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SENATE BILL NO. 1412

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules
on January 27, 2023)

(Patron Prior to Substitute—Senator Norment)

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 66, consisting of sections numbered 30-421 through 30-429, and to repeal Article 11 (§§ 2.2-2544 through 2.2-2550) of Chapter 25 of Title 2.2 of the Code of Virginia, relating to the American Revolution 250 Commission; report.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 66, consisting of sections numbered 30-421 through 30-429, as follows:

CHAPTER 66.

AMERICAN REVOLUTION 250 COMMISSION.

§ 30-421. American Revolution 250 Commission; purpose.

The American Revolution 250 Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to commemorate the 250th anniversary of the American Revolution, the Revolutionary War, and the independence of the United States.

§ 30-422. Membership; terms; vacancies; chairman and vice-chairman.

A. The Commission shall have a total membership of 27 members that shall consist of five legislative members, 17 nonlegislative citizen members, and five ex officio members. Members shall be appointed as follows:

1. Two members of the Senate, to be appointed by the Senate Committee on Rules;

2. Three members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;

3. One representative from each of the lead commemoration partners: the Jamestown-Yorktown Foundation, the primary state agency; the Virginia Museum of History & Culture, the primary nonstate agency; and Gunston Hall, the primary representative of Virginia's historic homes and related sites;

4. One representative from the American Battlefield Trust, the secretariat of the United States Semiquincentennial Commission, and one representative from the Virginia Bar Association;

5. Six members appointed by the Governor from a list of 10 provided by the Jamestown-Yorktown Foundation; and

6. Six members appointed by the Governor from a list of 10 provided by the Virginia Museum of History & Culture.

The Secretary of Education, the Librarian of Virginia, the Director of the Department of Historic Resources, the Executive Director of Virginia Humanities, and the Chief Executive Officer of the Virginia Tourism Authority, or their designees, shall serve as ex officio members with voting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.

B. The Commission shall elect a chairman and vice-chairman from among its membership.

C. Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for the duration of the Commission's activities. Appointments to fill vacancies shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

§ 30-423. Quorum; meetings.

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

§ 30-424. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12. Nonlegislative citizen members of the Commission shall not receive compensation or reimbursement for travel and other expenses incurred in the performance of their duties.

§ 30-425. Powers and duties of the Commission.

A. The Commission shall have the following powers and duties:

1. Formulate and implement a program for the inclusive observance of the 250th anniversary of the independence of the United States and the Revolutionary War in Virginia, including (i) civic, cultural, and historical education and scholarship concerning the ideals of the American Revolution and their contemporary relevance; (ii) visitation of museums and historic sites, including battlefields; (iii) creation and publication of historical documents and studies; (iv) cooperation with agencies responsible for the preservation or restoration of historic sites, buildings, art, and artifacts; (v) establishment of exhibitions

60 and interpretive and wayfinding signage; (vi) arrangement of appropriate public ceremonies; (vii) a
61 comprehensive marketing and tourism campaign encompassing calendar year 2025 through calendar
62 year 2026; and (viii) the general dissemination of public information regarding Virginia's involvement in
63 the American Revolution and its legacy today;

64 2. Appoint and establish an advisory council composed of nonlegislative citizen members at large
65 who have a knowledge of relevant history or expertise in areas useful to the work of the Commission,
66 including a representative of the Sons of the Revolution in the Commonwealth of Virginia, a
67 representative of the Virginia Daughters of the American Revolution, and a representative of the
68 National Washington-Rochambeau Revolutionary Route Association. The advisory council shall make
69 recommendations and provide comment as requested by the Commission. The Commission may from
70 time to time appoint, add, or remove members of the advisory council. Members of the advisory council
71 shall serve without compensation or reimbursement;

72 3. Appoint and establish an executive committee composed of members of the Commission, including
73 the Commission's chairman and vice-chairman and one representative designated by each of the
74 following: the Jamestown-Yorktown Foundation, the Virginia Museum of History & Culture, and
75 Gunston Hall; and

76 4. Perform such other duties, functions, and activities as may be necessary to facilitate and
77 implement the objectives of the Commission.

78 B. The Commission may solicit, accept, use, and dispose of gifts, grants, donations, bequests, or
79 other funds or real or personal property for the purpose of aiding or facilitating the work of the
80 Commission. In accordance with the appropriation act, the Commission may procure supplies, services,
81 and property, and make or enter into contracts, leases, or other legal agreements as it may deem
82 necessary to carry out its duties as set forth in this chapter. No contract, lease, or other legal
83 agreement shall be entered into by the Commission that extends beyond the date of expiration of the
84 Commission.

85 **§ 30-426. Staffing.**

86 The Commission may appoint and employ and, at its pleasure, remove an executive director and
87 such other persons as it deems necessary to assist it in carrying out its duties as set forth in this
88 chapter. The Commission may determine the duties of such staff and fix their salaries or compensation
89 within the amounts appropriated thereof. If funds are not appropriated for staffing, the Joint Rules
90 Committee shall determine the staffing support for the Commission.

91 Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office
92 of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of
93 the Commission serves. The Division of Legislative Services shall serve as fiscal agent and provide legal
94 services as requested by the Commission. All agencies and political subdivisions of the Commonwealth
95 shall provide assistance to the Commission, upon request.

96 **§ 30-427. Chairman's executive summary of activity and work of the Commission; report.**

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

102 **§ 30-428. Virginia American Revolution 250 Commission Fund.**

103 There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia
104 American Revolution 250 Fund, hereafter referred to as the "Fund." The Fund shall be established on
105 the books of the Comptroller and shall consist of gifts, grants, donations, bequests, or other funds from
106 any source as may be received by the Commission for its work. Moneys shall be paid into the state
107 treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and
108 be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each
109 fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall
110 be used solely for the purpose of enabling the Commission to perform its duties. Expenditures and
111 disbursements from the Fund shall be made by the State Treasurer on warrants issued by the
112 Comptroller upon written request of the chairman of the Commission.

113 **§ 30-429. Sunset.**

114 This chapter shall expire on July 1, 2032.

115 2. That Article 11 (§§ 2.2-2544 through 2.2-2550) of Chapter 25 of Title 2.2 of the Code of Virginia
116 is repealed.

117 3. That any unexpended balances as of June 30, 2023, of the American Revolution 250
118 Commission, as established by Chapters 914 and 915 of the Acts of Assembly of 2020, that have
119 accrued in the executive department pursuant to a general appropriation act shall be transferred
120 to the American Revolution 250 Commission, as established in the legislative branch by this act.

121 4. That as of July 1, 2023, the American Revolution 250 Commission established by this act shall

122 be deemed successor in interest to the American Revolution 250 Commission established pursuant
123 to Chapters 914 and 915 of the Acts of Assembly of 2020. All rights, title, and interest in and to
124 any real or tangible personal property vested in the American Revolution 250 Commission
125 established pursuant to Chapters 914 and 915 of the Acts of Assembly of 2020 shall be transferred
126 to and taken as standing in the name of the American Revolution 250 Commission established by
127 this act.
128 5. That the members of the American Revolution 250 Commission (the Commission) appointed
129 pursuant to Chapters 914 and 915 of the Acts of Assembly of 2020 or Chapters 685 and 687 of the
130 Acts of Assembly of 2022 shall continue to serve on the Commission pursuant to their original
131 appointments.