

VIRGINIA CODE COMMISSION

Monday, December 4, 2023 - 10:00 a.m.

Senate Committee Room A, Room 305 - General Assembly Building

DRAFT

Meeting Minutes

Members Present: John. S. Edwards, Richard E. Gardner, James Leftwich, Steven G. Popp, Malfourd W. Trumbo, Amigo R. Wade, Wren M. Williams

Member Present Electronically: Ward L. Armstrong

Members Absent: Nicole S. Cheuk, Ryan McDougle, Christopher R. Nolen, Charles S. Sharp

Staff Present: Holly Trice, Anne Bloomsburg, Joanne Frye, Division of Legislative Services; Maryanne Horch, Senate Technology

Others Present: Amy Seibert, Virginia Press Association

Call to order: Senator Edwards, Chair, called the meeting to order at 10:08 a.m. Ward L. Armstrong requested to attend the meeting virtually pursuant to the "Virginia Code Commission Policy for Electronic Meetings Held under § 2.2-3708.3 of the Code of Virginia." That request was granted. A quorum of the commission was present in person.

Review and Approval of November 21, 2023, Meeting Minutes: Chair Edwards asked for a motion to approve the draft November 21, 2023, meeting minutes.

A motion was made, properly seconded, and a vote was conducted. The motion carried.

Vote to approve the November 21, 2023, meeting minutes.	Yea	Nay	Abstain	Absent
Ward Armstrong	1			
Nicole Cheuk				1
Richard Gardiner	1			
James Leftwich	1			
Ryan McDougle				1
Christopher R. Nolan				1
Steven Popp	1			
Charles S. Sharp				1
Malfourd W. Trumbo	1			
Amigo R. Wade	1			
Wren Williams	1			
John Edwards	1			

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Public Notice Work group, Status Update: Amigo Wade, Director of DLS, explained the Public Notice Work group met November 28, 2023, to address the issue from the previous Code Commission meeting regarding how to establish meaningful notice prior to a meeting/intended action.

Director Wade explained that the Work Group recommended that for group 2, the first notice would appear no more than 28 days preceding a meeting/intended action, and the second notice would need to be published no less than 4 days before an intended meeting/action. Group 3 would have the same language, stating that the last publication could occur no fewer than 4 days before the meeting/intended action. Judge Gardner asked for additional clarification because he felt the solution did not seem to meet the concern expressed at the previous Commission meeting. Chair Edwards concurred with Judge Gardner. Delegate Leftwich also agreed and expressed that as described he could not carry a bill with these provisions.

Amy Seibert from the Virginia Press Association fleshed out the Work Group's thinking behind the recommended process. Delegate Williams suggested a dropdead notice date. The Commission commenced adjusting dates.

Eventually, the Code Commission worked out that for both Group 2 and Group 3, there should be a phrase added stating that the second/last notice before the meeting/intended action should be published no less than 7 days before the meeting/ intended action.

A motion was made, properly seconded, and a vote was conducted. The motion carried.

Vote to recommend adding phrase "no less than 7 days"	Yea	Nay	Abstain	Absent
Ward Armstrong	1			
Nicole Cheuk				1
Richard Gardiner	1			
James Leftwich	1			
Ryan McDougle				1
Christopher R. Nolan				1
Steven Popp	1			
Charles S. Sharp				1
Malfourd W. Trumbo	1			
Amigo R. Wade	1			
Wren Williams	1			
John Edwards	1			

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Modernization of Chapters 2 and 3 of Title 57 of the Code of Virginia: Commission Member Ward Armstrong conceded the project intended to clean up and modernize the language for Trustee appointment process for churches and cemeteries was not ready because it was more complicated than anticipated. This project was continued to next interim.

Other Business: Delegate Williams agreed to sponsor the Public Notice Work Group bill.

Chair Edwards expressed his gratitude for having served as Chair since 2010 and thanked staff for their work.

Public comment: No public comment.

Adjourn: Chair Edwards adjourned the meeting at 10:44 a.m.