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HOUSE BILL NO. 784

House Amendments in [] — February 7, 2014

A *BILL to amend and reenact §§ 2.2-2423 [, ~~10.1-1422.03, 54.1-2911, 54.1-2912, and 54.1-2957.5 and 10.1-1422.03~~] of the Code of Virginia, relating to the Virginia Geographic Information Network Advisory Board, Litter Control and Recycling Fund Advisory Board [; ~~Board of Medicine, and Advisory Board on Athletic Training~~] ; membership and terms.*

Patron Prior to Engrossment—Delegated Cole

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2423 [, ~~10.1-1422.03, 54.1-2911, 54.1-2912, and 54.1-2957.5 and 10.1-1422.03~~] of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2423. Virginia Geographic Information Network Advisory Board; membership; terms; quorum; compensation and expenses.

A. The Virginia Geographic Information Network Advisory Board (the Board) is hereby established as an advisory board, within the meaning of § 2.2-2100, in the executive branch of state government. The Board shall advise the Geographic Information Network Division (the Division) of the Virginia Information Technologies Agency on issues related to the exercise of the Division's powers and duties.

B. The Board shall consist of ~~18~~ 16 members appointed as follows: ~~nine~~ seven nonlegislative citizen members to be appointed by the Governor that consist of one agency director from one of the natural resources agencies, one official from a state university, one elected official representing a local government in the Commonwealth, one member of the Virginia Association of Surveyors, ~~one~~ elected official who serves on a planning district commission, two representatives of utilities or transportation industries one representative of a utility or transportation industry utilizing geographic data, and two representatives of private businesses with expertise and experience in the establishment, operation, and maintenance of geographic information systems; four members of the House of Delegates to be appointed by the Speaker of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; the Chief Information Officer, the Commissioner of Highways, and the Chief Executive Officer of the Economic Development Partnership Authority or their designees who shall serve as ex officio, voting members. Gubernatorial appointees may be nonresidents of the Commonwealth. All members of the Board appointed by the Governor shall be confirmed by each house of the General Assembly. The agency director and state university official appointed by the Governor may each designate a member of his organization as an alternate who may attend meetings in his place and be counted as a member of the Board for the purposes of a quorum.

Any members of the Board who are representatives of private businesses that provide geographic information services, and their companies, are precluded from contracting to provide goods or services to the Division.

C. Legislative members' terms shall be coincident with their terms of office. The gubernatorial appointees to the Board shall serve five-year terms, except for the initial appointees whose terms were staggered. Members appointed by the Governor shall serve no more than two consecutive five-year terms. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility to serve.

D. The Board shall elect from its membership a chairman, vice-chairman, and any other officers deemed necessary. The duties and terms of the officers shall be prescribed by the members. A majority of the Board shall constitute a quorum. The Board shall meet at least quarterly or at the call of its chairman or the Chief Information Officer.

E. Legislative members of the Board shall receive such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their services. All 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. Funding for the costs of compensation and expenses of the members shall be provided by the Virginia Geographic Information Network Division of the Virginia Information Technologies Agency.

F. The Geographic Information Network Division shall provide staff support to the Board.

§ 10.1-1422.03. Membership, meetings, and staffing.

A. The Advisory Board shall consist of five persons appointed by the Governor. Three members

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59 shall represent persons paying the taxes which are deposited into the Fund and shall include one
60 member appointed from nominations submitted by recognized industry associations representing retailers;
61 one member appointed from nominations submitted by recognized industry associations representing soft
62 drink distributors; and one member appointed from nominations submitted by recognized industry
63 associations representing beer distributors. One member shall be a local litter or recycling coordinator.
64 One member shall be from the general public.

65 B. The initial terms of the members of the Advisory Board shall expire July 1, 1999, and five
66 members shall be appointed or reappointed effective July 1, 1999, for terms as follows: one member
67 shall be appointed for a term of one year; one member shall be appointed for a term of two years; one
68 member shall be appointed for a term of three years; and two members shall be appointed for terms of
69 four years unless found to violate subsection E of this section. Thereafter, all appointments shall be for
70 terms of four years except for appointments to fill vacancies, which shall be for the unexpired term.
71 They shall not receive a per diem, compensation for their service, or travel expenses.

72 C. The Advisory Board shall elect a chairman and vice-chairman annually from among its members.
73 The Advisory Board shall meet at least twice annually on such dates and at such times as they
74 determine. Three members of the Advisory Board shall constitute a quorum.

75 D. Staff support and actual associated administrative expenses of the Advisory Board shall be
76 provided by the Department from funds allocated from the Fund.

77 E. Any member who is absent from three consecutive meetings of the Advisory Board, as certified
78 by the Chairman of the Advisory Board to the Secretary of the Commonwealth, shall be dismissed as a
79 member of the Advisory Board. The replacement of any dismissed member shall be appointed pursuant
80 to subsection A of this section and meet the same membership criteria as the member who has been
81 dismissed. *Vacancies occurring other than by expiration of term shall be filled for the unexpired term.*
82 *No person shall be eligible to serve on the Advisory Board for more than two terms.*

83 **[§ 54.1-2911. Board; membership; terms of office; change of residence; executive director; etc.**

84 The Board of Medicine shall consist of one *five* medical physician *physicians* from each
85 congressional district *as diverse geographic regions as practicable*; one osteopathic physician; one
86 podiatrist; one chiropractor; *two obstetrician-gynecologists*; *one cardiologist*; *one general surgeon*; *one*
87 *internal medicine physician*; *one radiologist*; and four citizen members. No two citizen members shall
88 reside in the same congressional district. Citizen members shall have all voting and participation rights
89 of other members. The term of office of the members of the Board shall be four years. If any medical
90 physician member of the Board ceases to reside in the district from which he was appointed, except by
91 reason of redistricting, his office shall be deemed vacant.

92 The officers of the Board shall be a president, *a* vice-president, and a secretary, who shall also act as
93 treasurer, who shall be members of and selected by the Board.

94 Regular meetings of the Board shall be held at such times and places as prescribed by the Board.
95 Special meetings may be held upon the call of the president and any 11 members. Twelve members of
96 the Board shall constitute a quorum.

97 The Board may establish an executive committee composed of the president, vice-president, the
98 secretary, and five other members of the Board appointed by the president. The executive committee
99 shall include at least two citizen members. In the absence of the Board, the executive committee shall
100 have full powers to take any action and conduct any business authorized by this chapter. Five members
101 of the executive committee shall constitute a quorum. Any actions or business conducted by the
102 executive committee shall be acted upon by the full Board as soon as practicable.

103 There shall be an executive director for the Board of Medicine who shall be licensed or eligible for
104 licensure in the Commonwealth as a physician.

105 **§ 54.1-2912. Nominations.**

106 Nominations may be made for the medical physicians from a list of three *eight* names submitted to
107 the Governor by the Medical Society of Virginia and the osteopathic physician, podiatrist and,
108 chiropractor, *obstetrician-gynecologists*; *cardiologist*; *general surgeon*; *internal medicine physician*; and
109 *radiologist* members; respectively, from a list of at least three names submitted by June 1 of each year
110 by their respective state societies. In no case shall the Governor be bound to make any appointment
111 from among the nominees of the respective societies. The Governor may notify the society, which may
112 make nominations, of any professional vacancy other than by expiration among the members of the
113 Board representing the particular profession and like nominations may be made for the filling of the
114 vacancy.

115 **§ 54.1-2957.5. Advisory Board on Athletic Training established; duties; composition;**
116 **appointment; terms.**

117 A. The Advisory Board on Athletic Training shall assist the Board in formulating its requirements
118 for the licensure of athletic trainers. In the exercise of this responsibility, the Advisory Board shall
119 recommend to the Board the criteria for licensure of athletic trainers and the standards of professional
120 conduct for licensees. The Advisory Board shall also assist in such other matters relating to the practice

of athletic training as the Board may require.

B. The Advisory Board shall consist of five members appointed by the Governor for four-year terms. The first appointments shall provide for staggered terms with two members being appointed for a two-year term, two members being appointed for a three-year term and one member being appointed for a four-year term. Three members shall be at the time of appointment athletic trainers who are currently licensed by the Board and who have practiced in Virginia for not less than three years, including one athletic trainer employed at a secondary school, one employed at an institution of higher education, and one employed in the private sector; one member shall be a physician licensed to practice medicine in the Commonwealth; and one member shall be a citizen appointed by the Governor from the Commonwealth at large.

Vacancies occurring other than by expiration of term shall be filled for the unexpired term. No person shall be eligible to serve on the Advisory Board for more than two full consecutive terms.]

2. That this act shall not be construed to affect existing appointments to the Virginia Geographic Information Network Advisory Board or the Board of Medicine. However, all new appointments made on or after July 1, 2014, shall be made in accordance with the provisions of this act.

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