

VIRGINIA CODE COMMISSION

Monday, September 19, 2022 - 10:00 a.m.

Senate Room A - Pocahontas Building

**Approved
October 3, 2022**

Meeting Minutes

Members Present in Person: John S. Edwards, Ward Armstrong; Nicole S. Cheuk; Christopher R. Nolen; Steven Popps; Don L. Scott, Jr., Amigo Wade, Wren Williams

Members Present Electronically: None

Members Absent: Leslie L. Lilley, Jennifer L. McClellan, Charles S. Sharp; Malfourd W. Trumbo

Staff Present: Holly Trice, Anne Bloomsburg, Meg Lamb, Division of Legislative Services

Call to order: Senator Edwards, chair, called the meeting to order at 10:05 a.m. A quorum of the commission was present in person.

Welcome and Introduction of New Member: Chair Edwards thanked Delegate Simon for his work on the Code Commission and introduced new member, Delegate Wren Williams.

Election of a Vice Chair: Senator Edwards asked for nominations for Vice Chair. Ward Armstrong nominated Delegate Don Scott as Vice Chair. A motion was made, properly seconded, and a voice vote was conducted. The motion carried.

Review of proposed electronic meeting policy under §2.2-3708.3: Holly Trice with DLS, explained how the Code Commission must adopt a policy for electronic meetings before anyone on the Commission may participate in a meeting electronically. Delegate Scott asked whether this policy would be adopted by other public bodies as well. Ms. Trice stated that any public body that wished to take advantage of meeting electronically would have to adopt a policy, but that it did not need to be this exact policy. Ms. Trice further explained this policy was drafted using the FOIA council's draft language found in its 2022 Electronic Meetings Guide. Delegate Williams asked for clarification on whether quorum would need to be physically present to hold meeting electronically. Ms. Trice clarified that if an individual member of the Commission were requesting to attend electronically then quorum would need to be physically present in one location; however, if the entire meeting were being held electronically, then a quorum would not need to be physically present in one location. Senator Edwards asked for a motion. The motion was made, properly seconded, and a roll call vote was conducted. The motion passed.

Motion to Adopt Electronic Meetings Policy pursuant to §2.2-3708.3.	Yea	Nay	Abstain	Absent
Ward Armstrong	1			
Nicole Cheuk	1			
Leslie L. Lilley				1
Jennifer McClellan				1

Christopher R. Nolen	1			
Steven Popps	1			
Don L. Scott Jr.	1			
Charles S. Sharp				1
Malfourd W. Trumbo				1
Amigo R. Wade	1			
Wren Williams	1			
John Edwards	1			
Total	8			4

Approval of minutes: Chair Edwards asked for a motion to approve the draft May 2022 meeting minutes. A motion was made, properly seconded, and a voice vote was conducted. The motion carried.

Obsolescence of Certain Provisions in Title 24.2, In Re: Decennial Redistricting Pursuant to the Constitution of Virginia, Article II, Sections 6 and 6-A and Virginia C:

Meg Lamb with DLS discussed three code sections enacted in 2011 that were now obsolete due to the court redrawing these districts. Ms. Lamb explained the obsolete sections had not been repealed. Ms. Lamb presented 2 bills drafts with amendments to enact the changes to the districts. Senator Edwards asked where a member of the public could go to find this information. Ms. Lamb described where and said that information could also be put into the bill. A motion was made to adopt draft 2 (bill adding a section numbered 24.2-304.05; and repealing §§ 24.2-302.2, 24.2-303.3, and 24.2-304.03) as amended in concept to require the block equivalency files and shapefiles for the enacted district maps to be available to the public on the Redistricting Commission's website. The motion was properly seconded and a voice call vote was conducted. The motion passed.

Status update; Public Notice Work Group: Amigo Wade presented a status report from Local Public Notice Work Group, including background, meeting schedule, and the status of work. Mr. Wade stated he would have recommendations from the work group to present at the next Code Commission meeting in October.

Status Update of Recodification of Titles 32.1, Health and 35.1, Hotels, Restaurants, Summer Camps, and Campgrounds: Amigo Wade reported that due to staffing changes at DLS, the recodification would have to be suspended until the next spring (next interim) after session.

Other business: Christopher Nolen from the Executive Sub Committee that works on codifying Acts of Assembly brought up the issue of the effective date of bills from Special Session 2022. The House adjourned but the Senate did not. Bills that pass from a special session are to become effective on the first day of the fourth month following the month of adjournment of the Special Session. The executive subcommittee does not know what date or language to give to Lexis. Mr. Nolen suggested the Code Commission request an opinion from the attorney general's office as a

possible means to resolve the issue while remaining neutral. However, Delegate Scott noted just requesting an opinion from the attorney general's office could also give the appearance of partisanship. It was suggested the convening of the next regular session would automatically adjourn the special session and perhaps that could be the date given to the publishers. However, Ms. Lamb from DLS pointed out that the question of whether a regular session convening would necessarily adjourn a special session was not settled. The Commission determined that it would not make any recommendations to Lexis at this time.

Public comment, adjournment: Senator Edwards opened the floor for public comment. There was no public comment.

Adjourn: Chair Edwards asked for a motion to adjourn the meeting. The motion was made, properly seconded, and a voice vote was conducted. The motion carried.

Chair Edwards adjourned the meeting adjourned at 10:58 a.m.

Next meeting: October 3, 2022, 10:00 am.