representative of the Virginia Commercial Space Flight Authority. In addition, one ex officio member without voting privileges shall be selected by the Governor after consideration of the persons nominated by the Secretary of the Navy, and one member shall be a representative of the Virginia Commercial Space Flight Authority.~~ With the exception of ~~the three members appointed after consideration of the persons nominated by the Secretary of the Navy and the representative of the Virginia Commercial Space Flight Authority,~~ all members of the Authority shall reside in the Commonwealth.

B. Except as otherwise provided herein, all appointments shall be for terms of four years each. No member, ~~except for those appointed after consideration of persons nominated by the Secretary of the Navy,~~ shall be eligible to serve more than two successive four-year terms. After expiration of an initial term of three years or less, two additional four-year terms may be served by such member if appointed thereto. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Any appointment to fill a vacancy shall be made in the same manner as the original appointment. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

C. The initial appointments of members shall be as follows: ~~four~~ *three* members shall be appointed for terms of four years; ~~four~~ *three* members shall be appointed for terms of three years; and three members shall be appointed for terms of two years. Thereafter all appointments shall be for terms of four years.

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

E. Members shall serve without compensation. However, all members may 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. Such expenses shall be paid from such funds as may be appropriated to the Authority by the General Assembly.

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

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