

LD7715446

**HOUSE BILL NO. 2336**

Offered January 23, 1995

*A BILL to amend and reenact § 9-6.23 and to amend the Code of Virginia by adding in Title 9 a chapter numbered 22.13, consisting of sections numbered 9-145.52 through 9-145.55, relating to creation of the Civil War Commission.*

Patrons—Sherwood, Davies, Fisher, Guest, Jackson, Johnson, May, Parrish, Putney, Stump, Way and Wilkins; Senator: Potts

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That § 9-6.23 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 9 a chapter numbered 22.13, consisting of sections numbered 9-145.52 through 9-145.55, as follows:**

§ 9-6.23. (Effective July 1, 1995) Prohibition against service by legislators on boards and commissions within the executive branch.

Members of the General Assembly shall be ineligible to serve on boards and commissions within the executive branch which are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards and commissions engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board or commission in the executive branch which is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position. The provisions of this section shall not apply, however, to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Board on Veterans' Affairs, who shall be appointed as provided for in § 2.1-741; to members of the Council on Indians, who shall be appointed as provided for in § 9-138.1; to members of the Virginia Technology Council, who shall be appointed as provided for in § 9-145.51; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided in § 23-231.3; to members of the Maternal and Child Health Council, who shall be appointed as provided for in § 9-318; to members of the Virginia Interagency Coordinating Council who shall be appointed as provided in § 2.1-750; to members of the Advisory Council on the Virginia Business-Education Partnership Program, who shall be appointed as provided in § 9-326; to members of the Advisory Commission on Welfare Reform, who shall be appointed as provided in § 63.1-133.44; ~~or~~ to members of the Virginia Correctional Enterprises Advisory Board, who shall be appointed as provided in § 2.1-451.2; *or to members of the Virginia Civil War Commission, who shall be appointed as provided in § 9-145.52.*

**CHAPTER 22.13.****VIRGINIA CIVIL WAR COMMISSION.**

§ 9-145.52. *Commission established; members; terms.*

*A. The Virginia Civil War Commission is hereby established and shall be hereinafter referred to as the Commission. The Commission shall be composed of twenty-one members representing the Virginia General Assembly, private preservation organizations, local and regional government and business, and economic development professionals. The members shall be appointed as follows: three members of the House of Delegates to be appointed by the Speaker of the House; two members of the Senate to be appointed by the Senate Committee on Privileges and Elections; and sixteen citizen members to be appointed by the Governor. At least seven of the citizen members shall be associated with private preservation organizations actively engaged in marketing Virginia historical sites.*

*B. Legislative members shall serve on the Commission until the expiration of their terms of office or until their successors shall qualify. Of the sixteen citizens members to be appointed in 1995, five shall be appointed for two-year terms, six shall be appointed for three-year terms, and five shall be appointed for four-year terms. Thereafter, all such citizen appointments shall be for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms. No person shall be eligible to serve for more than two successive four-year terms; however, after the expiration of a term of three years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional terms may be served by such member if appointed thereto.*

*C. The Commission shall elect a chairman and a vice-chairman from among its members.*

*D. Legislative members shall be compensated as specified in §14.1-18, and all members of the Commission shall be reimbursed for their actual expenses incurred in the performance of their duties in*

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60 *the work of the Commission.*

61 *§ 9-145.53. Duties of the Commission.*

62 *The Commission shall:*

63 *1. Develop an inventory of Virginia's Civil War sites using existing data compiled by the National*  
64 *Park Service, the Civil War Sites Advisory Commission, the Department of Historic Resources, and*  
65 *other like organizations;*

66 *2. Develop recommendations for the General Assembly aimed at providing incentives for voluntary*  
67 *private sector preservations, and local government land use policy supportive of Civil War site*  
68 *preservation and the development of Virginia heritage tourism;*

69 *3. Work with Division of Tourism to develop a statewide network of Civil War heritage sites which*  
70 *document the story of the Civil War in Virginia; and*

71 *4. Work with the Department of Transportation to establish priorities for allocating Intermodal*  
72 *Surface Transportation Efficiency Act of 1991 (ISTEA, P.L. 102-240 ) funding to appropriate Civil War*  
73 *sites.*

74 *§ 9-145.54. Staff support; location.*

75 *The Commission shall be staffed by the Virginia Department of Historic Resources and the Virginia*  
76 *Department of Economic Development. The Commission's offices shall be housed in the Virginia*  
77 *Department of Historic Resources.*

78 *§ 9-145.55. Application for and acceptance of gifts and grants.*

79 *The Commission is authorized to apply for, accept, and expend gifts, grants, or donations from*  
80 *public and private sources to enable it to carry out its objectives.*