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SENATE BILL NO. 1095

Offered January 20, 1997

A BILL to amend and reenact §§ 2.1-1.6; 9-6.23; and 9-6.25:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-346.1, relating to the Advisory Commission on the Virginia Schools for the Deaf and the Blind.

Patrons—Hanger, Couric, Maxwell and Williams; Delegates: Christian and Wilkins

Referred to the Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 9-6.23; and 9-6.25:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-346.1 as follows:

§ 2.1-1.5. Entities not subject to standard nomenclature.

The following entities are not subject to the provisions of § 2.1-1.2 due to the unique characteristics or the enabling legislation of the entities:

Authorities

Assistive Technology Loan Fund Authority.

Medical College of Virginia Hospitals Authority.

Richmond Eye and Ear Hospital Authority.

Small Business Financing Authority.

State Education Assistance Authority.

Virginia Agriculture Development Authority.

Virginia College Building Authority.

Virginia Economic Development Partnership.

Virginia Education Loan Authority.

Virginia Housing Development Authority.

Virginia Information Providers Network Authority.

Virginia Innovative Technology Authority.

Virginia Port Authority.

Virginia Public Building Authority.

Virginia Public School Authority.

Virginia Resources Authority.

Virginia Student Assistance Authorities.

Boards

Board of Commissioners, Virginia Agriculture Development Authority.

Board of Commissioners, Virginia Port Authority.

Board of Directors, Assistive Technology Loan Fund Authority.

Board of Directors, Medical College of Virginia Hospitals Authority.

Board of Directors, Richmond Eye and Ear Hospital Authority.

Board of Directors, Small Business Financing Authority.

Board of Directors, Virginia Economic Development Partnership.

Board of Directors, Virginia Student Assistance Authorities.

Board of Directors, Virginia Innovative Technology Authority.

Board of Directors, Virginia Resources Authority.

Board of Regents, Gunston Hall Plantation.

Board of Regents, James Monroe Memorial Law Office and Library.

Board of Trustees, Family and Children's Trust Fund.

Board of Trustees, Frontier Culture Museum of Virginia.

Board of Trustees, Jamestown-Yorktown Foundation.

Board of Trustees, Miller School of Albemarle.

Board of Trustees, Rural Virginia Development Foundation.

Board of Trustees, The Science Museum of Virginia.

Board of Trustees, Virginia Museum of Fine Arts.

Board of Trustees, Virginia Museum of Natural History.

Board of Trustees, Virginia Outdoor Foundation.

Board of the Virginia Higher Education Tuition Trust Fund.

Board of Visitors, Christopher Newport University.

Board of Visitors, The College of William and Mary in Virginia.

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60	Board of Visitors, George Mason University.
61	Board of Visitors, Gunston Hall Plantation.
62	Board of Visitors, James Madison University.
63	Board of Visitors, Longwood College.
64	Board of Visitors, Mary Washington College.
65	Board of Visitors to Mount Vernon.
66	Board of Visitors, Norfolk State University.
67	Board of Visitors, Old Dominion University.
68	Board of Visitors, Radford University.
69	Board of Visitors, University of Virginia.
70	Board of Visitors, Virginia Commonwealth University.
71	Board of Visitors, Virginia Military Institute.
72	Board of Visitors, Virginia Polytechnic Institute and State University.
73	Board of Visitors, Virginia State University.
74	Governing Board, Virginia College Building Authority.
75	Governing Board, Virginia Public School Authority.
76	Library Board, The Library of Virginia.
77	Motor Vehicle Dealer Board.
78	State Board for Community Colleges, Virginia Community College System.
79	Virginia-Israel Advisory Board.
80	Center
81	A.L. Philpott Manufacturing Research Center.
82	Commissions
83	<i>Advisory Commission on the Virginia Schools for the Deaf and the Blind</i>
84	Alexandria Historical Restoration and Preservation Commission.
85	Charitable Gaming Commission.
86	Chesapeake Bay Bridge and Tunnel Commission.
87	Hampton Roads Sanitation District Commission.
88	Districts
89	Chesapeake Bay Bridge and Tunnel District.
90	Hampton Roads Sanitation District.
91	Educational Institutions
92	Christopher Newport University.
93	College of William and Mary in Virginia.
94	Frontier Culture Museum of Virginia.
95	George Mason University.
96	James Madison University.
97	Jamestown-Yorktown Foundation.
98	Longwood College.
99	Mary Washington College.
100	Miller School of Albemarle.
101	Norfolk State University.
102	Old Dominion University.
103	Radford University.
104	The Science Museum of Virginia.
105	University of Virginia.
106	Virginia Commonwealth University.
107	Virginia Community College System.
108	Virginia Military Institute.
109	Virginia Museum of Fine Arts.
110	Virginia Polytechnic Institute and State University.
111	The Library of Virginia.
112	Virginia State University.
113	Foundations
114	Chippokes Plantation Farm Foundation.
115	Rural Virginia Development Foundation.
116	Virginia Conservation and Recreation Foundation.
117	Virginia Historic Preservation Foundation.
118	Virginia Outdoor Foundation.
119	Museum
120	Virginia Museum of Natural History.
121	Plantation

122 Gunston Hall Plantation.
 123 System
 124 Virginia Retirement System.
 125 § 2.1-1.6. State boards.
 126 A. There shall be, in addition to such others as may be established by law, the following permanent
 127 collegial bodies affiliated with a state agency within the executive branch:
 128 Accountancy, Board for
 129 Aging, Advisory Board on the
 130 Agriculture and Consumer Services, Board of
 131 Air Pollution, State Advisory Board on
 132 Alcoholic Beverage Control Board, Virginia
 133 Apple Board, Virginia State
 134 Appomattox State Scenic River Advisory Board
 135 Aquaculture Advisory Board
 136 Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for
 137 Art and Architectural Review Board
 138 Athletic Board, Virginia
 139 Auctioneers Board
 140 Audiology and Speech-Language Pathology, Board of
 141 Aviation Board, Virginia
 142 Barbers, Board for
 143 Branch Pilots, Board for
 144 Bright Flue-Cured Tobacco Board, Virginia
 145 Building Code Technical Review Board, State
 146 Catoctin Creek State Scenic River Advisory Board
 147 Cattle Industry Board, Virginia
 148 Cave Board
 149 Certified Seed Board, State
 150 Chesapeake Bay Local Assistance Board
 151 Chickahominy State Scenic River Advisory Board
 152 Child Abuse and Neglect, Advisory Board on
 153 Chippokes Plantation Farm Foundation, Board of Trustees
 154 Clinch Scenic River Advisory Board
 155 Coal Mining Examiners, Board of
 156 Coal Research and Development Advisory Board, Virginia
 157 Coal Surface Mining Reclamation Fund Advisory Board
 158 Coastal Land Management Advisory Council, Virginia
 159 Conservation and Development of Public Beaches, Board on
 160 Conservation and Recreation, Board of
 161 Contractors, Board for
 162 Corn Board, Virginia
 163 Correctional Education, Board of
 164 Corrections, State Board of
 165 Cosmetology, Board for
 166 Criminal Justice Services Board
 167 Dark-Fired Tobacco Board, Virginia
 168 Deaf and Hard-of-Hearing, Advisory Board for the Department for the
 169 Dentistry, Board of
 170 Design-Build/Construction Management Review Board
 171 Education, State Board of
 172 Egg Board, Virginia
 173 Emergency Medical Services Advisory Board
 174 Farmers Market Board, Virginia
 175 Film Office Advisory Board
 176 Fire Services Board, Virginia
 177 Forensic Science Advisory Board
 178 Forestry, Board of
 179 Funeral Directors and Embalmers, Board of
 180 Game and Inland Fisheries, Board of
 181 Geology, Board for
 182 Goose Creek Scenic River Advisory Board

183	Health Planning Board, Virginia
184	Health Professions, Board of
185	Health, State Board of
186	Hearing Aid Specialists, Board for
187	Hemophilia Advisory Board
188	Historic Resources, Board of
189	Housing and Community Development, Board of
190	Industrial Development Services Advisory Board
191	Irish Potato Board, Virginia
192	Juvenile Justice, State Board of
193	Litter Control and Recycling Fund Advisory Board
194	Marine Products Board, Virginia
195	Medical Advisory Board, Department of Motor Vehicles
196	Medical Board of the Virginia Retirement System
197	Medicare and Medicaid, Advisory Board on
198	Medicine, Board of
199	Mental Health, Mental Retardation and Substance Abuse Services Board, State
200	Migrant and Seasonal Farmworkers Board
201	Military Affairs, Board of
202	Mineral Mining Examiners, Board of
203	Minority Business Enterprise, Interdepartmental Board of the Department of
204	Networking Users Advisory Board, State
205	Nottoway State Scenic River Advisory Board
206	Nursing, Board of
207	Nursing Home Administrators, Board of
208	Occupational Therapy, Advisory Board on
209	Oil and Gas Conservation Board, Virginia
210	Opticians, Board for
211	Optometry, Board of
212	Peanut Board, Virginia
213	Personnel Advisory Board
214	Pesticide Control Board
215	Pharmacy, Board of
216	Physical Therapy to the Board of Medicine, Advisory Board on
217	Plant Pollination Advisory Board
218	Polygraph Examiners Advisory Board
219	Pork Industry Board, Virginia
220	Poultry Products Board, Virginia
221	Private College Advisory Board
222	Private Security Services Advisory Board
223	Professional and Occupational Regulation, Board for
224	Professional Counselors, Board of
225	Professional Soil Scientists, Board for
226	Psychiatric Advisory Board
227	Psychology, Board of
228	Public Buildings Board, Virginia
229	Public Telecommunications Board, Virginia
230	Radiation Advisory Board
231	Real Estate Appraiser Board
232	Real Estate Board
233	Reciprocity Board, Department of Motor Vehicles
234	Recreational Fishing Advisory Board, Virginia
235	Recreation Specialists, Board of
236	Reforestation Board
237	Rehabilitation Providers, Advisory Board on
238	Rehabilitative Services, Board of
239	Respiratory Therapy, Advisory Board on
240	Retirement System Review Board
241	Rockfish State Scenic River Advisory Board
242	Safety and Health Codes Board
243	Seed Potato Board
244	Sewage Handling and Disposal Appeal Review Board, State Health Department

- 245 Shenandoah State Scenic River Advisory Board
- 246 Small Business Advisory Board
- 247 Small Business Environmental Compliance Advisory Board
- 248 Small Grains Board, Virginia
- 249 Social Services, Board of
- 250 Social Work, Board of
- 251 Soil and Water Conservation Board, Virginia
- 252 Soybean Board, Virginia
- 253 State Air Pollution Control Board
- 254 Substance Abuse Certification Board
- 255 Surface Mining Review, Board of
- 256 Sweet Potato Board, Virginia
- 257 T & M Vehicle Dealers' Advisory Board
- 258 Teacher Education and Licensure, Advisory Board on
- 259 Tourism and Travel Services Advisory Board
- 260 Transportation Board, Commonwealth
- 261 Transportation Safety, Board of
- 262 Treasury Board, The, Department of the Treasury
- 263 Veterans' Affairs, Board on
- 264 Veterinary Medicine, Board of
- 265 Virginia Board for Asbestos Licensing
- 266 Virginia Coal Mine Safety Board
- 267 Virginia Correctional Enterprises Advisory Board
- 268 Virginia Employment Commission, State Advisory Board for the
- 269 Virginia Higher Education Tuition Trust Fund, Board of the
- 270 Virginia Horse Industry Board
- 271 Virginia Manufactured Housing Board
- 272 Virginia Retirement System, Board of Trustees
- 273 *Virginia Schools for the Deaf and the Blind, Advisory Commission on the*
- 274 Virginia Sheep Industry Board
- 275 Virginia Veterans Cemetery Board
- 276 Virginia Waste Management Board
- 277 Visually Handicapped, Virginia Board for the
- 278 Voluntary Formulary Board, Virginia
- 279 War Memorial Foundation, Virginia, Board of Trustees
- 280 Waste Management Facility Operators, Board for
- 281 Water Resources Research Center Statewide Advisory Board, Virginia
- 282 Waterworks and Wastewater Works Operators, Board for
- 283 Well Review Board, Virginia.
- 284 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 285 referred to as boards:
- 286 Compensation Board
- 287 State Board of Elections
- 288 State Water Control Board
- 289 Virginia Parole Board
- 290 Virginia Veterans Care Center Board of Trustees.
- 291 § 2.1-1.9. Commissions.
- 292 Notwithstanding the definition for "commission" as provided in § 2.1-1.2, the following entities shall
- 293 be referred to as commissions:
- 294 *Advisory Commission on the Virginia Schools for the Deaf and the Blind*
- 295 Charitable Gaming Commission
- 296 Commission on Local Government
- 297 Marine Resources Commission
- 298 Milk Commission
- 299 Virginia Commission for the Arts
- 300 Virginia Employment Commission.
- 301 § 9-6.23. (Effective July 1, 1997) Prohibition against service by legislators on boards and
- 302 commissions within the executive branch.
- 303 Members of the General Assembly shall be ineligible to serve on boards and commissions within the
- 304 executive branch which are responsible for administering programs established by the General Assembly.
- 305 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; to members of the Virginia Correctional Enterprises Advisory Board, who shall be appointed as provided in § 2.1-451.2; to members appointed to the Virginia Veterans Cemetery Board pursuant to § 2.1-739.2; ~~or~~ to members of the Commonwealth Competition Commission, who shall be appointed as provided in § 9-343; *or to members of the Advisory Commission on the Virginia Schools for the Deaf and the Blind, who shall be appointed as provided in § 22.1-346.1.*

§ 9-6.25:1. Advisory boards, commissions and councils.

There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the following advisory boards, commissions and councils within the executive branch:

- Advisory Board for the Department for the Deaf and Hard-of-Hearing
- Advisory Board for the Department for the Aging
- Advisory Board on Child Abuse and Neglect
- Advisory Board on Medicare and Medicaid
- Advisory Board on Occupational Therapy
- Advisory Board on Physical Therapy to the Board of Medicine
- Advisory Board on Rehabilitation Providers
- Advisory Board on Respiratory Therapy to the Board of Medicine
- Advisory Board on Teacher Education and Licensure
- Advisory Commission on the Virginia Schools for the Deaf and the Blind*
- Advisory Council on Revenue Estimates
- Advisory Council on the Virginia Business-Education Partnership Program
- Appomattox State Scenic River Advisory Board
- Aquaculture Advisory Board
- Art and Architectural Review Board
- Board for the Visually Handicapped
- Board of Directors, Virginia Truck and Ornamentals Research Station
- Board of Forestry
- Board of Military Affairs
- Board of Rehabilitative Services
- Board of Transportation Safety
- Board of Trustees of the Family and Children's Trust Fund
- Board of Visitors, Gunston Hall Plantation
- Board on Veterans' Affairs
- Catoctin Creek State Scenic River Advisory Board
- Cave Board
- Chickahominy State Scenic River Advisory Board
- Clinch Scenic River Advisory Board
- Coal Surface Mining Reclamation Fund Advisory Board
- Coastal Land Management Advisory Council, Virginia
- Commonwealth Competition Council
- Council on Indians
- Council on the Status of Women
- Debt Capacity Advisory Committee
- Emergency Medical Services Advisory Board
- Falls of the James Committee
- Forensic Science Advisory Board
- Goose Creek Scenic River Advisory Board
- Governor's Council on Alcohol and Drug Abuse Problems
- Governor's Mined Land Reclamation Advisory Committee

368	Hemophilia Advisory Board
369	Human Services Information and Referral Advisory Council
370	Interagency Coordinating Council on Housing for the Disabled
371	Interdepartmental Board of the State Department of Minority Business Enterprise
372	Litter Control and Recycling Fund Advisory Board
373	Local Advisory Board to the Blue Ridge Community College
374	Local Advisory Board to the Central Virginia Community College
375	Local Advisory Board to the Dabney S. Lancaster Community College
376	Local Advisory Board to the Danville Community College
377	Local Advisory Board to the Eastern Shore Community College
378	Local Advisory Board to the Germanna Community College
379	Local Advisory Board to the J. Sargeant Reynolds Community College
380	Local Advisory Board to the John Tyler Community College
381	Local Advisory Board to the Lord Fairfax Community College
382	Local Advisory Board to the Mountain Empire Community College
383	Local Advisory Board to the New River Community College
384	Local Advisory Board to the Northern Virginia Community College
385	Local Advisory Board to the Patrick Henry Community College
386	Local Advisory Board to the Paul D. Camp Community College
387	Local Advisory Board to the Piedmont Virginia Community College
388	Local Advisory Board to the Rappahannock Community College
389	Local Advisory Board to the Southside Virginia Community College
390	Local Advisory Board to the Southwest Virginia Community College
391	Local Advisory Board to the Thomas Nelson Community College
392	Local Advisory Board to the Tidewater Community College
393	Local Advisory Board to the Virginia Highlands Community College
394	Local Advisory Board to the Virginia Western Community College
395	Local Advisory Board to the Wytheville Community College
396	Maternal and Child Health Council
397	Medical Advisory Board, Department of Motor Vehicles
398	Medical Board of the Virginia Retirement System
399	Migrant and Seasonal Farmworkers Board
400	Motor Vehicle Dealer's Advisory Board
401	Nottoway State Scenic River Advisory Board
402	Personnel Advisory Board
403	Plant Pollination Advisory Board
404	Private College Advisory Board
405	Private Enterprise Commission
406	Private Security Services Advisory Board
407	Psychiatric Advisory Board
408	Radiation Advisory Board
409	Rappahannock Scenic River Advisory Board
410	Recreational Fishing Advisory Board, Virginia
411	Reforestation Board
412	Retirement System Review Board
413	Rockfish State Scenic River Advisory Board
414	Shenandoah State Scenic River Advisory Board
415	Small Business Advisory Board
416	Small Business Environmental Compliance Advisory Board
417	St. Mary's Scenic River Advisory Committee
418	State Advisory Board on Air Pollution
419	State Advisory Board for the Virginia Employment Commission
420	State Building Code Technical Review Board
421	State Health Benefits Advisory Council
422	State Land Evaluation Advisory Council
423	State Networking Users Advisory Board
424	State Public Records Advisory Council
425	Statewide Independent Living Council
426	Statewide Rehabilitation Advisory Council
427	Statewide Rehabilitation Advisory Council for the Blind
428	Staunton Scenic River Advisory Committee

429 Telecommunications Relay Service Advisory Board
430 Virginia-Israel Advisory Board
431 Virginia Advisory Commission on Intergovernmental Relations
432 Virginia Advisory Council for Adult Education and Literacy
433 Virginia Coal Mine Safety Board
434 Virginia Coal Research and Development Advisory Board
435 Virginia Commission for the Arts
436 Virginia Commission on the Bicentennial of the United States Constitution
437 Virginia Correctional Enterprises Advisory Board
438 Virginia Council on Coordinating Prevention
439 Virginia Equal Employment Opportunity Council
440 Virginia Interagency Coordinating Council
441 Virginia Military Advisory Council
442 Virginia Public Buildings Board
443 Virginia Recycling Markets Development Council
444 Virginia Technology Council
445 Virginia Transplant Council
446 Virginia Veterans Cemetery Board
447 Virginia Water Resources Research Center, Statewide Advisory Board
448 Virginia Winegrowers Advisory Board.

449 § 22.1-346.1 *Advisory Commission on the Virginia Schools for the Deaf and the Blind; membership;*
450 *powers and duties; compensation; chairman and vice chairman; staff.*

451 A. *There is hereby established the Advisory Commission on the Virginia Schools for the Deaf and the*
452 *Blind, which shall consist of eleven members to be appointed as follows: five members of the House of*
453 *Delegates and one citizen member, to be appointed by the Speaker of the House of Delegates, and four*
454 *members of the Senate of Virginia and one citizen member, to be appointed by the Senate Committee on*
455 *Privileges and Elections. Legislative members shall serve on the Advisory Commission until the*
456 *expiration of their terms of office or until their successors shall qualify. Citizen appointments shall be*
457 *for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms. No*
458 *citizen member of the Advisory Commission shall be eligible to serve for or during more than two*
459 *successive four-year terms, but after the expiration of a term of three years or less, or after the*
460 *expiration of the remainder of a term to which appointed to fill a vacancy, two additional four-year*
461 *terms may be served by such member if appointed thereto.*

462 B. *The Advisory Commission shall (i) monitor the operations of the Virginia Schools for the Deaf*
463 *and the Blind; (ii) advise the Board of Education and submit recommendations that seek to ensure the*
464 *maintenance of a high quality and cost-effective program of study and a safe and nurturing residential*
465 *environment at the schools; and (iii) perform any act or function which is in accord with the purposes*
466 *of this section.*

467 C. *Members of the Advisory Commission shall serve without compensation but shall be reimbursed*
468 *for their actual expenses incurred in the performance of their duties as members of the Advisory*
469 *Commission.*

470 D. *The Advisory Commission shall elect a chairman and a vice chairman from among its members.*

471 E. *The Superintendent of Public Instruction shall designate a staff liaison to coordinate the activities*
472 *of the Advisory Commission. The Advisory Commission shall meet four times per year or upon the*
473 *request of its chairman or the Board of Education.*