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SENATE BILL NO. 1020

Offered January 20, 1997

A *BILL to amend and reenact §§ 2.1-744.1, 2.1-744.3, and 9-6.23 of the Code of Virginia, relating to the Virginia Veterans Care Center.*

Patron—Trumbo

Referred to the Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-744.1, 2.1-744.3, and 9-6.25:3 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-744.1. Virginia Veterans Care Center Board of Trustees; appointments; terms.

A. The Virginia Veterans Care Center Board of Trustees is hereby established and shall be referred to in this chapter as the Board. The Board is a supervisory board within the meaning of § 9-6.25 and, *except that the Board shall only have such general powers and duties as are conferred on it pursuant to § 2.1-744.3. The Board shall operate as an agency under the supervision and direction of the Secretary of Administration, in consultation with the Director of the Department of Veterans' Affairs.* The Board shall govern and oversee the administration of the Virginia Veterans Care Center, located in the City of Roanoke, adjacent to the United States Veterans Administration hospital. The purpose of the Virginia Veterans Care Center is to provide adult home and nursing home care for Virginia residents who are veterans of the armed forces of the United States or those who were Virginia residents at the time of their entry in the armed forces.

B. The Board shall be composed of ten members, all residents of the Commonwealth, to be appointed by the Governor. Three members shall be chosen from a list of nominees submitted by the Speaker of the House of Delegates. Two members shall be chosen from a list of nominees submitted by the Senate Committee on Privileges and Elections. In making appointments, the Governor shall select members who possess the qualifications and experience necessary to control the operations of the Virginia Veterans Care Center, so as to provide financially sound, high quality care to its residents, *at least two of whom shall be selected from a list of names submitted to him by the major veterans' organizations in Virginia.*

C. Members of the Board shall be appointed for four-year terms. Any appointment to fill a vacancy shall be for the unexpired term. No person shall be eligible to serve for more than two successive four-year terms. However, any person appointed to fill a vacancy may be eligible for two successive full terms after the term of the vacancy for which he was appointed has expired. Members of the Board may be removed by the Governor at his pleasure.

§ 2.1-744.3. General powers and duties of Board.

The Board shall:

1. ~~Manage, control, maintain, and operate~~ *Establish policies and procedures relating to the management, control, maintenance, and operation of the Virginia Veterans' Care Center and all its assets;*

2. Set fees for residence and care at the Virginia Veterans' Care Center;

3. ~~Adopt rules and regulations~~ *Establish policies and procedures for the use of, residence in, and care at the Center;*

4. Enter into contracts with one or more entities to operate the Center on behalf of the Board;

5. Employ and discharge from employment an executive director, *who shall consult with the Director of the Department of Veterans' Affairs on the management, control, maintenance, and operation of the Virginia Veterans' Care Center and all its assets and who shall be subordinate to the Board,* and such other persons as may be necessary to assist the Board in carrying out its powers and duties;

6. Determine which programs and activities will be offered at the Center; and

7. Determine eligibility criteria for residence or care in the Center.

§ 9-6.23. 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

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60 appoint another person from the Commonwealth at large to fill such a position. The provisions of this
61 section shall not apply, however, to members of the Board for Branch Pilots, who shall be appointed as
62 provided for in § 54.1-901; to members of the Board on Veterans' Affairs, who shall be appointed as
63 provided for in § 2.1-741; to members of the Council on Indians, who shall be appointed as provided
64 for in § 9-138.1; to members of the Virginia Technology Council, who shall be appointed as provided
65 for in § 9-145.51; to members of the Board of Trustees of the Southwest Virginia Higher Education
66 Center, who shall be appointed as provided in § 23-231.3; to members of the Maternal and Child Health
67 Council, who shall be appointed as provided for in § 9-318; to members of the Virginia Interagency
68 Coordinating Council who shall be appointed as provided in § 2.1-750; to members of the Advisory
69 Council on the Virginia Business-Education Partnership Program, who shall be appointed as provided in
70 § 9-326; to members of the Advisory Commission on Welfare Reform, who shall be appointed as
71 provided in § 63.1-133.44; to members of the Virginia Correctional Enterprises Advisory Board, who
72 shall be appointed as provided in § 2.1-451.2; to members appointed to the Virginia Veterans Cemetery
73 Board pursuant to § 2.1-739.2; ~~or~~ to members of the Commonwealth Competition Commission, who
74 shall be appointed as provided in § 9-343; *or to members of the Virginia Veterans Care Center Board of*
75 *Trustees appointed pursuant to § 2.1-744.1.*
76 **2. That this act shall not be construed to affect existing appointments for which the terms have**
77 **not expired. However, any new appointments made after July 1, 1997, shall be made in**
78 **accordance with the provisions of this act.**