

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 2.1-1.6 and 9-6.25:1 of the Code of Virginia and to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 45, consisting of sections numbered 3.1-1104 and 3.1-1105, relating to the Virginia Charity Food Assistance Act.

[S 681]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6 and 9-6.25:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 3.1 a chapter numbered 45, consisting of sections numbered 3.1-1104 and 3.1-1105, as follows:

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

Accountancy, Board for

Aging, Advisory Board on the

Agriculture and Consumer Services, Board of

Air Pollution, State Advisory Board on

Alcoholic Beverage Control Board, Virginia

Apple Board, Virginia State

Appomattox State Scenic River Advisory Board

Aquaculture Advisory Board

Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for

Art and Architectural Review Board

Athletic Board, Virginia

Auctioneers Board

Audiology and Speech-Language Pathology, Board of

Aviation Board, Virginia

Barbers, Board for

Branch Pilots, Board for

Bright Flue-Cured Tobacco Board, Virginia

Building Code Technical Review Board, State

Catoctin Creek State Scenic River Advisory Board

Cattle Industry Board, Virginia

Cave Board

Certified Seed Board, State

Chesapeake Bay Local Assistance Board

Charity Food Assistance Advisory Board

Chickahominy State Scenic River Advisory Board

Child Abuse and Neglect, Advisory Board on

Chippokes Plantation Farm Foundation, Board of Trustees

Clinch Scenic River Advisory Board

Coal Mining Examiners, Board of

Coal Research and Development Advisory Board, Virginia

Coal Surface Mining Reclamation Fund Advisory Board

Conservation and Development of Public Beaches, Board on

Conservation and Recreation, Board of

Contractors, Board for

Corn Board, Virginia

Correctional Education, Board of

Corrections, State Board of

Cosmetology, Board for

Criminal Justice Services Board

Dark-Fired Tobacco Board, Virginia

Deaf and Hard-of-Hearing, Advisory Board for the Department for the

Dentistry, Board of

Design-Build/Construction Management Review Board

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57	Education, State Board of
58	Egg Board, Virginia
59	Emergency Medical Services Advisory Board, State
60	Farmers Market Board, Virginia
61	Fire Services Board, Virginia
62	Forestry, Board of
63	Funeral Directors and Embalmers, Board of
64	Game and Inland Fisheries, Board of
65	Geology, Board for
66	Goose Creek Scenic River Advisory Board
67	Health Planning Board, Virginia
68	Health Professions, Board of
69	Health, State Board of
70	Hearing Aid Specialists, Board for
71	Hemophilia Advisory Board
72	Historic Resources, Board of
73	Housing and Community Development, Board of
74	Irish Potato Board, Virginia
75	Juvenile Justice, State Board of
76	Litter Control and Recycling Fund Advisory Board
77	Marine Products Board, Virginia
78	Medical Advisory Board, Department of Motor Vehicles
79	Medicare and Medicaid, Advisory Board on
80	Medicine, Board of
81	Mental Health, Mental Retardation and Substance Abuse Services Board, State
82	Migrant and Seasonal Farmworkers Board
83	Military Affairs, Board of
84	Mineral Mining Examiners, Board of
85	Minority Business Enterprise, Interdepartmental Board of the Department of
86	Networking Users Advisory Board, State
87	Neurotrauma Initiative Advisory Board, Commonwealth
88	North Meherrin State Scenic River Advisory Board
89	Nottoway State Scenic River Advisory Board
90	Nursing, Board of
91	Nursing Home Administrators, Board of
92	Occupational Therapy, Advisory Board on
93	Oil and Gas Conservation Board, Virginia
94	Opticians, Board for
95	Optometry, Board of
96	Peanut Board, Virginia
97	Personnel Advisory Board
98	Pesticide Control Board
99	Pharmacy, Board of
100	Physical Therapy to the Board of Medicine, Advisory Board on
101	Plant Pollination Advisory Board
102	Polygraph Examiners Advisory Board
103	Pork Industry Board, Virginia
104	Poultry Products Board, Virginia
105	Private College Advisory Board
106	Private Security Services Advisory Board
107	Professional and Occupational Regulation, Board for
108	Professional Counselors, Board of
109	Professional Soil Scientists, Board for
110	Psychiatric Advisory Board
111	Psychology, Board of
112	Public Buildings Board, Virginia
113	Public Broadcasting Board, Virginia
114	Radiation Advisory Board
115	Real Estate Appraiser Board
116	Real Estate Board
117	Reciprocity Board, Department of Motor Vehicles

- 118 Recreational Fishing Advisory Board, Virginia
- 119 Recreation Specialists, Board of
- 120 Reforestation Board
- 121 Rehabilitation Providers, Advisory Board on
- 122 Rehabilitative Services, Board of
- 123 Respiratory Therapy, Advisory Board on
- 124 Rockfish State Scenic River Advisory Board
- 125 Safety and Health Codes Board
- 126 Seed Potato Board
- 127 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 128 Shenandoah State Scenic River Advisory Board
- 129 Small Business Advisory Board
- 130 Small Business Environmental Compliance Advisory Board
- 131 Small Grains Board, Virginia
- 132 Social Services, Board of
- 133 Social Work, Board of
- 134 Soil and Water Conservation Board, Virginia
- 135 Soybean Board, Virginia
- 136 State Air Pollution Control Board
- 137 Substance Abuse Certification Board
- 138 Surface Mining Review, Board of
- 139 Sweet Potato Board, Virginia
- 140 T & M Vehicle Dealers' Advisory Board
- 141 Teacher Education and Licensure, Advisory Board on
- 142 Transportation Board, Commonwealth
- 143 Transportation Safety, Board of
- 144 Treasury Board, The, Department of the Treasury
- 145 Veterans' Affairs, Board on
- 146 Veterinary Medicine, Board of
- 147 Virginia Board for Asbestos and Lead
- 148 Virginia Coal Mine Safety Board
- 149 Virginia Correctional Enterprises Advisory Board
- 150 Virginia Cotton Board
- 151 Virginia Employment Commission, State Advisory Board for the
- 152 Virginia Geographic Information Network Advisory Board
- 153 Virginia Horse Industry Board
- 154 Virginia Manufactured Housing Board
- 155 Virginia Retirement System, Board of Trustees
- 156 Virginia Schools for the Deaf and the Blind, Advisory Commission on the
- 157 Virginia Sheep Industry Board
- 158 Virginia Veterans Cemetery Board
- 159 Virginia Waste Management Board
- 160 Visually Handicapped, Virginia Board for the
- 161 Voluntary Formulary Board, Virginia
- 162 War Memorial Foundation, Virginia, Board of Trustees
- 163 Waste Management Facility Operators, Board for
- 164 Water Resources Research Center Statewide Advisory Board, Virginia
- 165 Waterworks and Wastewater Works Operators, Board for
- 166 Well Review Board, Virginia.
- 167 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 168 referred to as boards:
- 169 Compensation Board
- 170 State Board of Elections
- 171 State Water Control Board
- 172 Virginia Parole Board
- 173 Virginia Veterans Care Center Board of Trustees.

CHAPTER 45.

VIRGINIA CHARITY FOOD ASSISTANCE ACT.

§ 3.1-1104. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Advisory Board" means the Charity Food Assistance Advisory Board established pursuant to

§ 3.1-1105.

"Board" means the Board of Agriculture and Consumer Services.

"Business firm" means any corporation, partnership, electing small business (Subchapter S) corporation, limited liability company, or sole proprietorship authorized to do business in this Commonwealth subject to tax imposed by Articles 2 (§ 58.1-320 et seq.) and 10 (§ 58.1-400 et seq.) of Chapter 3, Chapter 12 (§ 58.1-1200 et seq.), Article 1 (§ 58.1-2500 et seq.) of Chapter 25, or Article 2 (§ 58.1-2620 et seq.) of Chapter 26 of Title 58.1.

"Charity food provider" means a nonprofit, charitable organization which operates on a continuing basis as a food pantry, soup kitchen, community kitchen, emergency shelter, or other program which seeks to relieve the incidence of hunger, undernutrition, or supplemental or emergency short-term food or nutritional shortages among needy individuals and families, homeless people, or victims of domestic violence.

"Commissioner" means the Commissioner of the Virginia Department of Agriculture and Consumer Services.

"Department" means the Virginia Department of Agriculture and Consumer Services.

"Food bank" means a nonprofit charitable organization that (i) is exempt from income taxation under the provisions of §§ 501 (c) (3) and 501 (c) (4) of the Internal Revenue Code of 1986, as amended from time to time, and (ii) distributes food to charity food providers.

§ 3.1-1105. Charity Food Assistance Advisory Board.

A. There is hereby established within the Department the Charity Food Assistance Advisory Board, which shall advise the Board and the Department on the implementation of a Virginia charity food purchase program and study programs or other ways the Department or other agencies might help to reduce the incidence of hunger, undernutrition, and short-term food or nutritional shortages among the needy. The Advisory Board shall consist of fifteen members to be appointed by the Governor, and shall include the Commissioner of Agriculture and Consumer Services or his designee, the Director of the Department of General Services or his designee, and one representative each of the following: a statewide agriculture organization, a cooperative program operated by state-supported institutions of higher education charged with providing the people of the Commonwealth with information relating to agriculture and home economics, the wholesale grocery industry, the retail grocery industry, the food processing industry, the meat industry, the poultry industry, the dairy industry, and the bottling industry. Four members shall represent food banks.

B. The Advisory Board shall annually elect a chairman from among its members. The chairman shall fix the times and places of meetings. Members of the Advisory Board shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses incurred in the performance of their duties as Advisory Board members.

C. The Advisory Board shall develop recommendations regarding a charity food donation tax credit program and a charity food purchase and distribution program, and shall report such recommendations to the Commissioner no later than July 1, 1999. The Advisory Board may make such other recommendations to the Commissioner as are adopted by a majority of its members.

D. The Commissioner shall report his recommendations regarding a charity food donation tax credit program and a charity food purchase and distribution program to the Governor and the chairmen of the House Appropriations Committee, House Finance Committee, and Senate Finance Committee no later than December 1, 1999.

§ 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

240	Board for the Visually Handicapped
241	Board of Directors, Virginia Truck and Ornamentals Research Station
242	Board of Forestry
243	Board of Military Affairs
244	Board of Rehabilitative Services
245	Board of Transportation Safety
246	Board of Trustees of the Family and Children's Trust Fund
247	Board of Visitors, Gunston Hall Plantation
248	Board on Veterans' Affairs
249	Catoctin Creek State Scenic River Advisory Board
250	Cave Board
251	<i>Charity Food Assistance Advisory Board</i>
252	Chickahominy State Scenic River Advisory Board
253	Clinch Scenic River Advisory Board
254	Coal Surface Mining Reclamation Fund Advisory Board
255	Coastal Land Management Advisory Council, Virginia
256	Commonwealth Competition Council
257	Council on Indians
258	Council on the Status of Women
259	Debt Capacity Advisory Committee
260	Emergency Medical Services Advisory Board
261	Falls of the James Committee
262	Goose Creek Scenic River Advisory Board
263	Governor's Council on Alcohol and Drug Abuse Problems
264	Governor's Mined Land Reclamation Advisory Committee
265	Hemophilia Advisory Board
266	Human Services Information and Referral Advisory Council
267	Interagency Coordinating Council on Housing for the Disabled
268	Interdepartmental Board of the State Department of Minority Business Enterprise
269	Litter Control and Recycling Fund Advisory Board
270	Local Advisory Board to the Blue Ridge Community College
271	Local Advisory Board to the Central Virginia Community College
272	Local Advisory Board to the Dabney S. Lancaster Community College
273	Local Advisory Board to the Danville Community College
274	Local Advisory Board to the Eastern Shore Community College
275	Local Advisory Board to the Germanna Community College
276	Local Advisory Board to the J. Sargeant Reynolds Community College
277	Local Advisory Board to the John Tyler Community College
278	Local Advisory Board to the Lord Fairfax Community College
279	Local Advisory Board to the Mountain Empire Community College
280	Local Advisory Board to the New River Community College
281	Local Advisory Board to the Northern Virginia Community College
282	Local Advisory Board to the Patrick Henry Community College
283	Local Advisory Board to the Paul D. Camp Community College
284	Local Advisory Board to the Piedmont Virginia Community College
285	Local Advisory Board to the Rappahannock Community College
286	Local Advisory Board to the Southside Virginia Community College
287	Local Advisory Board to the Southwest Virginia Community College
288	Local Advisory Board to the Thomas Nelson Community College
289	Local Advisory Board to the Tidewater Community College
290	Local Advisory Board to the Virginia Highlands Community College
291	Local Advisory Board to the Virginia Western Community College
292	Local Advisory Board to the Wytheville Community College
293	Maternal and Child Health Council
294	Medical Advisory Board, Department of Motor Vehicles
295	Migrant and Seasonal Farmworkers Board
296	Motor Vehicle Dealer's Advisory Board
297	North Meherrin State Scenic River Advisory Board
298	Nottoway State Scenic River Advisory Board
299	Personnel Advisory Board
300	Plant Pollination Advisory Board

301	Private College Advisory Board
302	Private Enterprise Commission
303	Private Security Services Advisory Board
304	Psychiatric Advisory Board
305	Radiation Advisory Board
306	Rappahannock Scenic River Advisory Board
307	Recreational Fishing Advisory Board, Virginia
308	Reforestation Board
309	Rockfish State Scenic River Advisory Board
310	Shenandoah State Scenic River Advisory Board
311	Small Business Advisory Board
312	Small Business Environmental Compliance Advisory Board
313	St. Mary's Scenic River Advisory Committee
314	State Advisory Board for the Virginia Employment Commission
315	State Advisory Board on Air Pollution
316	State Building Code Technical Review Board
317	State Health Benefits Advisory Council
318	State Land Evaluation Advisory Council
319	State Networking Users Advisory Board
320	State Public Records Advisory Council
321	Statewide Independent Living Council
322	Statewide Rehabilitation Advisory Council
323	Statewide Rehabilitation Advisory Council for the Blind
324	Staunton Scenic River Advisory Committee
325	Telecommunications Relay Service Advisory Board
326	Virginia-Israel Advisory Board
327	Virginia Advisory Commission on Intergovernmental Relations
328	Virginia Advisory Council for Adult Education and Literacy
329	Virginia Coal Mine Safety Board
330	Virginia Coal Research and Development Advisory Board
331	Virginia Commission for the Arts
332	Virginia Commission on the Bicentennial of the United States Constitution
333	Virginia Correctional Enterprises Advisory Board
334	Virginia Council on Coordinating Prevention
335	Virginia Equal Employment Opportunity Council
336	Virginia Geographic Information Network Advisory Board
337	Virginia Interagency Coordinating Council
338	Virginia Military Advisory Council
339	Virginia Public Buildings Board
340	Virginia Recycling Markets Development Council
341	Virginia Technology Council
342	Virginia Transplant Council
343	Virginia Veterans Cemetery Board
344	Virginia Water Resources Research Center, Statewide Advisory Board
345	Virginia Winegrowers Advisory Board.