

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 395

An Act to amend and reenact §§ 2.2-437, 2.2-2449, and 2.2-2479 of the Code of Virginia, relating to gubernatorial appointments to boards; membership and terms.

[H 2285]

Approved March 13, 2017

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-437, 2.2-2449, and 2.2-2479 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-437. Identity Management Standards Advisory Council.

A. The Identity Management Standards Advisory Council (the Advisory Council) is established to advise the Secretary of Technology on the adoption of identity management standards and the creation of guidance documents pursuant to § 2.2-436.

B. ~~1.~~ The Advisory Council shall consist of seven members, to be appointed by *and serve at the pleasure of* the Governor, with expertise in electronic identity management and information technology. Members shall include a representative of the Department of Motor Vehicles, a representative of the Virginia Information Technologies Agency, and five representatives of the business community with appropriate experience and expertise. In addition to the seven appointed members, the Chief Information Officer of the Commonwealth, or his designee, may also serve as an ex officio member of the Advisory Council. *Beginning July 1, 2019, appointments shall be staggered as follows: one member for a term of one year, 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. After the initial staggering of terms, members shall be appointed for terms of four years. Members may be reappointed.*

2. The Advisory Council shall designate one of its members as chairman.

3. ~~Members appointed to the Advisory Council shall serve four-year terms, subject to the pleasure of the Governor, and may be reappointed.~~

4. Members shall serve without compensation but shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in § 2.2-2825.

5. Staff to the Advisory Council shall be provided by the Office of the Secretary of Technology.

C. Proposed guidance documents and general opportunity for oral or written submittals as to those guidance documents shall be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations as a general notice following the processes and procedures set forth in subsection B of § 2.2-4031 of the Virginia Administrative Process Act (§ 2.2-4000 et seq.). The Advisory Council shall allow at least 30 days for the submission of written comments following the posting and publication and shall hold at least one meeting dedicated to the receipt of oral comment no less than 15 days after the posting and publication. The Advisory Council shall also develop methods for the identification and notification of interested parties and specific means of seeking input from interested persons and groups. The Advisory Council shall send a copy of such notices, comments, and other background material relative to the development of the recommended guidance documents to the Joint Commission on Administrative Rules.

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

The Board shall consist of 21 members to be appointed by the Governor as follows: 18 citizen members who shall represent business, education, the arts, and government, at least 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.

Beginning July 1, ~~2012~~ 2017, appointments shall be staggered as follows: ~~seven~~ six members for a term of two years, ~~seven~~ six members for a term of three years, and ~~seven~~ six 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.

§ 2.2-2479. (Expires July 1, 2018) Membership; terms; quorum; meetings.

A. The Board shall consist of no more than 20 nonlegislative citizen members, to be appointed by the Governor from the Commonwealth at large. Nonlegislative citizen members appointed to the Board shall be selected for their knowledge of, background in, or experience with the community and volunteer services sector and in accordance with guidelines provided in the National and Community Service Trust

Act of 1993. The Governor may appoint additional persons, at his discretion, as nonvoting members.

B. After the initial staggering of terms, nonlegislative citizen members shall be appointed for terms of ~~four~~ *three* years. Appointments to fill vacancies shall be for the unexpired terms. No nonlegislative citizen member shall be eligible to serve more than two successive four-year terms; however, after the expiration of the remainder of a term to which a member was appointed to fill a vacancy, two additional terms may be served by such member if appointed thereto.

C. The voting members of the Board shall elect a chairman and vice-chairman annually from among its membership. A majority of the members of the Board shall constitute a quorum. The Board shall meet no more than six times per year. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.

2. That, beginning July 1, 2017, the term of any member appointed to the Latino Advisory Board pursuant to § 2.2-2459 of the Code of Virginia that is set to expire on October 14 shall be shortened to June 30 of that year.

3. That, beginning July 1, 2017, the term of any member appointed to the Board of Agriculture and Consumer Services pursuant to § 3.2-109 of the Code of Virginia that is set to expire on February 28 shall be extended to June 30 of that year.

4. That, beginning July 1, 2017, the term of any member appointed to the Board of Education pursuant to § 22.1-9 of the Code of Virginia that is set to expire on January 29 shall be extended to June 30 of that year.

5. That, beginning July 1, 2017, the term of any member appointed to the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals pursuant to § 54.1-2301 of the Code of Virginia that is set to expire on December 31 shall be extended to June 30 of the following year.

6. That the terms of the licensed alternative onsite sewage system operator, licensed alternative onsite sewage system installer, and licensed onsite soil evaluator to the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals pursuant to § 54.1-2301 of the Code of Virginia that are set to begin on July 1, 2019, shall be staggered, with one member appointed for a term of one year, one member appointed for a term of two years, and one member appointed for a term of three years. Thereafter, all such appointments shall be for terms of four years.