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SENATE BILL NO. 681

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee
on March 13, 1998)

(Patron Prior to Substitute—Senator Hanger)

A *BILL 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.*

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

Catoclin 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

Education, State Board of

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

- 122 Reforestation Board
- 123 Rehabilitation Providers, Advisory Board on
- 124 Rehabilitative Services, Board of
- 125 Respiratory Therapy, Advisory Board on
- 126 Rockfish State Scenic River Advisory Board
- 127 Safety and Health Codes Board
- 128 Seed Potato Board
- 129 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 130 Shenandoah State Scenic River Advisory Board
- 131 Small Business Advisory Board
- 132 Small Business Environmental Compliance Advisory Board
- 133 Small Grains Board, Virginia
- 134 Social Services, Board of
- 135 Social Work, Board of
- 136 Soil and Water Conservation Board, Virginia
- 137 Soybean Board, Virginia
- 138 State Air Pollution Control Board
- 139 Substance Abuse Certification Board
- 140 Surface Mining Review, Board of
- 141 Sweet Potato Board, Virginia
- 142 T & M Vehicle Dealers' Advisory Board
- 143 Teacher Education and Licensure, Advisory Board on
- 144 Transportation Board, Commonwealth
- 145 Transportation Safety, Board of
- 146 Treasury Board, The, Department of the Treasury
- 147 Veterans' Affairs, Board on
- 148 Veterinary Medicine, Board of
- 149 Virginia Board for Asbestos and Lead
- 150 Virginia Coal Mine Safety Board
- 151 Virginia Correctional Enterprises Advisory Board
- 152 Virginia Cotton Board
- 153 Virginia Employment Commission, State Advisory Board for the
- 154 Virginia Geographic Information Network Advisory Board
- 155 Virginia Horse Industry Board
- 156 Virginia Manufactured Housing Board
- 157 Virginia Retirement System, Board of Trustees
- 158 Virginia Schools for the Deaf and the Blind, Advisory Commission on the
- 159 Virginia Sheep Industry Board
- 160 Virginia Veterans Cemetery Board
- 161 Virginia Waste Management Board
- 162 Visually Handicapped, Virginia Board for the
- 163 Voluntary Formulary Board, Virginia
- 164 War Memorial Foundation, Virginia, Board of Trustees
- 165 Waste Management Facility Operators, Board for
- 166 Water Resources Research Center Statewide Advisory Board, Virginia
- 167 Waterworks and Wastewater Works Operators, Board for
- 168 Well Review Board, Virginia.
- 169 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 170 referred to as boards:
- 171 Compensation Board
- 172 State Board of Elections
- 173 State Water Control Board
- 174 Virginia Parole Board
- 175 Virginia Veterans Care Center Board of Trustees.
- 176 *CHAPTER 45.*
- 177 *VIRGINIA CHARITY FOOD ASSISTANCE ACT.*
- 178 *§ 3.1-1104. Definitions.*
- 179 *As used in this chapter, unless the context requires a different meaning:*
- 180 *"Advisory Board" means the Charity Food Assistance Advisory Board established pursuant to*
- 181 *§ 3.1-1105.*
- 182 *"Board" means the Board of Agriculture and Consumer Services.*

183 *"Business firm" means any corporation, partnership, electing small business (Subchapter S)*
184 *corporation, limited liability company, or sole proprietorship authorized to do business in this*
185 *Commonwealth subject to tax imposed by Articles 2 (§ 58.1-320 et seq.) and 10 (§ 58.1-400 et seq.) of*
186 *Chapter 3, Chapter 12 (§ 58.1-1200 et seq.), Article 1 (§ 58.1-2500 et seq.) of Chapter 25, or Article 2*
187 *(§ 58.1-2620 et seq.) of Chapter 26 of Title 58.1.*

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

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

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

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

199 *§ 3.1-1105. Charity Food Assistance Advisory Board.*

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

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

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

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

224 *§ 9-6.25:1. Advisory boards, commissions and councils.*

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

227 *Advisory Board for the Department for the Deaf and Hard-of-Hearing*

228 *Advisory Board for the Department for the Aging*

229 *Advisory Board on Child Abuse and Neglect*

230 *Advisory Board on Medicare and Medicaid*

231 *Advisory Board on Occupational Therapy*

232 *Advisory Board on Physical Therapy to the Board of Medicine*

233 *Advisory Board on Rehabilitation Providers*

234 *Advisory Board on Respiratory Therapy to the Board of Medicine*

235 *Advisory Board on Teacher Education and Licensure*

236 *Advisory Commission on the Virginia Schools for the Deaf and the Blind*

237 *Advisory Council on Revenue Estimates*

238 *Advisory Council on the Virginia Business-Education Partnership Program*

239 *Appomattox State Scenic River Advisory Board*

240 *Aquaculture Advisory Board*

241 *Art and Architectural Review Board*

242 *Board for the Visually Handicapped*

243 *Board of Directors, Virginia Truck and Ornamentals Research Station*

244 *Board of Forestry*

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

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