

SUBTITLE III.

LEGISLATIVE COMMISSIONS.

Drafting note: Proposed Subtitle III is created to logically organize provisions relating to legislative commissions and is divided into proposed Chapters 11 (General Provisions), 12 (Standing Collegial Bodies), 13 (Joint Commissions and Committees), 14 (Special Advisory Commissions), 15 (Oversight Commissions), 16 (Commemorative, Educational, and Memorial Commissions), and 17 (Study Commissions).

CHAPTER 11.

GENERAL PROVISIONS.

Drafting note: Duplicative provisions throughout existing Title 30 that are generally applicable to the organization and work of various legislative collegial bodies, including the composition and compensation of the membership of such bodies and the reporting and funding requirements of such bodies, are relocated and consolidated into proposed Chapter 11 (General Provisions). In addition, proposed Chapter 11 specifies that after July 1, 2026, all legislative collegial bodies that are not included in proposed Chapter 12 (Standing Collegial Bodies) must contain a sunset provision.

§ 30.1-xxx. Membership; chair and vice-chair; terms; vacancies.

A. As used in this chapter, unless the context requires a different meaning, "legislative collegial body" means any advisory board, council, commission, or other collegial body established in the legislative branch of state government.

B. For any legislative collegial bodies created on or after July 1, 2026, the number of legislative members shall exceed the number of nonlegislative citizen members and voting ex officio members combined . Nonlegislative citizen members of a legislative collegial body shall be citizens of the Commonwealth.

C. Each legislative collegial body shall elect a chair and vice-chair from among its membership, who shall be members of the General Assembly.

D. Legislative members and ex officio members of a legislative collegial body shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no Senate member shall serve more than two consecutive four-year terms, no House member shall serve more than four consecutive two-year terms, and no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

Drafting note: Duplicative provisions throughout existing Title 30 relating to the membership requirements for legislative collegial bodies, including a requirement that each such body be composed of more legislative members than nonlegislative citizen members and voting ex officio members, are relocated and consolidated. A provision requiring the chair and vice-chair of any such legislative collegial body to be legislative members, which is a suggestion made in the "Legislative Guidelines Applicable to Studies, Legislative Commissions, Nonlegislative Collegial Bodies, and Resolutions" published by the Joint Rules Committee in 2004, is proposed for codification.

§ 30.1-xxx. Quorum; meetings; voting on recommendations.

A. A majority of the members of a legislative collegial body shall constitute a quorum. The meetings of a legislative collegial body shall be held at the call of the chair or whenever the majority of the members so request.

B. No recommendation of a legislative collegial body shall be adopted if a majority of the House members or a majority of the Senate members appointed to the legislative collegial body (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the legislative collegial body.

Drafting note: Duplicative provisions throughout existing Title 30 relating to the quorum and voting requirements for legislative collegial bodies are relocated and consolidated.

§ 30.1-xxx. Compensation; expenses.

A. Legislative members of a legislative collegial body shall receive such compensation for the performance of their duties as provided in § 30.1-xxx [§ 30-19.12], and nonlegislative citizen members of a legislative collegial body shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members of a legislative collegial body shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of a legislative collegial body shall be paid by the Office of the Clerk of the House of Delegates or the Office of the Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the legislative collegial body whose meeting the member attended, or, if such legislative collegial body is unfunded, shall be approved by the Joint Rules Committee.

B. Unless otherwise approved in writing by the chair of the legislative collegial body and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

Drafting note: Duplicative provisions throughout existing Title 30 relating to the compensation and reimbursement of members of legislative collegial bodies are relocated and consolidated.

§ 30.1-xxx. Appointment and removal authority.

A. All appointments made to a legislative collegial body created on or after July 1, 2026, shall be made by either the Speaker of the House, Senate Committee on Rules, or Joint Rules Committee.

B. Any nonlegislative citizen member appointed to any legislative collegial body by either the Speaker of the House, the Senate Committee on Rules, or the Joint Rules Committee

shall serve at the pleasure of such appointing authority. Any such nonlegislative citizen member may be relieved of his appointment at any time, with or without cause.

Drafting note: Language contained in Budget Item 1 M of Chapter 2 of the Acts of Assembly of 2024, Special Session I, which provides that the appointing authority of a nonlegislative citizen member of a legislative collegial body may also remove such member at any time, is proposed for codification. A provision allowing only the Speaker of the House, Senate Committee on Rules, or Joint Rules Committee to make appointments to such bodies, which is a suggestion made in the "Legislative Guidelines Applicable to Studies, Legislative Commissions, Nonlegislative Collegial Bodies, and Resolutions" published by the Joint Rules Committee in 2004, is also proposed for codification.

§ 30.1-xxx. Assistance provided by agencies of the Commonwealth.

A. All agencies of the Commonwealth shall assist a legislative collegial body, upon request, in carrying out its purpose.

§ 30-19.8. Collection of information by legislative study groups; policy.

B. It shall be the policy of the Commonwealth that each~~Should a legislative study group, including the Virginia Advisory Legislative Council and its subcommittees, the Virginia Code Commission, special legislative study commissions, and or~~ standing committees of the House and Senate ~~and their subcommittees, either through its members or staff, advise the agency head of the general nature of a study or investigation being conducted by such group whenever it determines~~ determine at any point that information within ~~such a state~~ agency is applicable to ~~such a study or, investigation, or evaluation being conducted by such body or committee, such body or committee shall notify the head of such state agency. Thereafter, such legislative study group~~ Following such notification, the agency head shall designate a point of contact for the body or standing committee, who may then seek out all pertinent information within such agency from an such individual designated by the agency head to provide pertinent information or from the most direct and primary source without further communication or contact with the agency head. Each employee within ~~such the state~~ agency shall give his full cooperation to the

~~group and its staff body or standing committee~~ in collecting the information. No member or staff member of such ~~groups body or standing committee~~ shall be entitled to access to information, without permission of the agency head, for which disclosure is prohibited by ~~specific provisions of~~ law.

~~C. Insofar as possible, the~~ The legislative ~~study groups and their staffs bodies and standing committees~~ shall perform their collection duties, and utilize the services of personnel within the agencies in doing so, in such a manner as to minimize disruption of the normal operations of the agency.

~~Such freedom to access of all information within all state agencies is deemed absolutely necessary for the legislature to be able to efficiently evaluate laws and policies of the Commonwealth, how they are being administered, and the need for changes in such laws and policies, and also for the Virginia General Assembly to effectively fulfill its responsibility regarding legislative oversight.~~

Drafting note: Duplicative provisions throughout existing Title 30 relating to the assistance provided by agencies of the Commonwealth to legislative collegial bodies are relocated and consolidated with language relocated from existing § 30-19.8, as they are related to the same topic. Existing subsection A of this section, containing a declaration of policy, has been removed in accordance with the Code Commission's policy that purpose statements do not have general and permanent application and thus are not to be included in the Code. Technical changes are made for clarity and consistency and to modernize language.

§ 30.1-xxx. Chair's executive summary of activity and work of legislative collegial bodies.

The chair of a legislative collegial body shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of such legislative collegial body no later than the first day of each regular session of the General Assembly. Annual reports submitted pursuant to this section shall cover the preceding legislative interim

period and may include actions taken by the General Assembly during the regular session of the previous calendar year. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-19.8:1. Due dates for legislative reports.

~~A. Legislative commissions, councils, and other legislative bodies required to report annually to the General Assembly and Governor shall submit their annual reports on or before June 30 of each year, unless otherwise specified. Annual reports submitted pursuant to this section shall cover the preceding legislative interim period and may include actions taken by the General Assembly during the regular session of the current calendar year.~~

~~B.~~ Joint subcommittees, joint committees, and other legislative entities required or requested by law or resolution to conduct a study shall submit their reports no later than June 30 of the reporting year, unless otherwise specified. The reports may include actions taken by the General Assembly during the regular session of the current calendar year.

Drafting note: Duplicative provisions throughout existing Title 30 relating to the reporting requirements of legislative collegial bodies are relocated and consolidated with existing 30-19.8:1, as they are related to the same topic. Language in existing subsection A of 30-19.8:1 describing the contents of the required annual report is relocated into the proposed first paragraph of this section, and revised to state that the report may include actions taken by the General Assembly during the regular session of the "previous" calendar is proposed for deletion as it is redundant to the proposed first paragraph of this section. A reference to the Virginia Advisory Legislative Council is removed, as that Council no longer exists in Code.

§ 30.1-xxx. Funding requirements.

For its first year of existence, if a legislative collegial body is not funded by a separate appropriation in the general appropriation act, such legislative collegial body may be funded from the operating budgets of the Office of the Clerk of the House of Delegates or the Office

of the Clerk of the Senate upon the approval of the Joint Rules Committee. If a legislative collegial body is not funded by a separate appropriation in the **general** appropriation act for any year thereafter, such **legislative collegial** body shall expire on July 1 of the fiscal year in which it fails to receive such funding.

Drafting note: The provision implementing a funding requirement for legislative collegial bodies that is currently included as a final enactment clause in legislation establishing such bodies is proposed for codification.

~~§ 30-19.8:2~~ § 30.1-xxx. Absences on legislative commissions.

The absence of any appointed nonlegislative citizen member from three consecutive regular meetings of any ~~joint subcommittee, board, commission, authority, council, or other body that has been created or established in the legislative branch~~ legislative collegial body unless on account of sickness shall be sufficient cause for the original appointing authority to declare the position vacated and to fill such vacancy.

Drafting note: Technical change.

§ 30.1-xxx. Sunset.

After July 1, 2026, all legislative collegial bodies not included in Chapter 12 (§ 30.1-XXX et seq.) shall contain a provision requiring the expiration of such **legislative collegial** body three years after its creation.

Drafting note: A provision requiring that any legislative collegial body created after July 1, 2026, expire three years after its creation, which is based on a suggestion made in the "Legislative Guidelines Applicable to Studies, Legislative Commissions, Nonlegislative Collegial Bodies, and Resolutions" published by the Joint Rules Committee in 2004, is proposed for codification.

~~CHAPTER 16.~~

~~VIRGINIA CRIME COMMISSION.~~

Article 1.

Virginia Crime Commission.

Drafting note: Existing Chapter 16, related to the Virginia Crime Commission, is retained as proposed Article 1.

§ ~~30-156~~ 30.1-xxx. Virginia State Crime Commission; purpose; membership; ~~terms;~~
~~compensation and expenses; quorum; voting on recommendations.~~

A. The Virginia State Crime Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission shall be to study, report and make recommendations on all areas of public safety and protection. In so doing it shall endeavor to ascertain the causes of crime and recommend ways to reduce and prevent it, explore and recommend methods of rehabilitation of convicted criminals, study compensation of persons in law enforcement and related fields and study other related matters including apprehension, trial and punishment of criminal offenders. The Commission shall make such recommendations as it deems appropriate with respect to the foregoing matters, and shall coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting crimes, crime control and criminal procedure. The Commission shall cooperate with the executive branch of state government, the Attorney General's office and the judiciary who are in turn encouraged to cooperate with the Commission. The Commission shall cooperate with governments and governmental agencies of other states and the United States.

B. The Commission shall consist of 13 members that include nine legislative members, three nonlegislative citizen members, and one state official as follows: ~~six~~

1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~three~~

27 2. Three members of the Senate to be appointed by the Senate Committee on Rules;
28 three

29 3. Three nonlegislative citizen members to be appointed by the Governor; and ~~the~~

30 4. The Attorney General or his designee. ~~Nonlegislative citizen members shall be~~
31 ~~citizens of the Commonwealth of Virginia. Unless otherwise approved by the chairman of the~~
32 ~~Commission, nonlegislative citizen members shall only be reimbursed for travel originating and~~
33 ~~ending within the Commonwealth of Virginia for the purpose of attending meetings.~~

34 C. The term of each appointee shall be for two years, except that the Attorney General
35 and legislative members shall serve terms coincident with their terms of office. ~~All members~~
36 ~~may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be~~
37 ~~made for the unexpired terms. Vacancies shall be filled in the same manner as the original~~
38 ~~appointments.~~

39 D. ~~The Commission shall elect a chairman and vice chairman annually, who shall be~~
40 ~~members of the General Assembly. A majority of the members of the Commission shall~~
41 ~~constitute a quorum. Meetings of the Commission shall be held at the call of the chairman or~~
42 ~~whenever the majority of the members so request.~~

43 E. ~~Legislative members of the Commission shall receive such compensation as provided~~
44 ~~in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided~~
45 ~~in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and~~
46 ~~necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and~~
47 ~~2.2-2825. All such compensation and expense payments, however, shall come from existing~~
48 ~~appropriations to the Commission.~~

49 F. ~~No recommendation of the Commission shall be adopted if a majority of the Senate~~
50 ~~members or a majority of the House members appointed to the Commission (i) vote against the~~
51 ~~recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote~~
52 ~~of the Commission. Unless otherwise approved by the chairman of the Commission,~~

nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

Drafting note: Duplicative provisions relating to a quorum, terms, vacancies, officers, and compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the section as amended.

~~§ 30-157~~ 30.1-xxx. Executive director, counsel and other personnel.

The Commission may appoint ~~and~~, employ, and, ~~at pleasure~~ remove, an executive director, counsel, and such other persons as it deems necessary; ~~and to~~. The Commission shall determine ~~their~~ the duties of such staff and fix their salaries or compensation within the amounts appropriated ~~therefor~~ for such purpose.

Drafting note: Language is updated for clarity and consistency.

~~§ 30-159~~ 30.1-xxx. ~~Cooperation of state agencies; consultation~~ Consultation with other states.

~~A. The Commission may request and shall receive from every department, division, board, bureau, commission, authority or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof, cooperation and assistance in the performance of its duties.~~

~~B.~~ The Commission shall examine matters relating to law enforcement extending across the boundaries of the Commonwealth into other states; and may consult and exchange information with officers and agencies of other states with respect to law-enforcement problems of mutual concern to ~~this~~ the Commonwealth and other states.

Drafting note: The provisions relating to agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in

this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency.

§ ~~30-160~~ 30.1-xxx. Commission to refer cases of crime or official misconduct to appropriate authorities.

Whenever it appears to the Commission that there is reasonable cause, for official investigation or prosecution of a crime, or for the removal of a public officer for misconduct, the Commission shall refer the matter and such information as has come to its attention to (i) the officials ~~authorized and~~ having the duty and authority to conduct investigations ~~or to~~, prosecute criminal offenses, or ~~to~~ remove such public officer, or ~~to~~ (ii) the judge of an appropriate court of record with recommendation that a special grand jury be convened.

Drafting note: Language is updated for clarity.

§ ~~30-161~~ 30.1-xxx. Publication of information.

By such means and to such extent as it deems appropriate, the Commission shall keep the public informed as to the operations of organized crime, problems of criminal law enforcement in the Commonwealth and other activities of the Commission.

Drafting note: No changes made.

§ ~~30-162~~ 30.1-xxx. Disclosure of certain information by employee a misdemeanor.

Any employee of the Commission who, except as directed by the Governor, a court of record or the Commission, discloses to any person other than the Commission or an officer having the power to appoint one or more of the Commissioners (i) the name of any witness appearing before the Commission in a private hearing or ~~discloses~~ (ii) any information obtained or given in a private hearing ~~except as directed by the Governor, a court of record or the Commission~~, shall be guilty of a Class 1 misdemeanor.

Drafting note: Language is updated for clarity.

§ ~~30-163~~ 30.1-xxx. Impounding of certain documents.

Upon the application of the Commission or duly authorized member of its staff, the judge of any court of record may impound any exhibit or document received or obtained in any public or private hearing held in connection with a hearing conducted by the Commission, and may order such exhibit to be retained by, or delivered to and placed in custody of the Commission. The order may be rescinded by further order of the court made after five days' notice to the Commission or upon its application or with its consent, all in the discretion of the court.

Drafting note: No changes made.

§ ~~30-164~~ 30.1-xxx. Construction of chapter.

Nothing contained in this chapter shall be construed to supersede, repeal or limit any power, duty or function of the Governor or any department or agency of the Commonwealth, or any political subdivision thereof, as prescribed or defined by law.

Drafting note: No changes made.

~~CHAPTER 17.~~

~~JOINT COMMISSION ON BEHAVIORAL HEALTH CARE.~~

~~§§ 30-165, 30-166, and 30-167. Expired.~~

Drafting note: Expired pursuant to Acts 2000, c. 776 on July 1, 2003.

~~CHAPTER 38.~~

~~VIRGINIA HOUSING COMMISSION.~~

Article 2.

Virginia Housing Commission.

Drafting note: Existing Chapter 38, related to the Virginia Housing Commission, is retained as proposed Article 2.

§ ~~30-257~~ 30.1-xxx. Virginia Housing Commission; purpose.

The Virginia Housing Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to study and provide recommendations to ensure and foster the availability of safe, sound affordable housing for

every Virginian. The Commission may also study and make recommendations relating to such other housing, real property, and community development issues as it may be called upon to consider or as may be desirable.

Drafting note: No changes made.

§ ~~30-258~~ 30.1-xxx. Membership; terms.

The Commission shall consist of 11 members. Of these members, there shall be eight legislative members and three nonlegislative citizen members as follows: ~~five~~

1. Five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~three~~

2. Three members of the Senate to be appointed by the Senate Committee on Rules; and ~~three~~

3. Three nonlegislative citizen members appointed by the Governor. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth. Nonlegislative citizen members shall be appointed for a term of four years.~~

~~Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed for successive terms. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chairman and vice chairman every two years from among its membership, who shall be members of the General Assembly.~~

Drafting note: General provisions relating to terms, vacancies, and officers are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ ~~30-259~~. ~~Quorum; meetings; voting on recommendations.~~

~~A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: Existing § 30-259 is proposed for repeal, because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-260. Compensation and expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for the performance of their duties. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be provided from existing appropriations to the Commission.~~

Drafting note: Existing § 30-260 is proposed for repeal, because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-261~~ 30.1-xxx. Powers and duties.

A. The Commission shall have the following powers and duties:

1. Undertake studies, gather information and data, and pursue such other activities as may be desirable to accomplish its purposes as set forth in § 30-257;

2. Report annually on its activities during the preceding year and include a discussion of studies made and recommendations for administrative or legislative action; ~~and~~

3. Review newly enacted federal legislation pertaining to mortgage lending and brokering and determine if such federal legislation necessitates amendments to the laws of the Commonwealth; and

4. Submit reports as required by 30.1-xxx.

~~B. The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: The provision relating to a required annual report is proposed for deletion because the provision is consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-262~~ 30.1-xxx. Staffing.

The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties as set forth in this chapter. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts as may be appropriated from general or nongeneral funds. Nongeneral funds may include, but not be limited to, federal grants and private donations or contributions. ~~All other agencies and governing bodies and agencies of political subdivisions of the Commonwealth shall provide assistance to the Commission, upon request.~~

Drafting note: The provision relating to agency assistance is proposed for deletion because such provision is consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

CHAPTER 20.

~~VIRGINIA COMMISSION ON YOUTH.~~

Article 3.

Virginia Commission on Youth.

Drafting note: Existing Chapter 20, relating to the Virginia Commission on Youth, is retained as proposed Article 3 of Chapter 12.

~~§ 30-174 30.1-xxx. Virginia Commission on Youth; purpose; membership; terms; compensation and expenses; quorum; voting on recommendations.~~

~~A.~~ The Virginia Commission on Youth (the Commission) is established in the legislative branch of state government. The purpose of the Commission ~~shall be~~ is to study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families. In so doing, it shall encourage the development of uniform policies and services to youth across the Commonwealth and provide a forum for continuing review and study of such services. In addition to its own proposals, the Commission shall coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting youth.

§ 30.1-xxx. Membership.

~~B.~~ The Commission shall ~~consist~~ have a total membership of 12 members ~~to that shall include nine legislative members and three nonlegislative citizen members. Members shall~~ be appointed as follows: ~~six~~

1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~three~~

2. Three members of the Senate to be appointed by the Senate Committee on Rules; and ~~three~~

3. Three nonlegislative citizen members to be appointed by the Governor. ~~Nonlegislative citizen members shall be citizens of the Commonwealth.~~

~~C. Legislative members shall serve terms coincident with their terms of office.~~

Nonlegislative citizen members shall serve four-year terms. Members may be reappointed for successive terms. ~~Vacancies shall be filled for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.~~

~~D. The Commission shall elect its chairman and vice chairman annually. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~E. Members of the Commission shall receive compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2-2-2813 and 2-2-2825. However, all such compensation and expense payments shall come from existing appropriations to the Commission.~~

~~F. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: This section is divided into two proposed sections for consistency with other commissions established in this proposed Subtitle III (Legislative Commissions). The catchlines are updated to reflect the content of the proposed sections as amended. General provisions relating to terms, vacancies, officers, quorums, meetings, compensation and expenses, and voting equalization are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III. Language is updated for clarity and consistency and other technical changes are made, including adding subdivisions in the membership section.

~~§ 30-175~~ 30.1-xxx. Powers and duties of the Commission.

The Commission shall have the ~~power and duty to~~ following powers and duties:

1. Undertake studies and ~~to~~ gather information and data in order to accomplish its purposes as set forth in § ~~30-174, and to formulate and report its recommendations to the General Assembly and the Governor. The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~ 30.1-xxx;

2. At the direction or request of the ~~legislature~~ General Assembly by concurrent resolution or of the Governor, or at the request of any department, board, bureau, commission, authority, or other agency ~~created~~ established by the Commonwealth or to which the Commonwealth is a party, study the operations, management, jurisdiction, or powers of any such department, board, bureau, commission, authority, or other agency ~~which~~ that has responsibility for services to youth;

3. Submit reports pursuant to 30.1-xxx [Chapter 11]; and

4. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the objectives of this article.

Drafting note: A general provision relating to annual executive summaries is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions) and is replaced in proposed subdivision 3 with a reference to the reporting requirement in proposed Chapter 11. For consistency with other commissions, language relating to other duties, functions, and activities is added to the Commission's powers and duties. Language is updated for clarity and consistency and other technical changes are made.

§ ~~30-176~~ 30.1-xxx. ~~Executive director; staff; compensation~~ Staffing.

The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties as set forth in this ~~chapter~~ article. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts appropriated ~~therefor~~ in the general appropriation act.

Drafting note: The catchline is amended for consistency with other commissions. Technical changes are made.

~~§ 30-177. Cooperation of other state agencies.~~

~~The Commission may request and shall receive from every department, division, board, bureau, commission, authority or other agency created by the Commonwealth, or to which the Commonwealth is party, or from any political subdivision of the Commonwealth, cooperation and assistance in the performance of its duties.~~

Drafting note: This section relating to agency assistance is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~CHAPTER 63.~~

~~BEHAVIORAL HEALTH COMMISSION.~~

Article 4.

Behavioral Health Commission.

Drafting note: Existing Chapter 63, relating to the Behavioral Health Commission, is retained as proposed Article 4 of Chapter 12. General provisions relating to a quorum, terms, vacancies, officers, compensation and expenses, reports, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-401~~ 30.1-xxx. Definitions.

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

320 "Behavioral health" means the full range of mental health and substance abuse services.

321 "Behavioral health service system" means those public and private providers, including
322 state and local government agencies and entities, engaged in the development, delivery,
323 coordination, monitoring, oversight, and financing of behavioral health services in the
324 Commonwealth.

325 ~~"Commission" means the Behavioral Health Commission.~~

326 **Drafting note: The definition of "commission" is deleted as unnecessary. Technical**
327 **changes are made, including the use of "commission" rather than "chapter".**

328 § ~~30-402~~ 30.1-xxx. Behavioral Health Commission; purpose.

329 A. The Behavioral Health Commission (the Commission) is established in the
330 legislative branch of state government ~~for the~~ The purpose of ~~the Commission is to studying~~
331 study and ~~making~~ make recommendations for the improvement of behavioral health services
332 and the behavioral health service system in the Commonwealth to encourage the adoption of
333 policies to increase the quality and availability of and ensure access to the full continuum of
334 high-quality, effective, and efficient behavioral health services for all persons in the
335 Commonwealth.

336 B. In carrying out its purpose, the Commission shall provide ongoing oversight of
337 behavioral health services and the behavioral health service system in the Commonwealth,
338 including monitoring and evaluation of established programs, services, and delivery and
339 payment structures and implementation of new services and initiatives in the Commonwealth
340 and development of recommendations for improving such programs, services, structures, and
341 implementation.

342 C. The Commission may coordinate with other agencies and entities of the
343 Commonwealth with regard to development and proposal of recommendations related to
344 behavioral health services and the behavioral health service system.

Drafting note: Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-403 30.1-xxx. Membership; terms; vacancies; chairman and vice chairman; quorum; meetings; voting on recommendations.~~

The Commission shall ~~consist~~ have a total membership of 12 ~~legislative~~ members that shall consist of 12 legislative members; ~~who~~ Members shall be appointed as follows:

1. Seven members of the House of Delegates, at least three of whom shall be members of the House Committee on Appropriations and at least two of whom shall be members of the House Committee on Health, Welfare and Institutions, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates.

The Senate Committee on Rules shall appoint the following members:

2. ~~five~~ Five members of the Senate, at least one of whom shall be a member of the Senate Committee on Education and Health, at least one of whom shall be a member of the Senate Committee on Rehabilitation and Social Services, and at least two of whom shall be members of the Senate Committee on Finance and Appropriations, to be appointed by the Senate Committee on Rules and

~~seven members of the House of Delegates, at least three of whom shall be members of the House Committee on Appropriations and at least two of whom shall be members of the House Committee on Health, Welfare and Institutions, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates.~~

~~Members of the Commission shall serve terms coincident with their terms of office. Members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired term. Vacancies shall be filled in the same manner as the original appointment.~~

~~The Commission shall elect a chairman and a vice chairman from among its membership.~~

~~A majority of the members of the Commission shall constitute a quorum. Meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members of the Commission so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to a quorum, terms, vacancies and officers, are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-404. Compensation; expenses.~~

~~Members of the Commission shall receive such compensation as provided in § 30-19.12. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: General provisions relating to compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ ~~30-405~~ 30.1-xxx. Powers and duties of the Commission; ~~report~~.

The Commission shall have the following powers and duties:

1. ~~To collect~~ Collect and analyze information and data necessary to accomplish the purpose set forth in § 30-402;

2. ~~To monitor~~ Monitor and evaluate the jurisdiction, powers and duties, operations, management, and interrelationships of any department, division, board, bureau, commission, authority, or other agency with direct responsibility for the delivery, coordination, management, or financing of behavioral health services in the Commonwealth and develop recommendations for the improvement thereof;

3. ~~To monitor~~ Monitor and evaluate the design, implementation, and operation of new behavioral health initiatives in the Commonwealth and develop recommendations for the improvement thereof;

4. ~~To examine~~ Examine matters related to the delivery of behavioral health services in other states and to consult and exchange information with officers and agencies of other states with respect to behavioral health service issues of mutual concern;

5. ~~To maintain~~ Maintain offices and hold meetings and functions at any place in the Commonwealth that it deems necessary;

6. ~~To invite~~ Invite other interested parties to sit with the Commission and participate in its deliberations;

7. ~~To appoint~~ Appoint any work group or special task force from among its members to study and make recommendations on specific matters before the Commission;

8. ~~To implement~~ Implement a process to solicit and receive input from (i) individuals who are currently receiving or have received behavioral health services or (ii) individuals with intellectual or developmental disabilities or autism spectrum disorders or the family members of such individuals to inform the work of the Commission; and

9. ~~To report~~ Report its recommendations to the General Assembly and the Governor annually and to make such interim reports as it deems advisable or as may be required by the General Assembly and the Governor.

10. Submit reports pursuant to 30.1-xxx[CHAP 11].

Drafting note: Language regarding submitting reports is added to proposed 30.1-xxx as a duty of the commission. Language is updated for clarity and consistency and other technical changes, including deleting "to" from each power and duty of the commission, are made.

~~§ 30-406~~ 30.1-xxx. Staffing.

The Commission may appoint, and employ, and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties. ~~and~~ The Commission shall determine the duties of such staff and fix ~~the their~~ salaries or compensation ~~of such executive director and other persons,~~ within the amounts appropriated for such purpose thereof. The Commission may also employ experts who have knowledge of the issues before it.

Drafting note: Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-407. Chairman's executive summary.~~

~~The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activities and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to executive summaries are proposed for deletion because such provisions are consolidated and given general application in

proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ ~~30-408~~ 30.1-xxx. Cooperation of other state agencies and political subdivisions.

A. The Commission may request records, including data and information, that it may require for the performance of its duties and every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth or to which the Commonwealth is a party or any political subdivision of the Commonwealth shall provide such records, including data and information, to the fullest extent possible and except as prohibited by law. ~~The Commission shall receive cooperation and assistance in the performance of its duties from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth or to which the Commonwealth is a party or from any political subdivision of the Commonwealth upon request.~~

B. Upon request and availability, the Commission shall receive access to the facilities of and ample opportunity to observe the operations of every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth or to which the Commonwealth is a party or of any political subdivision of the Commonwealth.

Drafting note: General provisions relating to agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~CHAPTER 18.~~

~~JOINT COMMISSION ON HEALTH CARE.~~

Article 5.

Joint Commission on Health Care.

Drafting note: Existing Chapter 18, relating to the Joint Commission on Health Care, is retained as proposed Article 5 of Chapter 12. General provisions relating to terms, compensation and expenses, officers, meetings, quorums, and agency assistance are

proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ ~~30-168~~. Joint Commission on Health Care; purpose.

A. For the purposes of this article, "health care" shall include behavioral health care.

B. The Joint Commission on Health Care (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to study, report and make recommendations on all areas of health care provision, regulation, insurance, liability, licensing, and delivery of services. ~~In so doing, the~~

C. The Commission shall endeavor to ensure that the Commonwealth as provider, financier, and regulator adopts the most cost-effective and efficacious means of delivery of health care services so that the greatest number of ~~Virginians~~ residents of the Commonwealth receive quality health care. ~~Further, the~~

D. Commission shall encourage the development of uniform policies and services to ensure the availability of quality, affordable and accessible health services and provide a forum for continuing the review and study of programs and services.

E. The Commission may make recommendations and coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting the provision and delivery of health care.

~~For the purposes of this chapter, "health care" shall include behavioral health care.~~

Drafting note: The term "Virginia" is replaced with "the Commonwealth" to conform with code conventions of referring to "Virginia" as "the Commonwealth" when feasible. Technical changes, including lettering paragraphs, are made. Language regarding what the term "health care" includes, is relocated from the end of proposed section § 30.1-xxx to the beginning of proposed § 30.1-xxx to code convention of placing definitions at the beginning of sections and the term "chapter" is replaced with "article" to reflect that existing Chapter 18 of Title 30 is now an article.

§ ~~30-168.1~~ 30.1-xxx. Membership; ~~terms; vacancies; chairman and vice chairman;~~
~~quorum; meetings.~~

The Commission shall ~~consist~~ have a total membership of 18 ~~legislative~~ members that
shall consist of 18 legislative members. Members shall be appointed as follows:

s1. 10 members of the House of Delegates, of whom three shall be members of the
House Committee on Health and Human Services to be appointed by the Speaker of the House
of Delegates in accordance with the principles of proportional representation contained in the
Rules of the House of Delegates;

2. ~~eight~~ Eight members of the Senate, to be appointed by the Senate Committee on
Rules; and 10 members of the House of Delegates, of whom three shall be members of the
House Committee on Health and Human Services, to be appointed by the Speaker of the House
of Delegates in accordance with the principles of proportional representation contained in the
Rules of the House of Delegates.

~~Members of the Commission shall serve terms coincident with their terms of office.~~
~~Members may be reappointed. Appointments to fill vacancies, other than by expiration of a~~
~~term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the~~
~~original appointments.~~

~~The Commission shall elect a chairman and vice chairman from among its membership.~~
~~A majority of the members shall constitute a quorum. The meetings of the Commission shall~~
~~be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate~~
~~members or a majority of the House members appointed to the Commission (i) vote against the~~
~~recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote~~
~~of the Commission.~~

Drafting note: General provisions relating to terms, officers, meetings, and
quorums are proposed for deletion because such provisions are consolidated and given
general application in proposed Chapter 11 (General Provisions) to all legislative collegial

bodies established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-168.2. Compensation; expenses.~~

~~Members of the Commission shall receive such compensation as provided in § 30-19.12. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Joint Commission on Health Care.~~

Drafting note: General provisions relating to compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-168.3~~ 30.1-xxx. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. ~~To study~~ Study and gather information and data to accomplish its purposes as set forth in § 30-168;

2. ~~To study~~ Study the operations, management, jurisdiction, powers, and interrelationships of any department, board, bureau, commission, authority, or other agency with any direct responsibility for the provision and delivery of health care in the Commonwealth;

3. ~~To assess~~ Assess, analyze, and evaluate the social and economic costs and benefits, and other relevant issues, of any proposed mandated health insurance benefit or mandated provider that is not included in the essential health benefits required by federal law to be provided under a health care plan and report its findings with respect to the proposed mandate to the Health Insurance Reform Commission;

4. ~~To examine~~ Examine matters relating to health care services in other states and to consult and exchange information with officers and agencies of other states with respect to health service problems of mutual concern;

5. ~~To maintain~~ Maintain offices and hold meetings and functions at any place within the Commonwealth that it deems necessary;

6. ~~To invite~~ Invite other interested parties to sit with the Commission and participate in its deliberations;

7. ~~To appoint~~ Appoint a special task force from among the members of the Commission to study and make recommendations on issues related to behavioral health care to the full Commission; and

8. ~~To report~~ Report its recommendations to the General Assembly and the Governor annually and to make such interim reports as it deems advisable or as may be required by the General Assembly and the Governor;

9. Submit reports pursuant to 30.1-xxx[CHAP 11].

Drafting note: Language regarding submitting reports is added to proposed 30.1-xxx as a duty of the commission. Language is updated for clarity and consistency and other technical changes, including deleting "to" from each power and duty of the commission, are made.

~~§ 30-168.4~~ 30.1-xxx. Staffing.

A. The Commission may appoint, ~~and~~ employ, and, ~~at its pleasure~~, remove an executive director and such other persons as it deems necessary, ~~and determine their to assist it in carrying out its~~ duties. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts appropriated therefor. The Commission may also employ experts who have special knowledge of the issues before it. ~~s-All agencies of the Commonwealth shall provide assistance to the Commission, upon request.~~

~~§ 30-169.1. Cooperation of other state agencies and political subdivisions.~~

B. The Commission may request and shall receive from every department, division, board, bureau, commission, authority or other agency created by the Commonwealth, or to which the Commonwealth is party, or from any political subdivision of the Commonwealth, cooperation and assistance in the performance of its duties.

Drafting note: Existing §§ 30-168.4 (staffing) and 30-169.1 (Cooperation of other state agencies and political subdivisions) are combined into one code section. General provisions relating to agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-168.5. Chairman's executive summary of activity and work of the Commission. The san of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to executive summaries are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-169. Repealed.~~

~~Repealed by Acts 2003, c. 633, cl. 2.~~

Drafting note: Repealed by Acts 2003, c. 633, cl. 2

~~§ 30-170. Repealed.~~

~~Repealed by Acts 2021, Sp. Sess. I, c. 315, cl. 1, effective July 1, 2021.~~

Drafting note: Repealed by Acts 2021, Sp. Sess. I, c. 315, cl. 1

~~CHAPTER 11.~~

~~JOINT COMMISSION ON TECHNOLOGY and SCIENCE~~

Article 6.

Joint Commission on Technology and Science.

Drafting note: Existing Chapter 11 relating to the Joint Commission on Technology and Science, is retained as proposed Article 6 of Chapter 12. General provisions relating to terms, compensation and expenses, officers, meetings, quorums, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ ~~30-85~~ 30.1-xxx. Joint Commission on Technology and Science established; powers and duties purpose.~~

The Joint Commission on Technology and Science (JCOTS) is ~~hereby~~ established ~~as a permanent in the legislative agency of the Commonwealth branch of state government. The purpose of~~ JCOTS ~~shall generally~~ is to study all aspects of technology and science and endeavor to stimulate, encourage, promote, and assist in the development of technology and science in the Commonwealth and sound public policies related thereto.

~~In addition, JCOTS shall:~~

~~1. Evaluate the impact of existing statutes and proposed legislation related to technology and science in the Commonwealth;~~

~~2. Advise the General Assembly, Governor, and agencies, authorities, and institutions of the Commonwealth upon matters related to technology and science;~~

~~3. Investigate, research, and consider such issues related to technology and science as may be requested by the General Assembly or determined by JCOTS;~~

~~4. Make recommendations to the General Assembly and the Governor;~~

~~5. Consult with appropriate entities, public or private, on matters related to technology and science under JCOTS' consideration;~~

~~6. Encourage research and development in technology and science;~~

~~7. Solicit input from appropriate entities, public or private, on issues related to technology and science;~~

~~8. Coordinate its efforts with and assist the efforts of other agencies, authorities, and institutions of the Commonwealth;~~

~~9. Accept private or public funds to carry out its purposes; and~~

~~10. Annually report its findings and recommendations to the General Assembly and the Governor. JCOTS shall make such further interim reports to the General Assembly and the Governor as it deems advisable or as required by concurrent resolution of the General Assembly or by the Governor. The chairman of JCOTS shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of JCOTS no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: Existing § 30-85 is divided into two proposed sections to separate two distinct topics. Language regarding the powers and duties of the commission are stricken and relocated to standardize the organization of legislative collegial bodies, which places commission powers and duties after commission membership and before commission staffing. The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-86 30.1-xxx. Membership; terms; vacancies; chairman and vice chairman; expenses; quorum.~~

~~A. JCOTS shall be composed have a total membership of 12 legislative members that shall consist of seven members of the House of Delegates and five members of the Senate.~~

~~Members shall be appointed as follows:~~

~~1. seven Seven members of the House of Delegates, to of whom shall be appointed by the Speaker of the House of Delegates from the membership thereof, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates, and~~

~~2. five Five members of the Senate, of whom shall to be appointed by the Senate Committee on Rules from the membership of the Senate.~~

~~B. Members shall serve for terms coincident with their terms of office. Members may be reappointed for successive terms. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.~~

~~C. JCOTS members shall receive compensation as provided in § 30-19.12 and shall be reimbursed from funds appropriated or otherwise available to JCOTS for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2-2-2813 and 2-2-2825.~~

~~D. Five members of JCOTS shall constitute a quorum. At the first meeting following the adjournment sine die of the Regular Session in an even-numbered year, JCOTS shall elect a chairman and vice chairman from among its membership. A vacancy in either office shall be filled for the unexpired term in the same manner. Meetings of JCOTS shall be held at the call of the chairman or whenever members constituting a quorum so request.~~

Drafting note: General provisions relating to a quorum, terms, vacancies, officers, and compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the

section as amended. Language is updated for clarity and consistency and other technical changes are made.

§ 30.1-xxx. Powers and duties of the Commission.

JCOTS shall have the following powers and duties:

1. Evaluate the impact of existing statutes and proposed legislation related to technology and science in the Commonwealth;

2. Advise the General Assembly, Governor, and agencies, authorities, and institutions of the Commonwealth upon matters related to technology and science;

3. Investigate, research, and consider such issues related to technology and science as may be requested by the General Assembly or determined by JCOTS;

4. Make recommendations to the General Assembly and the Governor;

5. Consult with appropriate entities, public or private, on matters related to technology and science under JCOTS' consideration;

6. Encourage research and development in technology and science;

7. Solicit input from appropriate entities, public or private, on issues related to technology and science;

8. Coordinate its efforts with and assist the efforts of other agencies, authorities, and institutions of the Commonwealth;

9. Accept private or public funds to carry out its purposes;

10. Annually report its findings and recommendations to the General Assembly and the Governor. JCOTS shall make such further interim reports to the General Assembly and the Governor as it deems advisable or as required by concurrent resolution of the General Assembly or by the Governor; and

11. Submit reports pursuant to 30.1-xxx[CHAP 11].

Drafting note: Existing § 30-85 is divided into two proposed sections to separate two distinct topics. Language relating to the powers and duties of the commission are stricken and relocated to standardize the organization of legislative collegial bodies, which

places commission powers and duties after commission membership and before commission staffing. Language is updated for clarity and consistency and other technical changes are made. Language relating to submitting reports is added to proposed 30.1-xxx as a duty of the commission.

~~§ 30-87 30.1-xxx. Staff; cooperation and assistance~~ Staffing.

JCOTS may appoint, and employ, and, at its pleasure, remove an executive director and such other persons as it deems necessary and determine their duties and fix their salaries or compensation within the amounts appropriated therefor. ~~All agencies, authorities, and institutions of the Commonwealth shall cooperate and provide assistance to JCOTS upon request.~~

Drafting note: General provisions relating agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-88 30.1-xxx.~~ Advisory committees.

JCOTS may establish advisory committees composed of persons with expertise in the matters under consideration by JCOTS. Such persons shall serve without compensation, but shall be reimbursed from funds appropriated or otherwise available to JCOTS for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825, unless they waive reimbursement.

Drafting note: No changes.

~~§ 30-89. Reserved.~~

~~Reserved.~~

Drafting note: This section is removed because it is carried as reserved in the existing title.

~~CHAPTER 36.~~

~~CHESAPEAKE BAY COMMISSION.~~

Article 7.

Chesapeake Bay Commission.

Drafting note: Existing Chapter 36, relating to the Chesapeake Bay Commission, is established as a tristate legislative commission. Pursuant to existing § 30-252, which provides that the agreement shall not be amended or modified except with the concurrence of the legislatures of the Commonwealth of Virginia, the state of Maryland, and the Commonwealth of Pennsylvania, no changes are made.

~~§ 30-240~~ 30.1-xxx. Chesapeake Bay Commission created.

The Chesapeake Bay Commission, hereinafter designated as "Commission," is hereby created as a tristate legislative commission.

~~§ 30-241~~ 30.1-xxx. Members.

The Commission shall consist of 21 members, seven from Virginia, seven from Maryland and seven from Pennsylvania. In each state, five of the members shall be members of the General Assembly. In Virginia, two Senators appointed by the Senate Committee on Rules and three Delegates appointed by the Speaker of the House of Delegates shall serve as members. The Governor of Virginia or his designee shall serve as a member. In addition, the Senate Committee on Rules and the Speaker of the House of Delegates shall jointly appoint one Virginia member who is not a legislator or an employee of the executive branch. In Maryland, two senators designated by the President of the Senate and three delegates designated by the Speaker of the House of Delegates shall serve as members. The Governor of Maryland or his designee shall serve as a member. In addition, the President of the Senate and the Speaker of the House of Delegates shall jointly select one Maryland member who is not a legislator or an employee of the executive branch. In Pennsylvania, two senators designated by the President pro tempore of the Senate and three representatives designated by the Speaker of the House of Representatives shall serve as members. The Governor of Pennsylvania or his designee shall

serve as a member. In addition, the President pro tempore of the Senate shall select one Pennsylvania member who is not a legislator or an employee of the executive branch.

§ ~~30-242~~ 30.1-xxx. Terms.

Legislators serving as members of the Commission shall serve terms coterminous with their current terms of office. The nonlegislative members shall serve at the pleasure of their respective appointing authorities for a term of not more than four years. Nonlegislative members may be reappointed at the end of the four-year term.

§ ~~30-243~~ 30.1-xxx. Compensation and expenses; generally.

The Commission members shall serve without compensation from the Commission but may be reimbursed by the Commission for necessary expenses incurred in and incident to the performance of their duties. In addition, Commission members from each state may receive from their respective states, any other compensation to which they may be entitled under the laws of the respective states.

§ ~~30-244~~ 30.1-xxx. Compensation and expenses; Virginia delegation.

The legislative representatives of Virginia to the Commission shall receive such compensation as provided in § ~~30-19.12~~ 30.1-xxx [~~§ 30-19.12~~] and the nonlegislative citizen representatives of Virginia shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be entitled to reimbursement for all reasonable and necessary expenses incurred in their performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission for such purpose.

§ ~~30-245~~ 30.1-xxx. Meetings and voting.

Commission meetings shall be held at least once each quarter, and at such other times as the Commission may determine. In order to constitute a quorum for the transaction of any business, at least 11 Commission members, including at least three Commission members from each state, must be present. Approval of proposed action shall require the majority vote of the Commission members present.

795 § ~~30-246~~ 30.1-xxx. Organization, internal procedures and delegation of powers; officers
796 and employees as state employees.

797 A. The Commission members shall serve as the governing body of the Commission,
798 and, except as hereinafter provided, shall exercise and discharge all powers, functions and
799 responsibilities assigned to the Commission. The Commission shall provide for the
800 organization of internal procedures of the Commission and to this end shall adopt suitable
801 bylaws. The Commission shall have a chairman and two vice-chairmen, chosen by the
802 respective delegation, whose offices shall rotate annually among the signatory states and may
803 at no time be held by members from the same signatory. The Commission may maintain one or
804 more offices for the transaction of its business. The Commission may, without regard to the
805 civil service or the laws of any signatory relative to public officers and employees, create and
806 abolish offices, employments and positions as it deems necessary for the purposes of the
807 Commission, affix and provide for the duties, conditions of employment, qualifications,
808 appointment, removal, term, compensation, and other rights and benefits of the Commission's
809 officers and employees, and shall appoint the principal officers of the Commission and allocate
810 among them administrative functions, powers, and duties. The Commission may delegate to the
811 officers and employees of the Commission any powers, functions and responsibilities under
812 this agreement as it deems suitable, except that it may not delegate its power to make
813 recommendations to the respective legislatures, to issue reports or to adopt the annual expense
814 budget.

815 B. Every full-time officer or employee of the Commission on a salary basis shall be
816 eligible for pension and health and related insurance offered to employees of one of the member
817 states, provided that such officer or employee so elects within 30 days of commencing
818 employment; and provided that the Commission allocates funds in its budget for the employer
819 share of these benefits.

820 § ~~30-247~~ 30.1-xxx. Purposes.

The purposes of the signatories in enacting this Agreement are to assist the legislatures of Virginia, Maryland, and Pennsylvania in evaluating and responding to problems of mutual concern relating to the Chesapeake Bay; to promote intergovernmental cooperation; to encourage cooperative coordinated resource planning and action by the signatories and their agencies; to provide, where appropriate, through recommendation to the respective legislature, uniformity of legislative application; to preserve and enhance the functions, powers and duties of existing offices and agencies of government; and to recommend improvements in the existing management system for the benefit of the present and future inhabitants of the Chesapeake Bay region.

§ ~~30-248~~ 30.1-xxx. Powers.

In pursuit of the purposes and duties set forth in this article, the Commission may exercise the following powers:

1. Collect, compile, analyze, interpret, coordinate, tabulate, summarize, and distribute technical and other data relative to the Chesapeake Bay and its environs. It may conduct or contract for studies, except those for primary scientific research, and may prepare reports on existing or potential problems within the Bay region;

2. Prepare, publish and disseminate information in reports related to the resources of the region;

3. Serve as an advisory board to any requesting agency of the member states on matters of interstate concern;

4. Make application for grants, services or other aids as may be available from public or private sources to finance or assist in effectuating any purposes of this Agreement; and receive and accept the same on such terms and conditions as may be required by the law of the respective signatory states;

5. Purchase administrative supplies and lease sufficient office space if such space is not otherwise made available for its use; and

6. Exercise such other powers as are granted by this Agreement and take such actions as are necessary or appropriate for performing the duties set forth in this Agreement.

§ ~~30-249~~ 30.1-xxx. Duties.

In carrying out the purposes set forth in this article, the Commission shall have the following duties:

1. Identify specific Bay management concerns requiring intergovernmental coordination and cooperation; and recommend to the federal, state and local governments that are involved in the Chesapeake Bay region legislative and administrative actions necessary to effectuate coordinated and cooperative management for the Bay;

2. Consider, in administering the provisions of this Agreement, the needs of the region for industrial and agricultural development and for gainful employment and maintenance of a high-quality environment;

3. Respect and support the primary role of the respective signatory states and their administrative agencies in managing the resources of the region;

4. Collect, analyze and disseminate information pertaining to the region and its resources for the respective legislative bodies. The Commission shall prepare an annual report indicating the status of environmental and economic Bay issues involving the Chesapeake Bay and the progress of coordinative efforts by the member states;

5. Represent common interests of the signatories as they are affected by the activities of the federal government and shall assist in the monitoring of those activities in the Chesapeake Bay region; and

6. Provide, as may be determined, a forum to serve as an advisory mediator for programmatic conflicts between or among the member states when such action is requested by the conflicting member states.

§ ~~30-250~~ 30.1-xxx. Annual budget.

The Commission shall annually adopt a budget, which shall include the Commission's estimated expenses for administration and operation. In establishing the annual current expense

budget, the Commission shall balance total expenses against the Commission's estimate of revenues from all sources, either previously appropriated by a signatory state or receivable from any person or governmental agency by contract or grant with that person or governmental agency. The chairman of the Commission shall certify to the respective signatories, and submit to persons in other governmental agencies, statements of the amounts requested from them in accordance with existing cost-sharing established by this Agreement or by the parties. The chairman of the Commission shall transmit certified copies of such budgets to the principal budget officer of the respective signatory parties at such time and in such manner as may be required under their respective budgetary procedures.

§ ~~30-251~~ 30.1-xxx. Apportionment of cost.

The amount required for the Commission's current expense budget shall be apportioned equally among the signatory parties unless a different apportionment is agreed to by unanimous vote of the Commission.

§ ~~30-252~~ 30.1-xxx. Modification.

This Agreement shall not be amended or modified except with the concurrence of the legislatures of the Commonwealth of Virginia, the state of Maryland, and the Commonwealth of Pennsylvania. Amendments shall not become effective until adopted in the same manner as the original Agreement.

§ ~~30-253~~ 30.1-xxx. Term.

The duration of this Agreement among the Commonwealth of Virginia, the state of Maryland, and the Commonwealth of Pennsylvania shall be for an initial period of 10 years from its effective date, and it shall be continued for additional periods of 10 years unless one or more of the signatory states, by authority of an act of its legislature, notifies the Commission of intention to terminate the Agreement at the end of the current 10-year term. However, any signatory, by act of its legislature, can withdraw from the Agreement at the end of any calendar year or fiscal year.

§ ~~30-254~~ 30.1-xxx. Dissolution.

In the event that this Agreement shall be terminated by operation of § ~~30-253~~ 30.1-xxx [§ 30-253], the Commission shall be dissolved, its assets and liabilities transferred, and its corporate affairs wound up in accordance with the unanimous agreement of its signatories, or failing unanimous agreement, in such manner that the assets and liabilities of the Commission shall be shared by the respective states.

§ ~~30-255~~ 30.1-xxx. Governor to execute agreement.

The Governor of the Commonwealth of Virginia is authorized and directed to: (i) execute and deliver, on behalf of the Commonwealth, all agreements and modifications of agreements that relate to the Chesapeake Bay Commission; and (ii) take those actions that may be necessary to effectuate the Agreement.

CHAPTER 31.

COMMISSION ON ELECTRIC UTILITY REGULATION.

Article 8.

Commission on Electric Utility Regulation.

Drafting note: Existing Chapter 31, relating to the Commission on Electric Utility Regulation, is retained as proposed Article 8 of Chapter 12. General provisions relating to quorum, terms, vacancies, officers, compensation and expenses, reports, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ 30.1-xxx. Definitions.

As used in this article:

"Ratepayer" means a residential, commercial, or industrial customer who is billed for the consumption of electricity by an electric utility in the Commonwealth.

"Ratepayer impact statement" means a statement prepared using data or other relevant information to estimate the potential impact on ratepayers' electric bills of proposed legislation related to electric utilities.

Drafting note: The definitions of "ratepayer" and "ratepayer impact statement" have been relocated from existing § 30-205.1 to proposed § 30.1-xxx (definitions) to conform to code conventions of placing definitions that apply article wide in a separate code section.

§ ~~30-201~~ 30.1-xxx. (Expires July 1, 2029) ~~Commission on Electric Utility Restructuring continued as~~ Commission on Electric Utility Regulation; purpose.

The ~~Commission on Electric Utility Restructuring established pursuant to Chapter 885 of the Acts of Assembly of 2003, is continued, effective July 1, 2008, as the~~ Commission on Electric Utility Regulation (the Commission) ~~within~~ is established in the legislative branch of state government. The purpose of the Commission is to monitor the State Corporation Commission's implementation of the Virginia Electric Utility Regulation Act (§ 56-576 et seq.).

Drafting note: Language referencing the Commission on Electric Utility Restructuring is deleted as unnecessary. The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

§ ~~30-202~~ 30.1-xxx. (Expires July 1, 2029) Membership; ~~terms~~.

A. The Commission shall have a total membership of 14 members that shall consist of 10 legislative members, three nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows:

1. Six members of the House of Delegates. to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;

2. ~~four~~ Four members of the Senate to be appointed by the Senate Committee on Rules that consist of three members from the majority party and one member from the minority party or an equal number from each in the event the chamber is evenly divided;

~~six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and~~

3. One nonlegislative citizen member with expertise in energy affordability and ratepayer advocacy to be appointed by the Speaker of the House of Delegates;

4. ~~one~~ One nonlegislative citizen member with expertise in economic development and ratepayer advocacy to be appointed by the Senate Committee on Rules; ~~one nonlegislative citizen member with expertise in energy affordability and ratepayer advocacy to be appointed by the Speaker of the House of Delegates;~~ and

5. ~~one~~ One nonlegislative citizen member with expertise in public utility regulation and ratepayer advocacy to be appointed by the Governor.

6. The Attorney General or his designee shall serve ex officio. Any such designee shall be an attorney employed within the Department of Law's Division of Consumer Counsel. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.~~

B. Each member of the Commission shall annually complete an orientation on electric utility regulation provided by the State Corporation Commission.

~~Legislative members of the Commission and the ex officio member shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall annually elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly. The chairman of the Commission shall be authorized to designate one or more members of the Commission to observe and participate in the discussions of any work group convened by the State Corporation Commission in furtherance of its duties under the Virginia Electric Utility Regulation Act (§ 56-576 et seq.) and this chapter. Members participating in such discussions shall be entitled to~~

~~compensation and reimbursement provided in § 30-204, if approved by the Joint Rules Committee or its Budget Oversight Subcommittee.~~

Drafting note: General provisions relating to terms, vacancies, officers, and compensation and expenses, are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-203. (Expires July 1, 2029) Quorum; meetings; voting on recommendations. A majority of the members shall constitute a quorum. The Commission shall meet at least twice per year; meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to quorum, meetings, and voting requirements are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-204. (Expires July 1, 2029) Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Unless otherwise approved in writing by the chairman of the Commission and the executive director of the Commission, nonlegislative citizen members shall only be reimbursed for travel originating and~~

~~ending within the Commonwealth for the purpose of attending meetings. However, all such compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: General provisions relating to compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ ~~30-205~~ 30.1-xxx. (Expires July 1, 2029) Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Monitor the work of the State Corporation Commission in implementing Chapter 23 (§ 56-576 et seq.) of Title 56. The Commission shall receive an annual report from the State Corporation Commission by November 1 regarding such implementation and shall receive such other reports as the State Corporation Commission may be required to make, including reviews, analyses, and impact on consumers of electric utility regulation in other states;

2. Examine generation, transmission and distribution systems reliability concerns;

3. Establish one or more subcommittees, composed of its membership, persons with expertise in the matters under consideration by the Commission, or both, to meet at the direction of the ~~chairman~~ chair of the Commission, for any purpose within the scope of the duties prescribed to the Commission by this section, provided that such persons who are not members of the Commission shall serve without compensation but shall be entitled to be reimbursed from funds appropriated or otherwise available to the Commission for reasonable and necessary expenses incurred in the performance of their duties;

4. Monitor applications by the Commonwealth for grants and awards for energy projects from the federal government;

5. Consider legislation referred to it during any session of the General Assembly or other requests by members of the General Assembly;

6. Conduct studies and gather information and data in order to accomplish its purposes set forth in § ~~30-201~~ 30.1-xxx [§ 30-201] and in connection with the faithful execution of the laws of the Commonwealth;

7. Issue ratepayer impact statements pursuant to § ~~30-205.1~~ 30.1-xxx [§ 30-205]; ~~and~~

8. Report annually to the General Assembly and the Governor with such recommendations as may be appropriate for legislative and administrative consideration in order to maintain reliable service in the Commonwealth while preserving the Commonwealth's position as a low-cost electricity market; and

9. Submit reports pursuant to 30.1-xxx[CHAP 11].

Drafting note: Here and in other proposed sections, "chairman" is replaced with "chair" for consistency. Language relating to submitting reports is added to proposed 30.1-xxx as a duty of the commission. Technical changes are made.

§ ~~30-205.1~~ 30.1-xxx. (Expires July 1, 2029) Ratepayer impact statements for electric utility regulation.

A. ~~As used in this section:~~

~~"Ratepayer" means a residential, commercial, or industrial customer who is billed for the consumption of electricity by an electric utility in the Commonwealth.~~

~~"Ratepayer impact statement" means a statement prepared using data or other relevant information to estimate the potential impact on ratepayers' electric bills of proposed legislation related to electric utilities.~~

~~B.~~ Upon ~~the~~ request ~~by of~~ the ~~Chairman~~ Chairs for the House Committee on Labor and Commerce or the Senate Committee on Commerce and Labor, the Commission shall prepare a ratepayer impact statement for any proposed legislation related to electric utility regulation specified by such ~~Chairman~~ Chair. Each such ~~Chairman~~ Chair may request up to five ratepayer impact statements in any given regular or special session of the General Assembly. Additionally, upon the request of any other member of the General Assembly, the Commission,

at the Commission's discretion, may prepare a ratepayer impact statement for any proposed legislation related to electric utility regulation specified by such member.

C. The Commission shall provide any such ratepayer impact statement to the requesting ~~Chairman~~ Chair or member, the patron of the legislation, and the members of any committee considering the legislation.

D. Upon request of the Commission, the State Corporation Commission, the Office of the Attorney General, and all agencies of the Commonwealth shall expeditiously provide the Commission with assistance in the preparation of any ratepayer impact statement including providing the Commission with any necessary data or other relevant information.

E. The Commission shall ensure that any ratepayer impact statement provides a neutral and accurate analysis of the potential impact on ratepayers' electric bills of the proposed legislation. Any ratepayer impact statement shall include the methodology used by the Commission to prepare such ratepayer impact statement.

Drafting note: Here and in other proposed sections, "chairman" is replaced with "chair" for consistency. The definitions of "ratepayer" and "ratepayer impact statement" have been relocated from existing § 30-205.1 to proposed § 30.1-xxx (definitions) to conform to code conventions of placing definitions that apply article wide in a separate code section.

§ ~~30-206~~ 30.1-xxx. (Expires July 1, 2029) Staffing.

The Commission may appoint, and employ, and, at its pleasure remove an executive director and such other persons as it deems necessary, ~~subject to funding in the appropriation act, and shall to assist it in carrying out its duties. The Commission may~~ determine the duties of such staff and fix ~~the their~~ salaries or compensation ~~of such executive director and other persons;~~ within the amounts appropriated ~~for such purpose thereof~~. The Commission may also employ experts who have knowledge of the issues before it. ~~All agencies of the Commonwealth shall provide assistance to the Commission, upon request, subject to funding in the appropriation act.~~

Drafting note: General provisions relating to agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-207. (Expires July 1, 2029) Chairman's executive summary of activity and work of the Commission.~~

~~The chairman of the Commission shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to reports are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-208. Repealed.~~

~~Repealed by Acts 2008, c. 883, cl. 2.~~

Drafting note: Repealed by Acts 2008, c. 883, cl. 2.

§ 30-209. (Expires July 1, 2029) Sunset.

This chapter shall expire on July 1, 2029.

Drafting note: No changes.

~~CHAPTER 21.~~

~~VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL.~~

Article 9.

Virginia Freedom of Information Advisory Council.

Drafting note: Existing Chapter 21, relating to the Virginia Freedom of Information Advisory Council, is retained as proposed Article 9 of Chapter 12. General provisions relating to quorum, terms, officers, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-178~~ 30.1-xxx. Virginia Freedom of Information Advisory Council; ~~membership; terms; quorum; expenses~~ purpose.

~~A.~~ The Virginia Freedom of Information Advisory Council (the Council) is hereby ~~created~~ established as an advisory council in the legislative branch. The purpose of the Council is to encourage and facilitate compliance with the Freedom of Information Act (§ 2.2-3700 et seq.).

§ 30.1-xxx. Membership.

~~B.~~ A. The Council shall ~~consist~~ have a total membership of 14 members that shall consist of four legislative members, seven nonlegislative citizen members, and three ex officio members. Members shall be appointed as follows:

~~the Attorney General or his designee; the Librarian of Virginia or his designee; the Director of the Division of Legislative Services or his designee;~~

1. five Two members of the House of Delegates, to be appointed by the Speaker of the House of Delegates, ~~two of whom shall be members of the House of Delegates, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;~~

2. and three nonlegislative citizen members, at least one of whom shall be or have been a representative of the news media; four Two members of the Senate, to be appointed by the Senate Committee on Rules, ~~two of whom shall be members of the Senate;~~

3. Three nonlegislative citizen members, at least one of whom shall be or have been a representative of the news media to be appointed by the Speaker of the House of Delegates;

4. Three nonlegislative citizen members, one of whom shall be or have been an officer of local government, and one nonlegislative citizen at-large member to be appointed by the Senate Committee on Rules; ~~and~~

~~5. Two~~ Two nonlegislative citizen members appointed by the Governor, one of whom shall not be a state employee; ~~and~~

6. The Attorney General or his designee, the Librarian of Virginia or his designee, and the Director of the Division of Legislative Services or his designee to serve ex officio with voting/nonvoting privileges.

The local government representative may be selected from a list recommended by the Virginia Association of Counties and the Virginia Municipal League, after due consideration of such list by the Senate Committee on Rules. The citizen members may be selected from a list recommended by the Virginia Press Association, the Virginia Association of Broadcasters, and the Virginia Coalition for Open Government, after due consideration of such list by the appointing authorities.

~~C. B.~~ All appointments following the initial staggering of terms shall be for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms in the same manner as the original appointment. No nonlegislative citizen member shall be eligible to serve for more than two successive four-year terms. At the end of a term, a nonlegislative citizen member shall continue to serve until a successor is appointed. However, after the expiration of a term of three years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional terms may be served by such member if appointed thereto. ~~Legislative members and other state government officials shall serve terms coincident with their terms of office.~~ Legislative members may be reappointed for successive terms.

~~D. C.~~ The members of the Council shall elect from among their membership a ~~chairman~~ chair and a ~~vice-chairman~~ vice-chair for two-year terms. The ~~chairman~~ chair and ~~vice-chairman~~ chair may not succeed themselves to the same position.

1166 ~~E. D.~~ The Council shall hold meetings quarterly or upon the call of the ~~chairman~~ chair.
1167 ~~A majority of the Council shall constitute a quorum.~~ Notwithstanding the provisions of
1168 subsection C, if any nonlegislative citizen member of the Council fails to attend a majority of
1169 meetings of the Council in a calendar year, the Council shall notify the member's appointing
1170 authority. Upon receipt of such notification, the appointing authority may remove the member
1171 and appoint a successor as soon as practicable.

1172 ~~F. E.~~ Members of the Council shall receive no compensation for their services but shall
1173 be reimbursed for all reasonable and necessary expenses incurred in the performance of their
1174 duties as provided in §§ 2.2-2813, 2.2-2825 and ~~30-19.12~~ 30.1-xxx [§ 30-19.12], as appropriate.
1175 Funding for expenses of the members shall be provided from existing appropriations to the
1176 Council.

1177 **Drafting note: Existing § 30-178 is divided into two proposed sections to separate**
1178 **two distinct topics. General provisions relating to quorum, terms, and officers are**
1179 **proposed for deletion because such provisions are consolidated and given general**
1180 **application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies**
1181 **established in this proposed Subtitle III (Legislative Commissions). The term "chairman"**
1182 **is replaced with "chair" for consistency. The catchline is updated for consistency and to**
1183 **more accurately reflect the content of the section as amended. Language is updated for**
1184 **clarity and consistency and other technical changes are made.**

1185 ~~§ 30-179~~ 30.1-xxx. Powers and duties of the Council.

1186 The Council shall have the following powers and duties:

1187 1. Furnish, upon request, advisory opinions or guidelines, and other appropriate
1188 information regarding the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) to any
1189 person or public body, in an expeditious manner;

1190 2. Conduct training seminars and educational programs for the members and staff of
1191 public bodies and other interested persons on the requirements of the Virginia Freedom of
1192 Information Act (§ 2.2-3700 et seq.);

3. Publish such educational materials as it deems appropriate on the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.);

4. Request from any public body such assistance, services, and information as will enable the Council to effectively carry out its responsibilities. Information provided to the Council by a public body shall not be released to any other party unless authorized by such public body;

5. Assist in the development and implementation of the provisions of § 2.2-3704.1;

6. Develop an online public comment form to be posted on the Council's official public government website, as defined in § 2.2-3701, to enable any requester to comment on the quality of assistance provided to the requester by a public body; and

7. Report annually on or before December 1 of each year on its activities and findings regarding the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), including recommendations for changes in the law, to the General Assembly and the Governor. The annual report shall be published as a state document.

Drafting note: Language is updated for clarity and consistency

~~§ 30-180~~ 30.1-xxx. Staff.

~~Staff assistance to the Council shall be provided by the~~ The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Council. Staff shall perform those duties assigned to it by the Council.

Drafting note: Language is updated for clarity and consistency

~~§ 30-181. Cooperation of agencies of state and local government.~~

~~Every department, division, board, bureau, commission, authority or political subdivision of the Commonwealth shall cooperate with, and provide such assistance to, the Council as the Council may request.~~

Drafting note: General provisions relating to agency assistance are proposed for deletion because such provisions are consolidated and given general application in

proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~CHAPTER 56.~~

~~VIRGINIA CONFLICTS OF INTEREST AND ETHICS ADVISORY COUNCIL.~~

Article 10.

Virginia Conflict of Interest and Ethics Advisory Council.

Drafting note: Existing Chapter 56, relating to the Virginia Conflict of Interest and Ethics Advisory Council, is retained as proposed Article 10 of Chapter 12. General provisions relating to quorum and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ ~~30-355~~ 30.1-xxx. Virginia Conflict of Interest and Ethics Advisory Council; purpose membership; terms; quorum; expenses.

~~A.~~ The Virginia Conflict of Interest and Ethics Advisory Council (the Council) is ~~hereby created as an advisory council established~~ in the legislative branch of state government. The purpose of the Council is to encourage and facilitate compliance with the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) ~~and~~ the General Assembly Conflicts of Interests Act (§ 30-100 et seq.) (hereafter the Acts), and the lobbying laws in Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 (hereafter Article 3).

§ 30.1-xxx. Membership.

~~B.~~ A The Council shall ~~consist of~~ have a total membership of nine members that shall consist of four legislative members and five nonlegislative citizen members. Members shall be appointed as follows:

1. three Two members of the House of Delegates, to be appointed by the Speaker of the House of Delegates, ~~two of whom shall be members of the House of Delegates in accordance~~

with the principles of proportional representation contained in the Rules of the House of Delegates and one of whom shall be a former judge of a court of record;

2. ~~three~~ Two members of the Senate, to be appointed by the Senate Committee on Rules,
two of whom shall be members of the Senate and one of whom shall be a

3. One nonlegislative citizen member, who shall a former judge of a court of record, to
be appointed by the Speaker of the House of Delegates;

4. One nonlegislative citizen member, who shall be a former judge of a court of record,
to be appointed by the Senate Committee on Rules;

5. ~~and three~~ Three nonlegislative citizen members appointed by the Governor, one of
whom shall be a current or former executive branch employee, one of whom shall be appointed
from a list of three nominees submitted by the Virginia Association of Counties, and one of
whom shall be appointed from a list of three nominees submitted by the Virginia Municipal
League.

B. In the appointment to the Council of members of the House of Delegates made by
the Speaker and members of the Senate made by the Senate Committee on Rules, equal
representation shall be given to each of the political parties having the highest and next highest
number of members elected to their respective body. All members of the Council are subject to
confirmation by the General Assembly by a majority vote in each house of (i) the members
present of the majority party and (ii) the members present of the minority party.

C. All appointments following the initial staggering of terms shall be for terms of four
years, except that appointments to fill vacancies shall be for the unexpired terms in the same
manner as the original appointment. No nonlegislative citizen member shall be eligible to serve
for more than two successive four-year terms. However, after the expiration of a term of three
years or less, or after the expiration of the remainder of a term to which appointed to fill a
vacancy, two additional terms may be served by such member if appointed thereto. Legislative
members and other state government officials shall serve terms coincident with their terms of
office. Legislative members may be reappointed for successive terms.

D. The members of the Council shall elect from among their membership a ~~chairman~~ chair and a ~~vice-chairman~~ vice-chair for two-year terms. The ~~chairman~~ chair and ~~vice-chairman~~ chair may not succeed themselves to the same position. The Council shall hold meetings upon the call of the ~~chairman~~ chair or whenever the majority of the members so request. ~~A majority of the Council appointed shall constitute a quorum.~~

E. Members of the Council shall receive no compensation for their services but shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813, 2.2-2825, and ~~30-19.12~~ 30.1-xxx [~~§ 30-19.12~~], as appropriate. Funding for expenses of the members shall be provided from existing appropriations to the Council.

Drafting note: Existing § 30-355 is divided into two proposed sections to separate two distinct topics. General provisions relating to quorum are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The term "chairman" is replaced with "chair" for consistency. The catchline is updated for consistency and to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-356~~ 30.1-xxx. Powers and duties of the Council.

The Council shall have the following powers and duties:

1. Prescribe the forms required for complying with the disclosure requirements of Article 3 and the Acts. These forms shall be the only forms used to comply with the provisions of Article 3 or the Acts. The Council shall make available the disclosure forms and shall provide guidance and other instructions to assist in the completion of the forms;

2. Review all disclosure forms filed by lobbyists pursuant to Article 3 and by state government officers and employees and legislators pursuant to the Acts. The Council may review disclosure forms for completeness, including reviewing the information contained on

the face of the form to determine if the disclosure form has been fully completed and comparing the disclosures contained in any disclosure form filed by a lobbyist pursuant to § 2.2-426 with other disclosure forms filed with the Council, and requesting any amendments to ensure the completeness of and correction of errors in the forms, if necessary. If a disclosure form is found to have not been filed or to have been incomplete as filed, the Council shall notify the filer in writing and direct the filer to file a completed disclosure form within a prescribed period of time, and such notification shall be confidential and is excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.);

3. Require all disclosure forms and lobbyist registration statements that are required to be filed with the Council to be filed electronically in accordance with the standards approved by the Council. The Council shall provide software or electronic access for filing the required disclosure forms and registration statements without charge to all individuals required to file with the Council. The Council shall prescribe the method of execution and certification of electronically filed forms, including the use of an electronic signature as authorized by the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The Council may grant extensions as provided in § ~~30-356.2~~ 30.1-xxx [§ 30-356.2] and may authorize a designee to grant such extensions;

4. Accept and review any statement received from a filer disputing the receipt by such filer of a gift that has been disclosed on the form filed by a lobbyist pursuant to Article 3;

5. ~~Beginning July 1, 2016, establish~~ Establish and maintain a searchable electronic database comprising those disclosure forms that are filed with the Council pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and ~~30-111~~ 30.1-xxx [§ 30-111]. Such database shall be available to the public through the Council's official website;

6. Furnish, upon request, formal advisory opinions or guidelines and other appropriate information, including informal advice, regarding ethics, conflicts issues arising under Article 3 or the Acts, or a person's duties under Article 3 or the Acts to any person covered by Article 3 or the Acts or to any agency of state or local government, in an expeditious manner. The

Council may authorize a designee to furnish formal opinions or informal advice. Formal advisory opinions are public record and shall be published on the Council's website; however, no formal advisory opinion furnished by a designee of the Council shall be available to the public or published until such opinion has been approved by the Council. Published formal advisory opinions may have such deletions and changes as may be necessary to protect the identity of the person involved or other persons supplying information. Informal advice given by the Council or the Council's designee is confidential and is excluded from the mandatory disclosure provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.); however, if the recipient invokes the immunity provisions of § 2.2-3121 or ~~§ 30-124~~ [30.1-xxx](#) [[§ 30-124](#)], the record of the request and the informal advice given shall be deemed to be a public record and shall be released upon request. Other records relating to formal advisory opinions or informal advice, including records of requests, notes, correspondence, and draft versions of such opinions or advice, shall also be confidential and excluded from the mandatory disclosure provisions of the Virginia Freedom of Information Act;

7. Conduct training seminars and educational programs for lobbyists, state and local government officers and employees, legislators, and other interested persons on the requirements of Article 3 and the Acts and provide training sessions for local elected officials in compliance with Article 9 (§ 2.2-3132) of Chapter 31 of Title 2.2 and ethics orientation sessions for legislators in compliance with Article 6 (~~§ 30-129.1~~ [30.1-xxx](#) et seq.) of Chapter 13;

8. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the educational materials and approve any training or course on the requirements of Article 3 and the Acts conducted for state and local government officers and employees;

9. Publish such educational materials as it deems appropriate on the provisions of Article 3 and the Acts;

10. Review actions taken in the General Assembly with respect to the discipline of its members for the purpose of offering nonbinding advice;

11. Request from any agency of state or local government such assistance, services, and information as will enable the Council to effectively carry out its responsibilities. Information provided to the Council by an agency of state or local government shall not be released to any other party unless authorized by such agency;

12. Redact from any document or form that is to be made available to the public any residential address, personal telephone number, email address, or signature contained on that document or form; and

13. Report on or before December 1 of each year on its activities and findings regarding Article 3 and the Acts, including recommendations for changes in the laws, to the General Assembly and the Governor. The annual report shall be submitted by the ~~chairman~~ chair as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be published as a state document.

Drafting note: The term "chairman" is replaced with "chair" for consistency. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-356.1~~ § 30.1-xxx. Request for approval for certain travel.

A. The Council shall receive and review a request for the approval of travel submitted by a person required to file the disclosure form prescribed in § 2.2-3117 or ~~§ 30-111~~ § 30.1-xxx [~~§ 30-111~~] to accept any travel-related transportation, lodging, hospitality, food or beverage, or other thing of value that has a value exceeding \$100 where such approval is required pursuant to subsection G of § 2.2-3103.1 or subsection F of ~~§ 30-103.1~~ § 30.1-xxx [~~§ 30-103.1~~]. A request for the approval of travel shall not be required for the following, but such travel shall be disclosed as may be required by the Acts:

1. Travel disclosed pursuant to the Campaign Finance Disclosure Act (§ 24.2-945 et seq.);

2. Travel paid for or provided by the government of the United States, any of its territories, or any state or any political subdivision of such state;

3. Travel provided to facilitate attendance by a legislator at a regular or special session of the General Assembly, a meeting of a legislative committee or commission, or a national conference where attendance is approved by the House Committee on Rules or its ~~Chairman~~ Chair or the Senate Committee on Rules or its ~~Chairman~~ Chair; or

4. Travel related to an official meeting of the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment.

B. When reviewing a request for the approval of travel, the Council shall consider the purpose of the travel as it relates to the official duties of the requester. The Council shall approve any request for travel that bears a reasonable relationship between the purpose of the travel and the official duties of the requester. Such travel shall include any meeting, conference, or other event (i) composed primarily of public officials, (ii) at which public policy related to the duties of the requester will be discussed in a substantial manner, (iii) reasonably expected to educate the requester on issues relevant to his official duties or to enhance the requester's knowledge and skills relative to his official duties, or (iv) at which the requester has been invited to speak regarding matters reasonably related to the requester's official duties.

C. The Council shall not approve any travel requests that bear no reasonable relationship between the purpose of the proposed travel and the official duties of the requester. In making such determination, the Council shall consider the duration of travel, the destination of travel, the estimated value of travel, and any previous or recurring travel.

D. Within five business days of receipt of a request for the approval of travel, the Council shall grant or deny the request, unless additional information has been requested. If additional information has been requested, the Council shall grant or deny the request for the approval within five business days of receipt of such information. If the Council has not granted or denied the request for approval of travel or requested additional information within such five-day period, such travel shall be deemed to have been approved by the Council. Nothing in this

subsection shall preclude a person from amending or resubmitting a request for the approval of travel. The Council may authorize a designee to review and grant or deny requests for the approval of travel.

E. A request for the approval of travel shall be on a form prescribed by the Council and made available on its website. Such form may be submitted by electronic means, facsimile, in-person submission, or mail or commercial mail delivery.

F. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for acceptance of a travel-related thing of value if he accepted the travel-related thing of value after receiving approval under this section, regardless of whether such approval is later withdrawn, provided the travel occurred prior to the withdrawal of the approval.

Drafting note: The term "chairman" is replaced with "chair" for consistency.
Technical changes are made.

§ ~~30-356.2~~ 30.1-xxx. Right to grant extensions in special circumstances; civil penalty.

A. Notwithstanding any other provision of law, any person required to file the disclosure form prescribed in Article 3 or the Acts shall be entitled to an extension where good cause for granting such an extension has been shown, as determined by the Council. Good cause shall include:

1. The death of a relative of the filer, as relative is defined in the definition of "gift" in Article 3 or the Acts.

2. A state of emergency is declared by the Governor pursuant to Chapter 3.2 (§ 44-146.13 et seq.) of Title 44 or declared by the President of the United States or the governor of another state pursuant to law and confirmed by the Governor by an executive order, and such an emergency interferes with the timely filing of disclosure forms. The extension shall be granted only for those filers in areas affected by such emergency.

3. The filer is a member of a uniformed service of the United States and is on active duty on the date of the filing deadline.

4. A failure of the electronic filing system and the failure of such system prevents the timely filing of disclosure forms.

B. For any person who is unable to timely file the disclosure form prescribed in the Acts due to the disclosure form not being made available to him until after the deadline has passed, the Council shall grant such person a five-day extension upon request. The head of the agency for which the person works or the clerk of the school board or governing body of the locality that was responsible for providing the disclosure form to such person shall be assessed a civil penalty in the amount equal to \$250, to be collected in accordance with the procedure set forth in subsection B of § 2.2-3124. If the disclosure form is provided to the person within three days prior to the filing deadline, the Council shall grant such person a three-day extension upon request and no civil penalties shall be assessed against the head of such person's agency or the clerk.

C. The provisions of this section shall not apply to any statement of economic interests filed as a requirement of candidacy pursuant to § 24.2-502.

Drafting note: No changes.

~~§ 30-357 30.1-xxx~~. Staff.

Staff assistance to the Council shall be provided by the Division of Legislative Services. Staff shall perform those duties assigned to it by the Council, including those duties enumerated in ~~§ 30-356 30.1-xxx~~ [§ 30-356]. The Division of Legislative Services shall employ an executive director, who shall be subject to the confirmation of the Joint Committee on Rules.

Drafting note: Technical changes are made.

~~§ 30-358. Cooperation of agencies of state and local government.~~

~~Every department, division, board, bureau, commission, authority, or political subdivision of the Commonwealth shall cooperate with, and provide such assistance to, the Council as the Council may request.~~

Drafting note: General provisions relating to agency assistance are proposed for deletion because such provisions are consolidated and given general application in

proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

CHAPTER 42.1

VIRGINIA ISRAEL ADVISORY BOARD

Article 11.

Virginia-Israel Advisory Board.

Drafting note: Existing Chapter 42.1, relating to the Virginia-Israel Advisory Board, is retained as proposed Article 11 of Chapter 12. General provisions relating to quorum, vacancies, reports, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ ~~30-281.1~~ 30.1-xxx. Virginia-Israel Advisory Board; purpose; ~~membership; terms; compensation and expenses; staff; chairman's executive summary.~~

A. The Virginia-Israel Advisory Board (the Board) is established ~~as an advisory board~~ in the legislative branch of state government. The purpose of the Board is to advise the General Assembly on ways to improve economic and cultural links between the Commonwealth and the State of Israel, with a focus on the areas of commerce and trade, art and education, and general government.

§ 30.1-xxx. Membership.

B. The Board shall have a total membership of 31 members that shall consist of 29 citizen members and two ex officio members. Members shall be appointed as follows:

1. 10 citizen members, who may be members of the House of Delegates or other state or local elected officials, to be appointed by the Speaker of the House of Delegates, ~~who may be members of the House of Delegates or other state or local elected officials;~~

2. 10 citizen members, who may be members of the Senate or other state or local elected officials, to be appointed by the Senate Committee on Rules, ~~who may be members of the Senate or other state or local elected officials;~~

3. ~~five~~ Nine citizen members ~~appointed by the Governor who represent, five of whom shall be representatives of~~ business, industry, education, the arts, and government; and four of whom shall be the president, or his designee, of each of the four Jewish Community Federations serving the Richmond, Northern Virginia, Tidewater, and Peninsula regions, ~~each of whom shall be a resident of the Commonwealth, to be appointed by the Governor;~~ and

4. ~~the~~ The Secretary of Commerce and Trade and the Secretary of Education, or their designees, ~~who shall~~ to serve as ex officio with voting ~~members of the Board~~ privileges.

C. Nonlegislative citizen members shall serve for terms of four years. Legislative members and the Secretary of Commerce and Trade and the Secretary of Education, or their designees, shall serve terms coincident with their terms of office. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. ~~Vacancies shall be filled in the same manner as the original appointments.~~ Any member may be reappointed for successive terms.

D. The members of the Board shall elect a chairman and vice-chairman annually from among its membership. ~~The Board shall meet at such times as it deems appropriate or on call of the chairman. A majority of the Board shall constitute a quorum.~~

E. Members shall receive no compensation for their services. However, all members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.

~~F. The Joint Rules Committee shall appoint an executive director to the Board. Funding for the costs of expenses of the members and the operations of the Board, including staffing needs, shall be from such funds as appropriated by the General Assembly.~~

~~G. The chairman of the Board shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the~~

~~first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: Existing § 30-281.1 is divided into two proposed sections to separate two distinct topics. Existing subdivision F, relating to staffing, is further divided into to a proposed section. General provisions relating to quorum, vacancies, and reporting requirements are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The term "chairman" is replaced with "chair" for consistency. The catchline is updated for consistency and to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-281.2~~ 30.1-xxx. Powers and duties of the Board.

A. The Board shall have the ~~power and duty to~~ following powers and duties:

1. Undertake studies and gather information and data in order to accomplish its purposes as set forth in ~~§ 30-281.1~~ 30.1-xxx [~~§ 30-281.1~~], and to formulate and present its recommendations to the Governor and the General Assembly;

2. Apply for, accept, and expend gifts, grants, or donations from public, quasi-public, or private sources, including any matching funds as may be designated in the appropriation act, to enable it to better carry out its purposes;

3. Report annually its findings and recommendations to the Governor and the General Assembly. The Board may make interim reports to the Governor and the General Assembly as it deems advisable; and

4. Account annually on its fiscal activities, including any matching funds received or expended by the Board; ~~and~~ and

1537 ~~B. 5. In addition, the Board shall meet~~ Meet with the Governor at least annually to (i)
1538 provide a review of the Board's economic and cultural development activity and (ii) assist in
1539 planning an economic development and cultural exchange mission to Israel.

1540 **Drafting note: Language is updated for clarity and consistncy and other technical**
1541 **changes are made.**

1542 §30.1-xxx. Staffing.

1543 The Joint Rules Committee shall appoint an executive director to the Board. Funding
1544 for the costs of expenses of the members and the operations of the Board, including staffing
1545 needs, shall be from such funds as appropriated by the General Assembly.

1546 **Drafting note: Existing subdivision F of § 30-281.1, relating to staffing, is relocated**
1547 **into to a proposed section to separate a distinct topic.**

1548 #

CHAPTER 13.

SPECIAL ADVISORY COMMISSIONS.

Drafting note: Existing Chapter 22 (Small Business Commission), existing Chapter 24 (State Water Commission), existing Chapter 25 (Virginia Coal and Energy Commission), existing Chapter 35 (Virginia Disability Commission), existing Chapter 41 (Manufacturing Development Commission), existing Chapter 50.1 (Autism Advisory Council) existing Chapter 64 (School Health Services Committee), existing Chapter 65 (Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes), and existing Chapter 68 (Virginia Minority Business Commission) are retained in proposed Chapter 13 as follows: Article 1 (Small Business Commission), Article 2 (Manufacturing Development Commission), Article 3 (Virginia Minority Business Commission), Article 4 (Virginia Coal and Energy Commission), Article 5 (State Water Commission), Article 6 (Virginia Disability Commission, Article 7 (Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes), Article 8 (School Health Services Committee) and Article 9 (Autism Advisory Council). The proposed Chapter 13 is named Special Advisory Commissions and contains such bodies that have the purpose of providing a forum for a particular community to advise the General Assembly on topics of interest. Membership of such bodies consists of both legislative members and nonlegislative citizen members, usually with specific expertise or background relevant to the body.

CHAPTER 22.

SMALL BUSINESS COMMISSION.

Article 1.

Small Business Commission.

Drafting note: Existing Chapter 22, relating to the Small Business Commission, is retained as proposed Article 1.

§ ~~30-182~~ 30.1-xxx. Small Business Commission; purpose; membership; ~~terms;~~
~~compensation and expenses;~~ staff; ~~voting on recommendations.~~

29 A. The Small Business Commission (the Commission) is established in the legislative
30 branch of state government. The purpose of the Commission shall be to study, report and make
31 recommendations on issues of concern to small businesses in the Commonwealth.

32 B. The Commission shall consist of 16 members that include 10 legislative members
33 and six nonlegislative citizen members. Members shall be appointed as follows: ~~six~~

34 1. Six members of the House of Delegates to be appointed by the Speaker of the House
35 of Delegates in accordance with the principles of proportional representation contained in the
36 Rules of the House of Delegates; ~~four~~

37 2. Four members of the Senate to be appointed by the Senate Committee on Rules; and
38 ~~six~~

39 3. Six nonlegislative citizen members, each of whom shall have previously
40 demonstrated small business experience or expertise, to be appointed by the Governor.
41 ~~Nonlegislative citizen members shall be citizens of the Commonwealth.~~

42 All ~~gubernatorial~~ nonlegislative citizen member appointments to the Commission shall
43 be for terms of two years. ~~Legislative members shall serve terms coincident to their terms of~~
44 ~~office. All members may be reappointed for successive terms. Appointments to fill vacancies,~~
45 ~~other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be~~
46 ~~filled in the same manner as the original appointments.~~

47 ~~C. The members of the Commission shall elect a chairman and a vice chairman~~
48 ~~annually, who shall be members of the General Assembly. A majority of the members of the~~
49 ~~Commission shall constitute a quorum. The Commission shall meet at the call of the chairman~~
50 ~~or whenever a majority of the members so request.~~

51 ~~D. Legislative members of the Commission shall receive such compensation as is set~~
52 ~~forth in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the~~
53 ~~performance of their duties as provided in § 2-2-2813. All members shall be reimbursed for all~~
54 ~~reasonable and necessary expenses incurred in the performance of their duties as provided in~~
55 ~~§§ 2-2-2813 and 2-2-2825. However, all such compensation and expenses shall be paid from~~
56 ~~existing appropriations to the Commission.~~

~~E. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of Clerk of the House of Delegates as may be appropriate for the house in which the chairman chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. All agencies of the Commonwealth shall assist the Commission, upon request.~~

~~F. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to nonlegislative citizen members, terms of membership, vacancies, chair and vice-chair, quorum, compensation of members, assistance provided by other agencies of the Commonwealth, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The catchline is changed to better reflect the content of the section. Subsection B is divided further into subdivisions for clarity. Technical changes are made.

~~§ 30-183 30.1-xxx. Powers and duties of the Commission.~~

The Commission shall have the power and duty to:

1. Evaluate the impact of existing statutes and proposed legislation on small businesses;
2. Assess the Commonwealth's small business assistance programs and examine ways to enhance their effectiveness;

3. Provide small business owners and advocates with a forum to address their concerns;
and

4. ~~Report annually its findings and recommendations to the General Assembly and the Governor. The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated~~

~~Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website Submit reports pursuant to 30.1-xxx.~~

Drafting note: General provisions relating to a required annual report that apply to all legislative collegial bodies are relocated to proposed Chapter 11 (General Provisions). Technical changes are made.

~~CHAPTER 41.~~

~~MANUFACTURING DEVELOPMENT CORPORATION.~~

~~Article 2.~~

~~Manufacturing Development Corporation.~~

Drafting note: Existing Chapter 41, related to the Manufacturing Development Corporation, is retained as proposed Article 2.

§ ~~30-275~~ 30.1-xxx. (For contingent expiration date, see Acts 2006, cc. 607, 900, cl. 2) Manufacturing Development Commission; purpose; membership; ~~terms; compensation and expenses~~; staff; ~~voting on recommendations~~.

A. The Manufacturing Development Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission shall be to assess manufacturing needs and formulate legislative and regulatory remedies to ensure the future of the manufacturing sector in Virginia.

B. The Commission shall have a total membership of 14 that shall consist of eight legislative members, five nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: ~~three~~

1. Three members of the Senate, to be appointed by the Senate Committee on Rules; ~~five~~

2. Five members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and ~~five~~

3. Five nonlegislative citizen members of whom (i) one shall be a representative of a public institution of higher education other than Norfolk State University or Virginia State

University, (ii) one shall be a representative of an entity or organization active in economic development efforts in the Commonwealth, (iii) one shall be a representative of a Virginia manufacturer, (iv) one shall be the president of the Virginia Manufacturers Association, and (v) one shall be a representative of Norfolk State University or Virginia State University, to be appointed by the Governor. The Secretary of Commerce and Trade or his designee shall serve ex officio with voting privileges. ~~Nonlegislative citizen members shall be citizens of the Commonwealth.~~

Nonlegislative citizen members shall be appointed for terms of four years. Legislative members, the president of the Virginia Manufacturers Association, and ex officio members shall serve terms coincident with their terms of office. ~~All members may be reappointed for successive terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.~~

~~C. The members of the Commission shall elect a chairman and a vice chairman annually, who shall be members of the General Assembly. A majority of the members of the Commission shall constitute a quorum. The Commission shall meet at the call of the chairman or whenever a majority of the members so request.~~

~~D. Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12.~~ Nonlegislative citizen members shall serve without compensation. ~~All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.~~ Funding for compensation and reimbursement of expenses of the members shall be provided from existing appropriations to the Commission. Costs of this Commission shall not exceed \$12,000 per year.

~~E.~~ D. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the

Commission. Technical assistance shall be provided by the Department of Energy. ~~All agencies of the Commonwealth shall assist the Commission, upon request.~~

~~F. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) votes against the recommendation and (ii) votes for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to nonlegislative citizen members, terms of membership, vacancies, chair and vice-chair, quorum, compensation of members, assistance provided by other agencies of the Commonwealth, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The catchline is changed to better reflect the content of the section. Subsection B is divided further into subdivisions for clarity. Technical changes are made.

§ ~~30-276~~ 30.1-xxx. (For contingent expiration date, see Acts 2006, cc. 607, 900, cl. 2)
Powers and duties of the Commission.

The Commission shall have the power and duty to:

1. Assess the direct and indirect economic impact of the manufacturing sector on Virginia's economy;

2. Determine the needs of the manufacturing sector and the most efficient, and cost-effective manner in which such needs may be addressed;

3. Consider the effect of local and state tax policies; regulatory compliance costs; research and development investment, energy, transportation, and workforce training policies and costs on the manufacturing sector; and recommend the appropriate role for state and local governments in ensuring the future of the manufacturing sector in the Commonwealth;

4. Develop a comprehensive energy plan for the Commonwealth, which evaluates the Commonwealth's current and future energy supply and demand. In developing the plan, the Commission shall solicit and analyze suggestions and information from the following sectors:

utility providers, petroleum companies, automobile manufacturers, fuel suppliers, technology companies, environmental organizations, and consumers.;

5. Evaluate the effectiveness of state and local economic development programs and incentives on the research and development of technology-intensive manufacturing.;

6. Consult and coordinate with the Joint Commission on Technology and Science, the Joint Legislative Audit and Review Commission, the Joint Commission on Administrative Rules, and other legislative commissions, committees, and councils to minimize fragmentation and duplication relative to the respective powers and duties of such groups.;

7. Provide manufacturers and advocates with a forum to address their concerns; and

~~8. Report annually its findings and recommendations to the General Assembly and the Governor as provided in the procedures of the Division of Legislative Automated Systems. The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website~~ Submit reports pursuant to 30.1-xxx.

Drafting note: General provisions relating to a required annual report that apply to all legislative collegial bodies are relocated to proposed Chapter 11 (General Provisions). Technical changes are made.

~~§ 30-277. Repealed.~~

Drafting note: Repealed by Acts 2009, c. 542.

~~CHAPTER 68.~~

~~VIRGINIA MINORITY BUSINESS COMMISSION.~~

Article 3.

Virginia Minority Business Commission.

Drafting note: Current Chapter 68, related to the Virginia Minority Business Commission, is retained as proposed Article 3.

§ ~~30-440~~ 30.1-xxx. (Expires July 1, 2028) Virginia Minority Business Commission; purpose.

The Virginia Minority Business Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to promote the growth and competitiveness of Virginia minority-owned businesses, as defined in § 2.2-1604.

Drafting note: No changes made.

§ ~~30-441~~ 30.1-xxx. (Expires July 1, 2028) Membership; ~~terms; vacancies; chairman and vice-chairman~~.

A. The Commission shall consist of 13 members that include seven legislative members and six nonlegislative citizen members. Members shall be appointed as follows: ~~four~~

1. Four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~three~~

2. Three members of the Senate to be appointed by the Senate Committee on Rules; ~~three~~

3. Three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Speaker of the House of Delegates; and ~~three~~

4. Three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Senate Committee on Rules. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia.~~

B. Unless otherwise approved in writing by the ~~chairman~~ chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

~~Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However,~~

~~no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.~~

Drafting note: General provisions relating to terms, vacancies, nonlegislative citizen members, and chair and vice-chair that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The catchline is changed to better reflect the content of the section. This section is divided further into subdivisions for clarity. Technical changes are made.

~~§ 30-442. (Expires July 1, 2028) Quorum; meetings; voting on recommendations.~~

~~A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to quorum, meetings, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ 30-443. (Expires July 1, 2028) Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of~~

~~Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: General provisions relating to compensation and expenses that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ 30-444 30.1-xxx.~~ (Expires July 1, 2028) Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Evaluate the impact of existing statutes and proposed legislation on Virginia minority-owned businesses;
2. Assess current programs in the Commonwealth aimed at assisting minority-owned businesses and examine ways to enhance their effectiveness;
3. Provide minority business owners and advocates with a forum to address their concerns;
4. Develop strategies and recommendations to promote the growth and competitiveness of Virginia minority-owned businesses;
5. Collaborate with the Department of Small Business and Supplier Diversity and other appropriate entities to facilitate the Commission's work and mission; and
6. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the objectives of this chapter.

Drafting note: No changes made.

~~§ 30-445.~~ (Expires July 1, 2028) ~~Chairman's executive summary of activity and work of the Commission.~~

~~The chairman may submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary may be submitted as provided in the procedures of the Division of Legislative Automated Systems for the~~

~~processing of legislative documents and reports and may be posted on the General Assembly's website.~~

Drafting note: General provisions relating to a required annual report that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

§ ~~30-446~~ 30.1-xxx. (Expires July 1, 2028) Sunset.

This ~~chapter~~ article shall expire on July 1, 2028.

Drafting note: Technical change made.

~~CHAPTER 25.~~

~~VIRGINIA COAL AND ENERGY COMMISSION.~~

Article 4.

Virginia Coal and Energy Commission.

Drafting note: Existing Chapter 25, related to the Virginia Coal and Energy Commission, is retained as proposed Article 4.

§ ~~30-188~~ 30.1-xxx. Virginia Coal and Energy Commission; membership; ~~terms; compensation and expenses; staff; quorum; voting on recommendations.~~

A. The Virginia Coal and Energy Commission (the Commission) is established in the legislative branch of state government. The Commission shall consist of 20 members to be appointed as follows: ~~five~~

1. Five members of the Senate to be appointed by the Senate Committee on Rules; ~~eight~~
2. Eight members of the House of Delegates to be appointed by the Speaker of the House of Delegates; and ~~seven~~

3. Seven nonlegislative citizen members to be appointed by the Governor. The nonlegislative citizen members ~~shall be citizens of the Commonwealth and~~ shall include representatives of industry, government and groups or organizations identified with production and conservation of coal, natural gas, and energy. Nonlegislative citizen members appointed by the Governor shall serve for terms of four years.

~~B. Legislative members shall serve terms coincident with their terms of office. Members appointed by the Governor shall serve for terms of four years. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Any member may be reappointed for successive terms.~~

~~C. The members of the Commission shall elect a chairman and vice chairman annually from among its membership.~~

~~D. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2-2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2-2-2813 and 2-2-2825. Funding for compensation and expenses of the members shall be provided from existing appropriations to the Commission.~~

~~E. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. ~~All agencies of the Commonwealth shall assist the Commission upon request.~~~~

~~F. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever a majority of the members so request.~~

~~G. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to chair and vice-chair, compensation, agency assistance, quorum, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General

Provisions). The catchline is changed to better reflect the content of the section. Subsection A is divided further into subdivisions for clarity. Technical changes are made.

§ ~~30-189~~ 30.1-xxx. Powers and duties of Commission.

A. The Commission shall generally study all aspects of coal as an energy resource and endeavor to stimulate, encourage, promote, and assist in the development of renewable and alternative energy resources other than petroleum. The Commission shall have no authority to adopt regulations. ~~All agencies of the Commonwealth shall assist the Commission in its work.~~

In addition to the aforementioned general powers, the Commission shall also perform the following functions:

1. Act in an advisory capacity to the Governor and executive branch agencies upon energy related matters;

2. Investigate and consider such questions and problems relating to the field of coal and energy utilization and alternative energy sources as may be submitted;

3. Make recommendations to the Governor and General Assembly on its own initiative;

4. Consult with applicable state agencies on all matters regarding energy conservation, including the promotion and implementation of initiatives for the public-at-large to conserve energy;

5. Endeavor to encourage research designed to further new and more extensive use of the coal as well as alternative and renewable energy resources of the Commonwealth;

6. Effectively disseminate any such proposals to groups and organizations, both state and local, so as to stimulate local governing bodies and private business initiative in the field of energy related matters;

7. Coordinate its efforts with those of the Virginia Solar Energy Center established pursuant to § 45.2-1900 and the Virginia Center for Coal and Energy Research established pursuant to Article 3 (§ 23.1-2623 et seq.) of Chapter 26 of Title 23.1;

8. Actively seek federal and other funds to be used to carry out its functions;

9. Seek to establish alternative fuel capability within the Commonwealth; and

10. Investigate and make recommendations regarding the development of nuclear power. The Commission shall periodically address (i) encouraging the reprocessing of spent fuel for reuse, (ii) incentives to encourage the study of nuclear engineering at public institutions of higher education in the Commonwealth, (iii) the storage of nuclear waste, (iv) the transportation of nuclear waste, (v) security needs of nuclear power plants, and (vi) on-site temporary storage facilities for spent nuclear fuel.

~~B. The Commission shall report its findings and recommendations to the General Assembly and the Governor on an annual basis. The Chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to agency assistance and a required annual report that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~CHAPTER 24.~~

~~STATE WATER COMMISSION.~~

Article 5.

State Water Commission.

Drafting note: Existing Chapter 24, related to the State Water Commission, is retained as proposed Article 5.

~~§ 30-186 30.1-xxx. State Water Commission; membership; terms; compensation and expenses; staff; quorum; voting on recommendations.~~

A. The State Water Commission (the Commission) is established in the legislative branch of state government. The Commission shall consist of 15 members to be appointed as follows: ~~the Chairmen~~

1. The Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources; seven

2. Seven members of the House of Delegates appointed by the Speaker of the House of Delegates; four

3. Four members of the Senate appointed by the Committee on Rules; and two

4. Two nonlegislative citizen members to be appointed by the Governor; ~~who shall be citizens of the Commonwealth.~~

~~B. Legislative members shall serve terms coincident with their terms of office and may be reappointed to successive terms.~~ Gubernatorial appointees shall serve for terms of four years and may succeed themselves, ~~but vacancies during their terms shall be filled only for the unexpired portion of the term. Vacancies shall be filled in the same manner as the original appointments.~~

~~C. The members of the Commission shall elect a chairman and a vice chairman.~~

~~D. Commission members shall be compensated as provided in § 30-19.12, and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2-2-2813 and 2-2-2825. Funding for the compensation and expenses of the members shall be provided by the Commission from existing appropriations to the Commission.~~

E. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. ~~All agencies of the Commonwealth shall assist the Commission upon request.~~

~~F. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of members so request.~~

~~G. No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of House members appointed to the Commission (i) vote against the~~

~~recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to chair and vice-chair, compensation, agency assistance, quorum, meetings, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The catchline is changed to better reflect the content of the section. Subsection A is divided further into subdivisions for clarity. Technical changes are made.

~~§ 30-187~~ 30.1-xxx. Powers and duties of the Commission.

The Commission shall have the power and duty to:

1. Study all aspects of water supply and allocation problems in the Commonwealth, whether these problems are of a quantitative or qualitative nature;

2. Coordinate the legislative recommendations of all other state entities having responsibilities with respect to water supply and allocation issues; and

3. ~~Report annually its findings and recommendations to the General Assembly and the Governor. The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website~~ Submit reports pursuant to 30.1-xxx.

Drafting note: General provisions relating to a required annual report that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~CHAPTER 35.~~

~~VIRGINIA DISABILITY COMMISSION.~~

Article 6.

Virginia Disability Commission.

Drafting note: Existing Chapter 35, related to the Virginia Disability Commission, is retained as proposed Article 6.

§ ~~30-232~~ 30.1-xxx. (Contingent expiration date -- see notes) Virginia Disability Commission; purpose.

The Virginia Disability Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to identify and recommend legislative priorities and policies for adoption or examination by the General Assembly in order to provide ongoing support in developing and reviewing services and funding related to Virginians with physical and sensory disabilities. The Commission shall submit its recommendations to the General Assembly and the Governor by October 1 of each year.

Drafting note: No changes.

§ ~~30-233~~ 30.1-xxx. (Contingent expiration date -- see notes) Membership; ~~terms; vacancies; chairman and vice chairman~~.

The Commission shall consist of 11 members that includes six legislative members and five nonlegislative citizen members. Members shall be appointed as follows: ~~two~~

1. Two members of the Senate to be appointed by the Senate Committee on Rules; ~~four~~
2. Four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~two~~

3. Two nonlegislative citizen members, one of whom shall be a consumer with a disability and one shall be a member of the medical, insurance, or rehabilitation professions, to be appointed by the Senate Committee on Rules upon consideration of the recommendation of the Governor, if any; and ~~three~~

4. Three nonlegislative citizen members, one of whom shall be a consumer with a disability, one shall be a member of the medical, insurance, or rehabilitation professions, and one shall be a citizen at large, to be appointed by the Speaker of the House of Delegates upon consideration of the recommendations of the Governor, if any. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia.~~ Unless otherwise

approved in writing by the ~~chairman~~ chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth ~~of Virginia~~ for the purpose of attending meetings.

~~Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for terms of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chairman and vice chairman from among its legislative membership.~~

Drafting note: Drafting note: General provisions relating to nonlegislative citizen members, terms, vacancies, and chair and vice-chair that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The section is divided further into subdivisions for clarity. Technical changes are made.

~~§ 30-234. (Contingent expiration date — see notes) Quorum; meetings; voting on recommendations.~~

~~A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to quorum, meetings, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ 30-235. (Contingent expiration date—see notes) Compensation and expenses. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for the performance of their duties. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing appropriations to the Commission.~~

Drafting note: General provisions relating to compensation and expenses that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ ~~30-236~~ 30.1-xxx. (Contingent expiration date -- see notes) Powers and duties of the Commission.~~

A. The Commission shall have the following powers and duties:

1. Serve as the primary forum in the Commonwealth where the needs of and issues affecting people with physical and sensory disabilities are identified and addressed through the collaboration of members of the legislative and executive branches of state government, including the staff of legislative and executive branch agencies, and citizens of the Commonwealth;

2. Develop, evaluate, and advance budget proposals and legislative and policy recommendations to support a service system that maximizes the self-sufficiency of Virginians with disabilities;

3. Develop and evaluate recommendations for service program changes and funding related to services for persons with physical and sensory disabilities;

4. Advise on local, state and federal policies and programs relevant to citizens with disabilities;

5. Serve as the primary body for coordinating proposals and recommendations of all commissions and agencies for legislation or budget actions affecting persons with physical and sensory disabilities, including receiving, reviewing, and responding to proposals and recommendations; and

6. Convene work groups composed of persons with expertise in the matters under consideration by the Commission to assist the Commission on issues related to (i) housing and transportation, (ii) education and employment, (iii) publicly funded services, and (iv) such other issues as the Commission may deem necessary. Persons serving on the work groups shall serve without compensation.

Drafting note: No changes.

§ ~~30-237~~ 30.1-xxx. (Contingent expiration date -- see notes) Staffing.

Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission.

~~All agencies of the Commonwealth shall provide assistance to the Commission, upon request.~~

Drafting note: General provisions relating to assistance provided by other agencies of the Commonwealth that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ 30-238. (Contingent expiration date -- see notes) Chairman's executive summary of activity and work of the Commission.~~

~~The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to a required annual report that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ 30-239. Repealed.~~

Drafting note: Repealed by Acts 2012, c. 741, cl. 3.

~~CHAPTER 65.~~

~~COMMISSION ON UPDATING VIRGINIA LAW TO REFLECT FEDERAL
RECOGNITION OF VIRGINIA TRIBES.~~

~~Article 7.~~

Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes.

Drafting note: Existing Chapter 65, related to the Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes, is retained as Article 7.

~~§ 30-414~~ 30.1-xxx. (Expires July 1, 2026) Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes; purpose.

The Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes (the Commission) is established in the legislative branch of state government for the purpose of performing a comprehensive review of Virginia law to assess ways in which it must be revised to reflect the government-to-government relationship the Commonwealth should maintain, by treaty and applicable federal law, with the sovereign, self-governing, federally recognized Tribal Nations located within the present-day external boundaries of the Commonwealth.

Drafting note: No changes.

~~§ 30-415~~ 30.1-xxx. (Expires July 1, 2026) Membership; ~~terms~~.

The Commission shall have a total of 19 members, consisting of 10 legislative members, eight nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: ~~six~~

1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~four~~

2. Four members of the Senate to be appointed by the Senate Committee on Rules; ~~seven~~

3. Seven nonlegislative citizen members, at least one of whom shall represent each of the seven federally recognized Tribal Nations located in the Commonwealth, to be appointed by the Speaker of the House of Delegates with the advice and consent of each such federally recognized Tribal Nation; and ~~one~~

4. One nonlegislative citizen member, who shall represent the Commonwealth's scholarly community, to be appointed by the Senate Committee on Rules.

The Secretary of the Commonwealth, or his designee, shall serve ex officio with voting privileges. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.~~

~~Legislative members and the ex officio member of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.~~

Drafting note: Drafting note: General provisions relating to nonlegislative citizen members, terms, vacancies, and chair and vice-chair that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The section is divided further into subdivisions for clarity. The catchline is changed to better reflect the content of the section. Technical changes are made.

§ ~~30-416~~ 30.1-xxx. (Expires July 1, 2026) ~~Quorum; meetings; voting~~ Voting on recommendations.

~~A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

No recommendation of the Commission shall be adopted if the majority of the members representing Tribal Nations vote against the recommendations.

Drafting note: General provisions relating to quorum, meeting, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ 30-417. (Expires July 1, 2026) Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: General provisions relating to compensation and expenses that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

§ ~~30-418~~ 30.1-xxx. (Expires July 1, 2026) Powers and duties of the Commission; ~~report~~.

The Commission shall have the following powers and duties:

1. ~~Performing~~ Perform a comprehensive review of Virginia law to reflect the government-to-government relationship between the Commonwealth and federally recognized Tribal Nations located in the Commonwealth as distinct governments with the right to exercise general sovereignty and powers of government-; and

2. ~~Submitting to the General Assembly and the Governor an annual report for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website~~ Submit reports pursuant to 30.1-xxx.

Drafting note: General provisions relating to an annual report that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). Technical changes are made.

~~§ 30-419~~ 30.1-xxx. (Expires July 1, 2026) Staffing.

Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission.

Drafting note: No changes made.

~~§ 30-420~~ 30.1-xxx. (Expires July 1, 2026) Sunset.

This ~~chapter~~ article shall expire on July 1, 2026.

Drafting note: Technical change made.

~~CHAPTER 64.~~

~~SCHOOL HEALTH SERVICES COMMITTEE.~~

Article 8.

School Health Services Committee.

Drafting note: Existing Chapter 64, related to the School Health Services Committee, is retained as Article 7.

§ ~~30-409~~ 30.1-xxx. (Expires July 1, 2028) School Health Services Committee; purpose.

The School Health Services Committee (the Committee) is established in the legislative branch of state government. The purpose of the Committee is to review and provide advice to the General Assembly and other policy makers regarding proposals that require local school boards to offer certain health services in a school setting. The Committee shall submit its findings and recommendations to the General Assembly and the Governor by October 1 of each year.

Drafting note: No changes made.

§ 30-410. (Expires July 1, 2028) Membership; terms; quorum; meetings.

~~A.~~ The Committee shall have a total membership of 15 members that shall consist of 8 legislative members, five nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: ~~three~~

1. Three members of the Senate, each of whom shall be a member of the Senate Committee on Education and Health, to be appointed by the Senate Committee on Rules; ~~five~~

2. Five members of the House of Delegates, each of whom shall be a member of either the House Committee on Health and Human Services or a member of the House Committee on Education, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~three~~

3. Three nonlegislative citizen members, one of whom shall be an educator at a public school in the Commonwealth, one of whom shall be a school nurse at a public school in the Commonwealth, and one of whom shall be a public health expert, to be appointed by the Senate Committee on Rules; and ~~two~~

4. Two nonlegislative citizen members, one of whom shall be an educator at a public school in the Commonwealth and one of whom shall be a public health expert, to be appointed by the Speaker of the House of Delegates.

The Superintendent of Public Instruction and the State Health Commissioner, or their designees, shall serve ex officio with nonvoting privileges. ~~Nonlegislative citizen members of the Committee shall be citizens of the Commonwealth.~~ Unless otherwise approved in writing by the ~~chairman~~ chair of the Committee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

~~Legislative members and ex officio members of the Committee shall serve terms coincident with their terms of office.~~

~~Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.~~

~~Nonlegislative citizen members shall be appointed for a term of two years.~~

~~The Committee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.~~

~~B. A majority of the members shall constitute a quorum. The meetings of the Committee shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Committee shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Committee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Committee.~~

Drafting note: General provisions relating to nonlegislative citizen members, vacancies, chair and vice-chair, quorum, meetings, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The section is divided further into subdivisions for clarity. Technical changes are made.

~~§ 30-411. (Expires July 1, 2028) Compensation; expenses; annual report.~~

~~Legislative members of the Committee shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the~~

~~performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Committee shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Committee or, if unfunded, shall be approved by the Joint Rules Committee.~~

~~The Committee shall submit to the General Assembly and the Governor an annual report for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The chairman of the Committee shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Committee no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to compensation and expenses, and a required annual report that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions).

~~§ 30-412 30.1-xxx.~~ (Expires July 1, 2028) Staffing.

Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Committee serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Committee.

Drafting note: No changes.

~~§ 30-413 30.1-xxx.~~ (Expires July 1, 2028) Sunset.

This ~~chapter~~ article shall expire on July 1, 2028.

Drafting note: Technical change made.

~~CHAPTER 50.1.~~

~~AUTISM ADVISORY COUNCIL.~~

Article 9.

Autism Advisory Council.

Drafting note: Existing Chapter 50.1, related to the Autism Advisory Council, is retained as proposed Article 9.

§ ~~30-329.1~~ 30.1-xxx. (Expires July 1, 2027) Autism Advisory Council created; purpose; membership; staff.

A. For the purposes of this chapter, "autism spectrum disorder" means the same as that term is defined in the current edition of the "Diagnostic and Statistical Manual of Mental Disorders" published by the American Psychiatric Association.

B. The Autism Advisory Council (the Council) is established as an advisory council in the legislative branch of state government to promote coordination of services and resources among agencies involved in the delivery of services to Virginians with autism spectrum disorders and to increase public awareness of such services and resources.

~~C. B.~~ The Council shall have a total membership of 25 members that shall consist of six legislative members, 12 nonlegislative citizen members, and seven ex officio members. Members shall be appointed as follows: ~~two~~

1. Two members of the Senate to be appointed by the Senate Committee on Rules; ~~four~~
2. Four members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and ~~12~~

3. 12 nonlegislative citizen members, of whom (i) two shall be representatives of autism advocacy organizations, (ii) two shall be parents of children with autism, (iii) two shall be persons with an autism spectrum disorder, (iv) one shall be a clinician in the autism field, (v) one shall be a licensed behavior analyst, (vi) one shall be a private day school director, (vii) one shall be a public school special education director, and (viii) two shall be representatives from autism programs at an institution of higher education, to be appointed by the Governor.

The Commissioner of Behavioral Health and Developmental Services, the Commissioner for Aging and Rehabilitative Services, the Commissioner of Health, the Commissioner of Social Services, the Superintendent of Public Instruction, the Executive Director of the Virginia Board for People with Disabilities, and the Director of the Department of Medical Assistance Services, or their designees, shall serve ex officio with voting privileges. ~~Nonlegislative citizen members of the Council shall be citizens of the Commonwealth.~~ Unless otherwise approved in writing by the ~~chairman~~ chair of the Council and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

~~C. Legislative and ex officio members shall serve terms coincident with their terms of office. All appointments of nonlegislative citizen members shall be for four year terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed; however, no citizen member shall serve more than two consecutive four year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's term limit. Vacancies shall be filled in the same manner as the original appointments.~~

~~Legislative members of the Council shall receive such compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive such compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expense payments shall be paid from existing appropriations to the Council or, if unfunded, shall be approved by the Joint Rules Committee.~~

~~D. The Council shall elect a chairman and vice chairman annually, who shall be members of the General Assembly. A majority of the members of the Council shall constitute a quorum.~~ The Council shall meet no less than five times a year, upon the call of the ~~chairman~~ chair or a majority of the members.

E. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Clerk of the House of Delegates, as may be appropriate for the house in which the

~~chairman chair~~ serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Council.

~~F. No recommendation of the Council shall be adopted if a majority of the legislative members appointed to the Council (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Council.~~

Drafting note: General provisions relating to terms, vacancies, compensation, quorum, chair and vice-chair, and voting equalization that apply to all legislative collegial bodies are deleted in this section and retained in proposed Chapter 11 (General Provisions). The definition of "autism spectrum disorder" is relocated to proposed 30.1-xxx from existing § 30-329.3 in keeping with Code style that definitions are provided at the beginning of a chapter. Subsection B is divided further into subdivisions for clarity. Technical changes are made.

§ ~~30-329.2~~ 30.1-xxx. (Expires July 1, 2027) Powers and duties of the Council.

A. The Council shall have the power and duty to:

1. Facilitate the coordination of services and resources among agencies involved in the delivery of services to Virginians with autism spectrum disorders;

2. Monitor the implementation of action plans developed by agencies in response to the report of the Joint Legislative Audit and Review Commission entitled "Assessment of Services for Virginians with Autism Spectrum Disorders," House Document No. 8 (2009);

3. Recommend policies, legislation, and funding needed to implement the action plans developed in response to the report of the Joint Legislative Audit and Review Commission entitled "Assessment of Services for Virginians with Autism Spectrum Disorders," House Document No. 8 (2009) and address other emerging issues; and

4. Determine services, resources, and policies that may further address the needs of individuals with autism spectrum disorders.

B. By December 1 of each year, the Council shall submit to the Governor and the General Assembly and to the Division of Legislative Automated Systems for publication as a

828 House or Senate document an annual report containing progress updates and recommended next
829 steps to be taken by agencies in the following year.

830 **Drafting note: General provisions relating to a required annual report that apply**
831 **to all legislative collegial bodies are deleted in this section and retained in proposed**
832 **Chapter 11 (General Provisions).**

833 ~~§ 30-329.3. (Expires July 1, 2027) Autism spectrum disorders defined.~~

834 ~~For the purposes of this chapter, "autism spectrum disorder" means the same as that~~
835 ~~term is defined in the current edition of the "Diagnostic and Statistical Manual of Mental~~
836 ~~Disorders" published by the American Psychiatric Association.~~

837 **Drafting note: Existing section § 30-329.3 is relocated to proposed section 30.1-xxx**
838 **in keeping with Code style that definitions are provided at the beginning of a chapter.**

839 ~~§ 30-329.4~~ 30.1-xxx. (Expires July 1, 2027) Sunset.

840 This ~~chapter~~ article shall expire on July 1, 2027.

841 **Drafting note: Technical change made.**

~~CHAPTER 33.~~

~~COMMISSION ON UNEMPLOYMENT COMPENSATION.~~

Article 1.

Commission on Unemployment Compensation.

Drafting note: Existing Chapter 33, relating to the Commission on Unemployment Compensation, is retained as proposed Article 6 of Chapter 14.

§ ~~30-218~~ 30.1-xxx. Commission on Unemployment Compensation; purpose.

The Commission on Unemployment Compensation (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to annually monitor and evaluate Virginia's unemployment compensation system relative to the economic health of the Commonwealth.

Drafting note: Technical changes.

§ ~~30-219~~ 30.1-xxx. Membership; ~~terms; vacancies; chairman and vice chairman meetings.~~

A. The Commission shall ~~consist~~ have a total membership of 10 members that shall ~~include consist of~~ eight legislative members and two nonlegislative citizen members. Members shall be appointed as follows: ~~three members of the Senate, to be appointed by the Senate Committee on Rules; five~~

1. Five members of the House of Delegates, to be appointed by the Speaker of the House of Delegates ~~in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;~~

2. Three members of the Senate, to be appointed by the Senate Committee on Rules;
and ~~two~~

3. Two nonlegislative citizen members, one of whom shall be an employee stakeholder representative to be appointed by the Speaker of the House of Delegates and one of whom shall be an employer representative to be appointed by the Senate Committee on Rules.
~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.~~

~~Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.~~

~~Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Legislative and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.~~

B. The Commission shall meet at least two times each year.

§ 30-220. Quorum; meetings; voting on recommendations.

~~A majority of the members shall constitute a quorum. The Commission shall meet at least two times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to compensation and expenses, terms, vacancies, officers, quorums, and voting equalization are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language relating to meetings is updated to clarify a

55 difference from the provision of general application in proposed Chapter 11. Language
56 is updated for clarity and consistency and other technical changes are made, including the
57 insertion of subdivisions for clarity.

58 ~~§ 30-221. Compensation; expenses.~~

59 ~~Legislative members of the Commission shall receive such compensation as provided~~
60 ~~in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the~~
61 ~~performance of their duties as provided in § 2-2-2813. All members shall be reimbursed for all~~
62 ~~reasonable and necessary expenses incurred in the performance of their duties as provided in~~
63 ~~§§ 2-2-2813 and 2-2-2825. Compensation to members of the General Assembly for attendance~~
64 ~~at official meetings of the Commission shall be paid by the offices of the Clerk of the House of~~
65 ~~Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be~~
66 ~~paid from existing appropriations to the Commission or, if unfunded, shall be approved by the~~
67 ~~Joint Rules Committee.~~

68 **Drafting note: This section relating to compensation and expenses is proposed for**
69 **deletion because such provisions are consolidated and given general application in**
70 **proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in**
71 **this proposed Subtitle III (Legislative Commissions).**

72 ~~§ 30-222 30.1-xxx. Powers and duties of the Commission.~~

73 A. The Commission shall have the following powers and duties:

74 1. Evaluate the impact of existing statutes and proposed legislation on unemployment
75 compensation and the Unemployment Trust Fund;

76 2. Assess the Commonwealth's unemployment compensation programs and examine
77 ways to enhance effectiveness;

78 3. Monitor the current status and long-term projections for the Unemployment Trust
79 Fund; ~~and~~

80 4. ~~Report annually its findings and recommendations to the General Assembly and the~~
81 ~~Governor. Submit reports pursuant to 30.1-xxx[Chapter 11]; and~~

82 5. Perform such other duties, functions, and activities as may be necessary to facilitate
83 and implement the objectives of this article.

84 B. The Commission shall ~~also be responsible for monitoring the Virginia Employment~~
85 ~~Commission's management of the Commonwealth's unemployment insurance system by~~
86 monitoring the Virginia Employment Commission's following operations of the
87 Commonwealth's unemployment insurance system:

- 88 1. Key performance metrics related to unemployment insurance backlogs;
89 2. Efforts to identify, prevent, and recover incorrect unemployment insurance benefit
90 payments, including fraudulent payments;
91 3. Modernization of the unemployment insurance information technology system and
92 subsequent efforts to improve functionality;
93 4. Expenditures of state funds appropriated for unemployment insurance administration;
94 and
95 5. Implementation of recommendations from the 2021 Operations and Performance of
96 the Virginia Employment Commission report by the Joint Legislative Audit and Review
97 Commission.

98 C. The Commission shall ~~periodically~~ convene an advisory committee ~~composed at~~
99 least every five years. The advisory committee shall consist of an employer representative, an
100 employee representative, a labor economist, a finance expert, a labor law expert, and any other
101 stakeholders or subject matter experts deemed appropriate by the Commission for the following
102 purposes: ~~(i) to review UI~~

- 103 1. Review unemployment insurance benefits, replacement ratios, and reciprocity rates;
104 ~~(ii) to identify~~
105 2. Identify factors that affect ~~UI~~ unemployment insurance benefits and reciprocity, such
106 as design of ~~UI~~ unemployment insurance benefit calculations or ~~UI~~ unemployment insurance
107 eligibility criteria; ~~(iii) to assess~~

3. Assess the advantages and disadvantages of potential changes to benefits; and ~~(iv) to recommend~~

4. Recommend to the Commission options to change benefit levels when needed.

~~This advisory committee shall be established by December 1, 2022, and shall be convened at least every five years thereafter.~~

Drafting note: References to the undefined term "UI" are revised to "unemployment insurance" in subsection C. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-223 30.1-xxx.~~ Staffing.

~~The Administrative staff support shall be provided by the~~ Office of the Clerk of the Senate ~~or the Office of the Clerk of the~~ House of Delegates ~~shall provide administrative staff support or the Office of the Clerk of the Senate~~ as may be appropriate ~~in for~~ the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. ~~All agencies of the Commonwealth shall provide assistance to the Commission, upon request.~~

Drafting note: The general provision relating to agency assistance is proposed for deletion because the provision is given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language is updated for clarity and consistency.

~~§ 30-224. Chairman's executive summary of activity and work of the Commission.~~

~~The chairman shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: This section relating to a required annual report is proposed for deletion because the provision is given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~CHAPTER 37.~~

~~CHESAPEAKE BAY RESTORATION FUND ADVISORY COMMITTEE.~~

Article 2.

Chesapeake Bay Restoration Fund Advisory Committee.

Drafting note: Existing Chapter 37, relating to the Chesapeake Bay Restoration Fund Advisory Committee, is retained as proposed Article 2 of Chapter 14.

~~§ 30-256~~ § 30.1-xxx. Chesapeake Bay Restoration Fund Advisory Committee; purpose membership; terms; expenses; staff.

~~A. There~~ The Chesapeake Bay Restoration Fund Advisory Committee (the Committee) is ~~hereby~~ established in the legislative branch of state government ~~the Chesapeake Bay Restoration Fund Advisory Committee (the Committee)~~. The purpose of the Committee ~~shall~~ is to advise the General Assembly on the expenditure of moneys received in the Chesapeake Bay Restoration Fund ~~(the Fund)~~ created pursuant to § 46.2-749.2.

Drafting note: Existing § 30-256 is divided into four proposed sections and a purpose statement is added for consistency with other commissions established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to reflect the content of the proposed section. The term "hereby" is proposed for deletion as unnecessary. Technical changes are made to standardize language relating to legislative commissions.

§ 30.1-xxx. Membership.

~~B. The Committee shall consist of seven persons~~ have a total membership of seven members that shall include three legislative members and four nonlegislative citizen members. Members shall be appointed as follows: ~~two~~

1. Two members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~one~~

2. One member of the Senate to be appointed by the Senate Committee on Rules; ~~two~~

3. Two nonlegislative citizen members to be appointed by the Speaker of the House of Delegates, ~~one~~ of whom one shall be a representative of the Chesapeake Bay Foundation; and ~~two~~

4. Two nonlegislative citizen members to be appointed by the Senate Committee on Rules, ~~one~~ of whom one shall be a representative of the Virginia Association of Soil and Water Conservation Districts.

All persons appointed to the Committee shall ~~be representative of the~~ represent interests associated with the restoration and conservation of the Chesapeake Bay ~~and shall be citizens of the Commonwealth.~~

~~C.~~ Nonlegislative citizen members of the Committee shall serve for terms of four years. Legislative members shall serve terms coincident with their terms of office and may be reappointed for successive terms. ~~Appointments to fill vacancies shall be for the unexpired term and shall be made in the same manner as the original appointment.~~ Nonlegislative citizen members shall not be eligible to serve more than four consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

~~D. Members shall receive no compensation for their services, but shall be reimbursed out of the Fund for all reasonable and necessary expenses as provided in §§ 2.2-2813 and 2.2-2825 incurred in the performance of their duties. The Division of Legislative Services shall be reimbursed from the Fund for costs, as shall be approved by the Committee, incurred in providing administrative assistance to the Committee.~~

~~E. The Committee shall elect a chairman and vice chairman from among its legislative membership. A majority of the members of the Committee shall constitute a quorum. The~~

~~Committee shall meet at least one time each year, and additional meetings may be held at the call of the chairman chair.~~

Drafting note: Existing § 30-256 is divided into four proposed sections for consistency with other commissions established in this Subtitle III (Legislative Commissions). General provisions relating to terms, compensation and expenses, officers, meetings, and quorums are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III. The term "chairman" is updated to "chair" to modernize language. Language is updated for clarity and consistency and technical changes are made, including the insertion of subdivisions for clarity.

§ 30.1-xxx. Powers and duties of the Committee.

~~F.~~ The Committee shall ~~develop~~ have the following powers and duties:

1. Develop goals and guidelines for the use of the Chesapeake Bay Restoration Fund (the Fund) in accordance with the purposes of the ~~fund~~ Fund as provided in § 46.2-749.2. The uses of the Fund may include cooperative programs with, or project grants to, state agencies, the federal government, or any not-for-profit agency, institution, organization, or entity, public or private. Moneys in the Fund shall not be used to supplant existing general fund appropriations except as provided in subsection D ~~of § 46.2-749.2~~:

~~G. 2.~~ No later than November 15 of each year, ~~the Committee shall~~ present to the General Assembly and the Governor a plan for the expenditure of any amounts in the Fund:

3. Meet at least one time each year. Additional meetings may be held at the call of the chair; and

4. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the objectives of this article.

Drafting note: Existing § 30-256 is divided into four proposed sections for consistency with other commissions established in this proposed Subtitle III (Legislative

Commissions). For consistency with other commissions, (i) a reference to the general reporting requirement for legislative collegial bodies and (ii) language relating to other duties, functions, and activities are added to the Commission's powers and duties. Technical changes are made. Language relating to meetings is relocated from existing § 30-256 to proposed § 30.1-xxx.

§ 30.1-xxx. Staffing.

~~H. Staffing of the Committee shall be provided by the~~ The Office of the Clerk of the chair of the Committee shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Committee.

Drafting note: Existing § 30-256 is divided into four proposed sections for consistency with other commissions established in this Subtitle III (Legislative Commissions). Language relating to administrative staff support is added to ensure all necessary staffing information is included in proposed § 30.1-xxx. Language is updated for clarity and consistency and technical changes are made.

~~CHAPTER 43.~~

~~JOINT COMMISSION ON TRANSPORTATION ACCOUNTABILITY.~~

Article 3.

Joint Commission on Transportation Accountability.

Drafting note: Existing Chapter 43, relating to the Joint Commission on Transportation Accountability, is retained as proposed Article 2 of Chapter 13.

§ ~~30-282~~ 30.1-xxx. Joint Commission on Transportation Accountability ~~established;~~ ~~composition; terms; compensation and expenses; quorum; voting on recommendations~~ purpose.

~~There~~ The Joint Commission on Transportation Accountability (the Commission) is hereby established in the legislative branch of state government ~~the Joint Commission on Transportation Accountability.~~ The purpose of the Commission is to ensure that sums appropriated to state agencies for transportation purposes have been or are being expended for

the purposes for which they were made and to evaluate the effectiveness of programs in accomplishing such legislative intent.

§ 30.1-xxx. Membership.

The Commission shall have a total membership of 11 members that shall consist of ~~six~~ 10 legislative members and one ex officio member. Members shall be appointed as follows:

1. Six members of the House of Delegates, of whom at least three shall be members of the House Committee on Transportation, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates, ~~of whom at least three shall be members of the House Committee on Transportation;~~ ~~four~~

2. Four members of the Senate, of whom at least two shall be members of the Senate Committee on Transportation, to be appointed by the Senate Committee on Rules ~~of whom at least two shall be members of the Senate Committee on Transportation;~~ and ~~the~~

3. The Auditor of Public Accounts, who shall or his designee to serve ~~as a nonvoting~~ ex officio ~~member with nonvoting privileges.~~

~~Members shall serve terms coincident with their terms of office as members of the House of Delegates and the Senate. Members may be reappointed for successive terms.~~

~~Members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all their reasonable and necessary expenses incurred in the performance of their duties as members of the Commission. Funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission.~~

~~The Commission shall annually elect a chairman and a vice chairman from among its membership. Meetings of the Commission shall be held upon the call of the chairman or whenever the majority of the members so request. A majority of the members appointed to the Commission shall constitute a quorum.~~

Drafting note: This section is divided into two proposed sections and a purpose statement is added for consistency with other commissions established in this proposed Subtitle III (Legislative Commissions). The catchlines are updated to reflect the content of the sections. General provisions relating to terms, compensation and expenses, officers, meetings, and quorums are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III. Language is updated for clarity and consistency and technical changes are made, including the insertion of subdivisions for clarity.

§ ~~30-284~~ 30.1-xxx. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. ~~To make~~ Conduct performance reviews of operations of state agencies with transportation responsibilities to ~~ascertain~~ ensure that sums appropriated have been or are being expended for the purposes for which they were made and to evaluate the effectiveness of programs in accomplishing legislative intent;

2. ~~To study~~ Study, on a continuing basis, the operations, practices, and duties of state agencies with transportation responsibilities as they relate to efficiency in the use of space, personnel, equipment, and facilities;

3. ~~To retain~~ Retain such consultants and advisers as the Commission deems necessary to evaluate financial and project management of state agencies with transportation responsibilities;

4. ~~To make~~ Make such special studies of and reports on the operations and functions of state agencies with transportation responsibilities as ~~it~~ the Commission deems appropriate and as may be requested by the General Assembly;

5. ~~To review~~ Review actions of the Commonwealth Transportation Board; and

6. ~~To make~~ Make recommendations to the General Assembly on necessary transportation legislation.

Drafting note: The catchline is updated for consistency. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-283 30.1-xxx. Staff Staffing.~~

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates or the Office of the Clerk of the Senate as may be appropriate for the house ~~of the General Assembly of in~~ which the ~~Chairman~~ chair of the Commission ~~is a member serves~~. Legal The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission ~~shall be provided by the Division of Legislative Services~~. Technical assistance shall be provided by the Joint Legislative Audit and Review Commission upon request.

Drafting note: The catchline is updated for consistency. The term "Chairman" is updated to "chair" to modernize language. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-285. State agencies to furnish information and assistance.~~

~~All agencies of the Commonwealth, their staff, and employees shall provide the Commission with necessary information for the performance of its duties and afford the Commission's staff ample opportunity to observe agency operations.~~

Drafting note: This section relating to agency assistance is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-286. Payment of expenses of Commission.~~

~~The salaries, per diems, and other expenses necessary to the function of the Commission shall be payable from funds appropriated to the Commission.~~

Drafting note: This section relating to funding is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11

(General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~CHAPTER 47.~~

~~MEI PROJECT APPROVAL COMMISSION.~~

Article 4.

MEI Project Approval Commission.

Drafting note: Existing Chapter 47, relating to the MEI Project Approval Commission, is retained as proposed Article 4 of Chapter 14. General provisions relating to a quorum, terms, vacancies, officers, compensation and expenses, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ 30.1-xxx. Definitions.

As used in this article, unless the context indicates otherwise:

"MEI project" means the same as that term is defined in § 2.2-2260

"Nondiscretionary incentive" means a tax credit, tax exemption, or grant to which a taxpayer or applicant is entitled if he meets the statutory criteria required for the credit, exemption, or grant.

Drafting note: The definitions of "MEI project" and "nondiscretionary incentive" have been relocated from existing § 30-309 to proposed § 30.1-xxx (definitions) to conform to code conventions of placing definitions that apply article wide in a separate code section.

~~§ 30-309~~ § 30.1-xxx. MEI Project Approval Commission; ~~membership; terms; compensation and expenses; definition purpose.~~

A. The MEI Project Approval Commission (the Commission) is established ~~as an advisory commission~~ in the legislative branch of state government. The purpose of the Commission shall be to review financing for individual incentive packages, including ~~but not~~

~~limited to~~ packages offering tax incentives, for economic development, film, and episodic television projects (including ~~but not limited to~~ MEI projects) for which

(i) one or more of the incentives in the incentive package is not authorized under current law or an amendment by the General Assembly is being sought to one or more currently existing incentives included as part of the incentive package,

(ii) one of the incentives being sought includes a cash payment to a private sector business of more than \$3.5 million from any fund prior to any performance metrics being met by the proposed project, or

(iii) the aggregate amount of incentives to be provided by the Commonwealth in the incentive package including discretionary grants, general or nongeneral funds, proceeds from bonds, rights to lease property at below fair market value, or any other incentives from the Commonwealth is in excess of \$10 million in value.

Except for the value of any sales tax exemption available pursuant to subdivision 18 of § 58.1-609.3 or tax credit available pursuant to § 58.1-439.12:03, the value of any existing nondiscretionary incentives shall not be considered in calculating whether the incentives are in excess of \$10 million in value, and no review shall be required for a project if the only incentives to be provided to a potential project are nondiscretionary incentives.

§ 30.1-xxx. Membership.

B. The Commission shall ~~consist~~ have a total membership of 14 members that shall consist of 12 legislative members and four ex officio, nonvoting members, as follows:

1. seven Seven members of the House Committee on Appropriations or the House Committee on Finance appointed by the chair of the House Committee on Appropriations ~~and~~.

2. five Five members of the Senate Committee on Finance and Appropriations appointed by the chair of the Senate Committee on Finance and Appropriations. ~~In addition, the~~

3. Two ex officio, nonvoting members, as follows:

a. The ~~Secretaries~~ Secretary of Finance, and

b. The Secretary of Commerce and Trade shall serve as ex officio, nonvoting members of the Commission.

C. Members shall serve terms coincident with their terms of office. Vacancies for unexpired terms shall be filled in the same manner as the original appointments. Members may be reappointed for successive terms.

D. The members of the Commission shall elect a chairman and vice chairman annually. A majority of the voting members of the Commission shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

E. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative members shall receive such compensation as provided in § 2-2 2813.

F. As used in this chapter, "MEI project" means the same as that term is defined in § 2-2 2260, and "nondiscretionary incentive" means a tax credit, tax exemption, or grant to which a taxpayer or applicant is entitled if he meets the statutory criteria required for the credit, exemption, or grant.

Drafting note: Existing § 30-309 is divided into two proposed sections to separate two distinct topics. General provisions relating to terms, compensation and expenses, officers, meetings, quorums, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The phrase "advisory commission" is deleted as unnecessary. Here and in other proposed sections, "but not limited to" or similar language is removed when using the term "including" on the basis of § 1-218, which states that throughout the Code "'Includes' means includes, but not limited to." The definitions of "MEI project" and "nondiscretionary incentive" have been relocated from existing § 30-309 to proposed § 30.1-xxx (definitions) to conform to code conventions of placing

definitions that apply article wide in a separate code. Technical changes are made to standardize language related to legislative commissions.

~~§ 30-310~~ 30.1-xxx. Review of incentive packages.

A. ~~1.~~ The Commission shall review individual incentive packages, including:

~~but not limited to~~

~~1. packages~~ Packages offering tax incentives, for economic development, film, and episodic television projects (including ~~but not limited to~~ MEI projects) for which

(i) one or more of the incentives in the incentive package is not authorized under current law or an amendment by the General Assembly is being sought to one or more currently existing incentives included as part of the incentive package,

(ii) one of the incentives being sought includes a cash payment to a private sector business of more than \$3.5 million from any fund prior to any performance metrics being met by the proposed project, or

(iii) the aggregate amount of incentives to be provided by the Commonwealth in the incentive package including discretionary grants, general or nongeneral funds, proceeds from bonds, rights to lease property at below fair market value, or any other incentives from the Commonwealth is in excess of \$10 million in value.

Except for the value of any sales tax exemption available pursuant to subdivision 18 of § 58.1-609.3 or tax credit available pursuant to § 58.1-439.12:03, the value of any existing nondiscretionary incentives shall not be considered in calculating whether the incentives are in excess of \$10 million in value, and no review shall be required for a project if the only incentives to be provided to a potential project are nondiscretionary incentives.

~~2. The Commission shall also review economic~~ Economic development projects in which a business relocates or expands its operations in one or more ~~Virginia~~ localities in the Commonwealth and simultaneously closes its operations or substantially reduces the number of its employees in another ~~Virginia~~ locality in the Commonwealth if the aggregate amount of incentives to be provided by the Commonwealth in the incentive package including

discretionary grants, general or nongeneral funds, proceeds from bonds, rights to lease property at below fair market value, or any other incentives from the Commonwealth is in excess of \$2.5 million in value.

(i) The Commission shall recommend approval or denial of such packages and projects to the General Assembly.

(ii) Factors that shall be considered by the Commission in its review shall include ~~but not be limited to:~~

- (a) return on investment,
- (b) the time frame for repayment of incentives to the Commonwealth,
- (c) average wages of the jobs created by the prospective MEI project or other economic development project,
- (d) the amount of capital investment that is required, and
- (e) the need for enhanced employment opportunities in the prospective location of the prospective MEI project or other economic development project.

~~2. a.B.~~ Any time a proposed individual incentive package is to be considered by the Commission, ~~materials outlining the following information shall be provided to the staff of the House Committee on Appropriations and Senate Committee on Finance and Appropriations not less than five business days prior to the scheduled Commission meeting:~~

- (i) the value of the proposed incentives;
- (ii) assumed return on investment;
- (iii) the time frame for repayment of incentives to the Commonwealth;
- (iv) average wages of the jobs created by the prospective economic development, film, or episodic television project;
- (v) the amount of capital investment that is required;
- (vi) the need for enhanced employment opportunities in the prospective location of the prospective economic development, film, or episodic television project;

(vii) the total amount of state incentives received by the sponsor of the economic development, film, or episodic television project in the past; and

(viii) a list of all other existing, nondiscretionary incentives for which the sponsor of the economic development, film, or episodic television project may qualify ~~shall be provided to the staff of the House Committee on Appropriations and Senate Committee on Finance and Appropriations not less than five business days prior to the scheduled Commission meeting.~~

Staff shall also be provided with an aggregate list of all discretionary incentives currently committed by the Commonwealth for the next 10 years, including anticipated requests for appropriations to satisfy such commitments during that time.

~~b.C.~~ The timing of any request for an endorsement of a proposed individual incentive package should be scheduled so that the MEI Commission could, at its discretion, have up to seven days subsequent to the presentation of the incentive package prior to endorsing or rejecting such proposal.

~~e.D.~~ State agencies, localities, authorities, or other political subdivisions of the Commonwealth that have significant involvement in a proposed individual incentive package in terms of providing facilities or regulatory support to a project or in developing the proposed individual incentive package shall review the materials required by ~~subdivision 2 subsection B~~ and certify the accuracy of such materials prior to consideration by the Commission.

~~B.E.~~ An affirmative vote by four of the seven members of the Commission from the House of Delegates and three of the five members of the Commission from the Senate shall be required to endorse any incentive package, including ~~but not limited to~~ packages offering tax incentives, for economic development, film, and episodic television projects (including ~~but not limited to~~ MEI projects) for which:

(i) one or more of the incentives in the incentive package is not authorized under current law or an amendment by the General Assembly is being sought to one or more currently existing incentives included as part of the incentive package,

(ii) one of the incentives being sought includes a cash payment to a private sector business of more than \$3.5 million from any fund prior to any performance metrics being met by the proposed project, or

(iii) the aggregate amount of incentives to be provided by the Commonwealth in the incentive package including discretionary grants, general or nongeneral funds, proceeds from bonds, rights to lease property at below fair market value, or any other incentives from the Commonwealth is in excess of \$10 million in value.

Except for the value of any sales tax exemption available pursuant to subdivision 18 of § 58.1-609.3 or tax credit available pursuant to § 58.1-439.12:03, the value of any existing nondiscretionary incentives shall not be considered in calculating whether the incentives are in excess of \$10 million in value.

Such vote shall also be required to endorse any economic development project in which a business relocates or expands its operations in one or more ~~Virginia~~ localities in the Commonwealth and simultaneously closes its operations or substantially reduces the number of its employees in another ~~Virginia~~ locality in the Commonwealth if the aggregate amount of incentives to be provided by the Commonwealth in the incentive package including discretionary grants, general or nongeneral funds, proceeds from bonds, rights to lease property at below fair market value, or any other incentives from the Commonwealth is in excess of \$2.5 million in value. However, no vote shall be required for a project if the only incentives to be provided to a potential project are nondiscretionary incentives available to any qualified taxpayer under existing law.

Drafting note: Here and in other proposed sections, "but not limited to" or similar language is removed when using the term "including" on the basis of § 1-218, which states that throughout the Code "'Includes' means includes, but not limited to." "Virginia" is replaced with "the Commonwealth" to conform with code conventions of referring to "Virginia" as "the Commonwealth" when feasible. Language is updated for clarity and

consistency and technical changes are made, including the insertion of subdivisions for clarity.

§ ~~30-310.1~~ 30.1-xxx. Review of tax financing projects.

In addition to the required review of certain incentive packages pursuant to § ~~30-310~~ 30.1-xxx, the Commission may, in its discretion, also review potential economic development projects presented by private sector businesses or state authorities which would be financed through entitlements to sales taxes or through personal or corporate income tax incentives or modifications. The Commission shall not be required to endorse or recommend any such project but may include recommendations in its annual report prepared pursuant to § ~~30-312~~ 30.1-xxx.

Drafting note: Technical changes, including updating cross-references, are made.

§ ~~30-311~~ 30.1-xxx. Staff; cooperation from other state agencies.

Administrative staff support shall be provided by the staffs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations. Additional assistance as needed shall be provided by the Auditor of Public Accounts, the Division of Legislative Services, the Virginia Economic Development Authority, or the Virginia Public Building Authority.

Drafting note: No changes.

§ ~~30-312~~ 30.1-xxx. Commission report to General Assembly.

A. The ~~chairman~~ chair of the Commission shall report annually by the first day of each General Assembly Regular Session on all endorsed incentive packages for which an offer has been made and publicly announced.

B. Staff identified in § ~~30-311~~ 30.1-xxx shall assist the commission in preparing such report, which shall contain the following information:

- (i) the industrial sector of the MEI project or other economic development project,
- (ii) known competitor states,
- (iii) employment creation and capital investment expectations,
- (iv) anticipated average annual wage of the new jobs,

(v) local and state returns on investment as prepared by the Virginia Economic Development Partnership Authority,

(vi) expected time frame for repayment of the incentives to the Commonwealth in the form of direct and indirect general tax revenues,

(vii) details of the proposed incentive package, including the breakdown of the components into various uses and an expected timeline for payments, and

(viii) draft legislation or amendments to the Appropriation Act that propose financing for the endorsed incentive package through the Virginia Public Building Authority or any other proposed funding or financing mechanisms.

C. To assist in the preparation of the report, the draft legislation or amendments referred to in clause (viii) shall be submitted to the staffs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than December 15 each year.

Drafting note: Technical changes, including the insertion of subdivisions for clarity and updating cross-references, are made. The term "Chairman" is updated to "chair" to modernize language.

~~CHAPTER 52.~~

~~JOINT SUBCOMMITTEE TO EVALUATE TAX PREFERENCES.~~

Article 5.

Joint Subcommittee to Evaluate Tax Preferences.

Drafting note: Existing Chapter 52, relating to the Joint Subcommittee to Evaluate Tax Preferences, is retained as proposed Article 3 of Chapter 13.

§ ~~30-336~~ 30.1-xxx. Joint Subcommittee to Evaluate Tax Preferences; purpose.

The Joint Subcommittee to Evaluate Tax Preferences (the Joint Subcommittee) is established in the legislative branch of state government. The purpose of the Joint Subcommittee is to oversee the evaluation of ~~Virginia's~~ the Commonwealth's tax preferences, including ~~but not limited to~~ tax credits, deductions, subtractions, exemptions, and exclusions.

Drafting note: Technical changes are made, including removing the phrase "but not limited to" pursuant to § 1-218, which states that throughout the Code "'Includes' means includes, but not limited to."

~~§ 30-337 30.1-xxx. Membership; terms; vacancies; chairman and vice chairman; quorum; meetings; compensation.~~

The Joint Subcommittee shall ~~have a total membership~~ consist of 14 legislative members ~~that shall consist of eight members of the House of Delegates and six members of the Senate~~. Members shall be appointed as follows: ~~eight~~

1. Eight members of the House of Delegates, ~~of which six shall be members of the House Committee on Finance and two shall be members of the House Committee on Appropriations~~ to be appointed by the Speaker of the House of Delegates, of whom six shall be members of the House Committee on Finance and two shall be members of the House Committee on Appropriations, upon the recommendation of the ~~Chairman~~ Chair of the House Committee on ~~Appropriations~~ Finance and the ~~Chairman~~ Chair of the House Committee on ~~Finance~~ Appropriations, respectively; and ~~six~~

2. Six members of the Senate to be appointed by the Senate Committee on Rules, who shall also be members of the Senate Committee on Finance and Appropriations, upon the recommendation of the ~~Chairman~~ Chair of the Senate Committee on Finance and Appropriations.

~~Members shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Members may be reappointed. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Joint Subcommittee shall elect a chairman and vice chairman from among its membership.~~

~~A majority of the members shall constitute a quorum. The meetings of the Joint Subcommittee shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Joint Subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Joint Subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Joint Subcommittee.~~

~~Members of the Joint Subcommittee shall receive such compensation and shall be reimbursed for reasonable and necessary expenses as provided in the general appropriation act.~~

Drafting note: The catchline is updated to more accurately reflect the content of the section as amended. The term "Chairman" is updated to "Chair" to modernize language. In subdivision 2, a substantive change is made to align Joint Subcommittee membership with apparent legislative intent. General provisions relating to terms, vacancies, officers, quorums, meetings, voting equalization, and compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language is updated for clarity and consistency and technical changes are made, including the insertion of subdivisions for clarity.

§ ~~30-338~~ 30.1-xxx. Powers and duties of the Joint Subcommittee; ~~staffing; reports~~.

The Joint Subcommittee shall have the following powers and duties:

1. Undertake a systematic review of ~~Virginia's~~ the Commonwealth's tax preferences;
2. Adopt a schedule for reviewing tax preferences based upon program areas to which the preferences relate;
3. Establish procedures and performance measures to evaluate the effectiveness of tax preferences;
4. Request that the Governor direct Department of Taxation staff conduct independent evaluations of tax preferences in promoting economic activity, generating revenue, or otherwise achieving ~~their~~ the tax preference's intended policy purpose and report the findings to the Joint Subcommittee;

5. Recommend a process and guidelines for establishing expiration dates for tax preferences; and

6. Submit an annual report to the General Assembly and the Governor of ~~its~~ the Joint Subcommittee's recommendations, including which tax preferences should be continued, expanded, modified, or eliminated.

§ 30.1-xxx. Staffing; technical advisory group.

~~The Joint Subcommittee is authorized to establish a technical advisory group to assist the work of the Joint Subcommittee and Department of Taxation staff by providing additional guidance and reviewing evaluations conducted by the Department. The technical advisory group shall include individuals with tax policy or economic expertise and legislative staff.~~

A. Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. ~~Legal~~ The Division of Legislative Services shall provide legal, research, policy analysis, and other services requested by the Joint Subcommittee ~~shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the~~ The staffs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations shall provide technical assistance.

~~The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Joint Subcommittee no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

B. The Joint Subcommittee is authorized to establish a technical advisory group to assist the work of the Joint Subcommittee and Department of Taxation staff by providing additional guidance and reviewing evaluations conducted by the Department of Taxation. The technical advisory group shall include individuals with tax policy or economic expertise and legislative staff.

Drafting note: This section is divided into two proposed sections to separate two distinct topics. The catchlines are updated to reflect the content of the sections. The Commission's reporting requirement is proposed for deletion because such requirements are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). The provisions relating to staffing are reordered to appear before the provisions relating to the technical advisory group for consistency. Language is updated for clarity and consistency and other technical changes are made.

~~CHAPTER 53.~~

~~HEALTH INSURANCE REFORM COMMISSION.~~

Article 6.

Health Insurance Reform Commission.

Drafting note: Existing Chapter 53, relating to the Health Insurance Reform Commission, is retained as proposed Article 6 of Chapter 14. General provisions relating to a quorum, terms, vacancies, officers, compensation and expenses, and agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

§ 30.1-xxx. Definitions.

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

"Applicable agency" means the governmental agency that in accordance with applicable federal rules is responsible for identifying state-mandated benefits that are in addition to the essential health benefits.

"Bureau" means the Bureau of Insurance of the State Corporation Commission.

"Essential health benefits benchmark plan" or "benchmark plan" has the same meaning as "EHB-benchmark plan" provided in 45 C.F.R. § 156.20.

"Mandated health insurance benefit or provider" has the same meaning as "state-mandated health benefit" provided in § 38.2-3406.1.

Drafting note: The definitions of "applicable agency", "mandated health insurance benefit or provider", "bureau", and "essential health benefits benchmark plan" have been relocated from existing §§ 30-343 and 30-343.1 to proposed § 30.1-xxx (definitions) to conform to code conventions of placing definitions that apply article wide in a separate code.

~~§ 30-339~~ 30.1-xxx. Health Insurance Reform Commission ~~established; membership; terms purpose.~~

~~A.~~ The Health Insurance Reform Commission (the Commission) is established in the legislative branch of state government. The purposes of the Commission are to (i) monitor the implementation of the federal Patient Protection and Affordable Care Act (the Act); (ii) assess proposed mandated health insurance benefits and providers; (iii) develop recommendations to increase access to health insurance coverage; (iv) ensure that the costs to business and individual purchasers of health insurance coverage are reasonable; and (v) encourage a robust market for health insurance products in the Commonwealth.

§ 30.1-xxx. Membership.

~~B.~~ The Commission shall consist of 12 members that include 10 legislative members and two nonvoting ex officio members as follows:

The Speaker of the House of Delegates shall appoint the following members, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates:

1. ~~four~~ Four members of the House Committee on Labor and Commerce; and
2. ~~one~~ One member of the House Committee on Appropriations ~~appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;~~

The Senate Committee on Rules shall appoint the following members:

693 1. ~~four~~ Four members of the Senate Committee on Commerce and Labor; and
694 2. ~~one~~ One member of the Senate Committee on Finance and Appropriations ~~appointed~~
695 ~~by the Senate Committee on Rules; and.~~

696 Two ex officio, nonvoting members:

697 1. ~~the~~ The Secretary of Health and Human Resources, or their designees; and ~~the~~
698 2. The Commissioner of Insurance, or their designees.

699 ~~C. Members of the Commission shall serve terms coincident with their terms of office.~~
700 ~~Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired~~
701 ~~terms. Vacancies shall be filled in the same manner as the original appointments. All members~~
702 ~~may be reappointed.~~

703 ~~D. The Commission annually shall elect a chairman and vice chairman from among its~~
704 ~~membership, who shall be members of the General Assembly.~~

705 **Drafting note: Existing § 30-339 is divided into two proposed sections to separate**
706 **two distinct topics. Language from the Health Insurance Reform Commission website**
707 **relating to the purpose of the commission has been added to proposed § 30.1-xxx because**
708 **existing § 30-339 does not include a commission purpose. General provisions relating to**
709 **terms and officers are proposed for deletion because such provisions are consolidated and**
710 **given general application in proposed Chapter 11 (General Provisions) to all legislative**
711 **collegial bodies established in this proposed Subtitle III (Legislative Commissions).**
712 **Language is updated for clarity and consistency and other technical changes are made.**

713 ~~§ 30-340. Quorum; meetings; voting on recommendations.~~

714 ~~A. A majority of the members shall constitute a quorum. The meetings of the~~
715 ~~Commission shall be held at the call of the chairman or whenever the majority of the members~~
716 ~~so request.~~

717 ~~B. No recommendation of the Commission shall be adopted if a majority of the Senate~~
718 ~~members or a majority of the House members appointed to the Commission (i) vote against the~~

~~recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to meetings and quorums are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-341. Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the compensation and costs of expenses of members shall be provided by the State Corporation Commission.~~

Drafting note: General provisions relating to compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-342~~ 30.1-xxx. Powers and duties.

The Commission shall have the following powers and duties:

1. Monitor the work of appropriate federal and state agencies in implementing the provisions of the federal Patient Protection and Affordable Care Act (the Act), including amendments ~~thereto~~ and regulations ~~promulgated~~ adopted thereunder;

2. Receive information provided to the Commission pursuant to ~~§ 30-343~~ 30.1-xxx and, on the basis of such information, assess the implications of the Act's implementation on residents of the Commonwealth, businesses operating within the Commonwealth, and the general fund of the Commonwealth;

3. Consider the development of a comprehensive strategy for implementing health reform in ~~Virginia~~ the Commonwealth, including recommendations for innovative health care

solutions independent of the approach embodied in the Act that meet the needs of ~~Virginia's~~ the Commonwealth's citizens and government by creating an improved health system that will serve as an economic driver for the Commonwealth while allowing for more effective and efficient delivery of high quality care at lower cost;

4. Receive periodic reports from the Bureau of Insurance of the State Corporation Commission (the Bureau) pursuant to § ~~30-343~~ 30.1-xxx and recommend, in accordance with the provisions of § ~~30-343.1~~ 30.1-xxx, health benefits required to be included within the scope of the essential health benefits provided under health insurance products offered in the Commonwealth, including any benefits that are not required to be provided by the terms of the Act;

5. Upon request of the ~~Chairman~~ chair of the House Committee on Labor and Commerce or Senate Committee on Commerce and Labor, assess proposed mandated benefits and providers as provided in § ~~30-343~~ 30.1-xxx and recommend whether, on the basis of such assessments, mandated benefits and providers be providers under health care plans offered through a health benefit exchange, outside a health benefit exchange, neither, or both;

6. Conduct other studies of mandated benefits and provider issues as requested by the General Assembly; ~~and~~

7. Develop such recommendations as may be appropriate for legislative and administrative consideration in order to increase access to health insurance coverage, ensure that the costs to business and individual purchasers of health insurance coverage are reasonable, and encourage a robust market for health insurance products in the Commonwealth; ~~and~~

8. Submit reports pursuant to 30.1-xxx[CHAP 11].

Drafting note: The term "Chairman" is updated to "chair" to modernize language. The term "regulations promulgated" is changed to "regulations adopted" in keeping with recent title revisions because "adopt" is more widely used and includes the promulgation process. The term "Virginia" is replaced with "the Commonwealth" to conform with code conventions of referring to "Virginia" as "the Commonwealth" when

feasible. The terms "thereto" and "hereunder" are deleted as unnecessary. Language regarding submitting reports is added as a duty. Technical changes, including updating code cross-references, are made.

~~§ 30-343~~ 30.1-xxx. Standing committees to request Commission assessment.

A. Whenever a legislative measure containing a mandated health insurance benefit or provider is proposed that is not identical or substantially similar to a legislative measure previously reviewed by the Commission within the three-year period immediately preceding the then-current session of the General Assembly, the Chair of the House Committee on Labor and Commerce or Senate Committee on Commerce and Labor having jurisdiction over the proposal shall (i) request that the Commission assess the proposal and (ii) send a copy of such request to the Bureau of Insurance of the State Corporation Commission (the Bureau).

B. The Commission shall be given a period of 24 months to complete and submit its assessment on each such request. A report summarizing the Commission's assessment shall be forwarded to the ~~chairman~~ chair of the standing committee that requested the assessment. ~~For the purposes of this section, "mandated health insurance benefit or provider" has the same meaning as "state-mandated health benefit" provided in § 38.2-3406.1.~~

B.C. Upon receipt of a copy of such a request, the Bureau shall prepare an analysis of the extent to which the proposed mandate is currently available under qualified health plans in the Commonwealth and advise the Commission as to whether the applicable agency has determined or would likely determine, in accordance with applicable federal rules, that the proposed mandate exceeds the scope of the essential health benefits. The Bureau's analysis shall be advisory only and not binding upon the Commission, the Bureau, the State Corporation Commission, or any other parties. ~~As used in this section, "applicable agency" means the governmental agency that in accordance with applicable federal rules is responsible for identifying state-mandated benefits that are in addition to the essential health benefits.~~

D. If the applicable federal rules require an agency of the Commonwealth to identify the state-mandated benefits that are in addition to the essential health benefits but do not identify

a specific agency that is responsible for making such identification, the Bureau shall be the applicable agency.

E. Following the Bureau's analysis, the Commission shall determine if the proposed mandate shall be (i) considered as part of an essential health benefits benchmark plan review in accordance with the provisions of § ~~30-343.1~~ 30.1-xxx, (ii) assessed jointly by the Bureau and the Joint Commission on Health Care in accordance with subsection ~~C.F.~~, or (iii) considered in another manner by the Commission.

~~C.F.~~ Upon request of the Commission, the Bureau and the Joint Commission on Health Care shall jointly assess the social and financial impact and the medical efficacy of the proposed mandate, which assessment shall include an estimate of the effects of enactment of the proposed mandate on the costs of health coverage in the Commonwealth, including any estimated additional costs that the Commonwealth may be responsible for pursuant to § 1311(d)(3)(B) of the federal Patient Protection and Affordable Care Act should the proposed mandate ultimately be determined by the applicable agency to be a benefit that exceeds the scope of the essential health benefits. Upon completion of the assessment by the Bureau and the Joint Commission on Health Care, the Commission may make a recommendation regarding its support of or opposition to the enactment of the proposed mandate. The Commission's recommendation may address whether the proposed mandate should be provided under health care plans offered through a health benefit exchange or outside a health benefit exchange.

The Commission shall be given a period of 24 months to complete and submit its assessment on each such request. A report summarizing the Commission's study shall be forwarded to the Governor and the General Assembly.

~~D.F.~~ Whenever a legislative measure containing a mandated health insurance benefit or provider is identical or substantially similar to a legislative measure previously reviewed by the Commission within the three-year period immediately preceding the then-current session of the General Assembly, the standing committee may request the Commission to study the measure as provided in subsection A.

Drafting note: The term "Chairman" is updated to "chair" to modernize language. Technical changes, including updating code cross-references and re-lettering code sections, are made. Language is updated for clarity and consistency and technical changes are made, including the insertion of subdivisions for clarity. The definitions of "applicable agency" and "mandated health insurance benefit or provider" have been relocated from existing § 30-343 to proposed § 30.1-xxx (definitions) to conform to code conventions of placing definitions that apply article wide in a separate code.

~~§ 30-343.1~~ 30.1-xxx. Review of essential health benefits benchmark plan.

~~A. As used in this section:~~

~~"Bureau" means the Bureau of Insurance of the State Corporation Commission.~~

~~"Essential health benefits benchmark plan" or "benchmark plan" has the same meaning as "EHB benchmark plan" provided in 45 C.F.R. § 156.20.~~

~~B.~~ The Commission, in coordination with the Bureau, shall conduct a review of the essential health benefits benchmark plan in 2025 and every five years thereafter in accordance with 45 C.F.R. § 156.111 and this ~~section~~ article.

~~C.B.~~ Prior to any review year, the Bureau shall convene a work group of relevant stakeholders to discuss and make recommendations regarding any potential changes to the benchmark plan. Members of the work group shall possess demonstrated and acknowledged expertise in health benefit plan design, actuarial science, population health, patient advocacy, or advocating for or assisting enrollees in individual or small group health coverage.

C. Factors the work group shall consider include:

(i) coverage denial rates of benefits that are not covered under the current benchmark plan;

(ii) the utilization of mandated benefits;

(iii) the projected impact of a proposed mandate on the prevalence of medical need, the urgency of such medical need, and any disproportionate disease burden borne by different subpopulations;

(iv) the projected cost of each proposed mandate; and

(v) other data as determined by the work group.

~~Additionally, for~~D. For any ~~referred~~ legislation ~~the Commission has chosen to be~~ considered in the benchmark plan review, the Bureau shall complete an assessment of such legislation that includes an estimate of the effects of including the proposed mandate as part of the benchmark plan on the costs of health coverage in the Commonwealth. The Bureau shall submit the findings and any recommendations of the work group and any assessments of proposed mandates to the Commission by March 31 of the review year.

~~D.E.~~ By June 30 of any review year, the Commission shall determine if an application will be made for a change to the benchmark plan and shall identify any potential benefit changes to the benchmark plan for further analysis.

In making its determination and identifying any potential benefit changes, the Commission may consider

(i) the findings and recommendations of the work group,

(ii) any referred legislation the Commission has chosen to be considered in the benchmark plan review and the Bureau's assessment of such legislation, and

(iii) public comment.

If the Commission determines that an application will be made for a change to the benchmark plan, the Commission shall identify any potential benefit changes for further analysis.

~~E.F.~~ The Bureau shall conduct an actuarial analysis of any benefit changes identified by the Commission and present such analysis to the Commission by September 30 of such review year.

~~F.G.~~ By December 31 of any review year, the Commission shall determine which, if any, potential benefit changes shall be included in a new benchmark plan. The Commission shall make a recommendation to the General Assembly in the form of a bill that directs the

Bureau to select a new benchmark plan that includes any such changes at the next regular session of the General Assembly.

G.H. During the review year, the Commission shall conduct public hearings to solicit feedback from consumers and other interested parties regarding any potential benefit changes to the benchmark plan. At least two public hearings shall be held prior to the Commission's determination required by subsection D. If the Commission has determined that an application for a new benchmark plan will be made for a change to the benchmark plan, at least two additional public hearings shall be held prior to selection of a new benchmark plan required by subsection F. Such hearings shall be adequately advertised and planned and shall include an opportunity for the public to participate both in-person and remotely.

H.I. The Bureau shall establish and maintain a website to convey relevant information to the public related to any benchmark plan review.

Drafting note: The definitions of "bureau" and "essential health benefits benchmark plan" have been relocated from existing § 30-343.1 to proposed § 30.1-xxx (definitions) to conform to code conventions of placing definitions that apply article wide in a separate code. The term "referred" and the phrase "the Commission has chosen to be" are deleted as unnecessary. Technical changes, including re-lettering subsections, are made.

~~§ 30-344~~ 30.1-xxx. Staffing.

Administrative staff support for the Commission shall be provided by the Office of the Clerk of the Senate or the Office of Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. The Bureau of Insurance of the State Corporation Commission and such other state agencies as may be considered appropriate by the Commission shall provide staff assistance to the Commission ~~All agencies of the Commonwealth shall provide assistance to the Commission, upon request.~~

Drafting note: The term "Chairman" is updated to "chair" to modernize language. The general provision relating to agency assistance is proposed for deletion because the provision is given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-345. Chairman's executive summary of activity and work of the Commission.~~

~~The chairman of the Commission shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: The general provision relating to a required annual report is proposed for deletion because the provision is given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-346. Repealed.~~

~~Repealed by Acts 2017, c. 485, cl. 2.~~

Drafting note: Repealed by Acts 2017, c. 485, cl. 2.

~~CHAPTER 42.~~

~~PUBLIC-PRIVATE PARTNERSHIP ADVISORY COMMISSION.~~

Article 7.

Public-Private Partnership Advisory Commission.

Drafting note: Certain provisions of existing Chapter 42 (§§ 30-278 through 30-281), establishing the Public-Private Partnership Advisory Commission, are retained as proposed Article 7 of Chapter 14.

~~§ 30-278~~ 30.1-xxx. Definitions.

934 As used in this ~~chapter~~ article:

935 ~~"Commission" means the Public-Private Partnership Advisory Commission.~~

936 "Comprehensive agreement" means the same as the term is defined in the Public-Private
937 Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.).

938 "Detailed proposal" means a proposal accepted by a responsible public entity beyond a
939 conceptual level of review and at which time issues such as fixing costs, payment schedules,
940 financing, deliverables, and project schedule are defined.

941 "Interim agreement" means the same as the term is defined in the Public-Private
942 Education Facilities and Infrastructure Act of 2002.

943 "Qualifying project" means the same as that term is defined in the Public-Private
944 Education Facilities and Infrastructure Act of 2002.

945 "Responsible public entity" means a public entity that is an agency or institution of the
946 Commonwealth and that has the power to develop or operate a qualifying project.

947 **Drafting note: The definition of "commission" is deleted as unnecessary.**

948 § ~~30-279~~ 30.1-xxx. Public-Private Partnership Advisory Commission~~—established;~~
949 ~~membership; terms; compensation; staff; quorum purpose.~~

950 A. The Public-Private Partnership Advisory Commission (the Commission) is
951 established ~~as an advisory commission~~ in the legislative branch. The purpose of the
952 Commission ~~shall be~~ is to advise responsible public entities that are agencies or institutions of
953 the Commonwealth on proposals received pursuant to the Public-Private Education Facilities
954 and Infrastructure Act of 2002 (§ 56-575.1 et seq.).

955 **Drafting note: Existing § 30-279 has been divided into three separate code sections**
956 **(proposed §§ 30.1-xxx through 30.1-xxx) to conform to standard language related to**
957 **legislative commissions, which sets out separate code sections for commission purpose,**
958 **membership, and staffing. Technical changes, including updating the catchline to**
959 **properly reflect the contents of the code section, are made to conform.**

960 § 30.1-xxx. Membership.

~~B. A.~~ The Commission shall consist of 11 members, ~~including that includes~~ eight legislative members, ~~and three ex officio members.~~

~~B. Members shall be appointed~~ as follows:

~~The Speaker of the House of Delegates shall appoint the following members:~~

~~(i) 1. the The~~ Chair of the House Committee on Appropriations or his designee; and

~~2. four Four~~ members of the House of Delegates ~~appointed by the Speaker of the House,~~

~~The Senate Committee on Rules shall appoint the following members:~~

~~(ii) 1. the The~~ Chair of the Senate Committee on Finance and Appropriations or his designee; and

~~2. two Two~~ members of the Senate ~~appointed by the Senate Committee on Rules, and.~~

~~The Governor shall appoint the following ex officio members:~~

~~(iii) 1. three Three~~ Secretaries as defined in § 2.2-200 ~~to be appointed by the Governor to serve ex officio.~~

~~C.~~ Legislative members shall serve on the Commission until the expiration of their terms of office or until their successors shall qualify. Executive branch agency members shall serve only as long as they retain their positions.

~~C. The members of the Commission shall elect from among the legislative membership a chairman and a vice chairman who shall serve for two year terms. The Commission shall hold meetings quarterly or upon the call of the chairman. A majority of the Commission shall constitute a quorum.~~

~~D. Members of the Commission shall receive no compensation for their services but shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813, 2.2-2825, and 30-19.12, as appropriate.~~

Drafting note: Existing § 30-279 has been divided into three separate code sections (proposed §§ 30.1-xxx through 30.1-xxx) to conform to standard language related to legislative commissions, which sets out separate code sections for commission purpose, membership, and staffing. General provisions regarding membership, quorum and voting

requirements, and compensation that apply to all legislative commissions have been stricken and are retained in proposed Chapter 11 (General Provisions). Technical changes are made to standardize language related to legislative commissions.

§ 30.1-xxx. Staffing.

~~E.~~ Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, and policy analysis services to the Commission. Technical assistance shall be provided by the staffs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations and the Auditor of Public Accounts. Additional assistance as needed shall be provided by the Department of General Services.

~~F.~~ A copy of the proceedings of the Commission shall be filed with the Division of Legislative Services.

Drafting note: Existing § 30-279 has been divided into three separate code sections (proposed §§ 30.1-xxx through 30.1-xxx) to conform to standard language related to legislative commissions, which sets out separate code sections for commission purpose, membership, and staffing.

~~§ 30-280 30.1-xxx. Submission by responsible public entities of detailed proposals for qualifying projects; exclusion of certain qualifying projects; review of detailed proposals; copies of interim and comprehensive agreements to be provided Powers and duties of the Commission.~~

A. The Commission shall have the following powers and duties:

B. Review accepted detailed proposals and provide findings and recommendations to the responsible public entity. Such findings and recommendations shall include:

(i) Whether the terms and conditions of the proposals and proposed qualifying project create state tax-supported debt taking into consideration the specific findings of the Secretary of Finance with respect to such recommendation;

(ii) An analysis of the potential financial impact of the qualifying project;

(iii) A review of the policy aspects of the detailed proposals and the qualifying project;

and

(iv) Proposed general business terms and conditions.

Review by the Commission shall not be construed to constitute approval of any appropriations necessary to implement any subsequent interim or comprehensive agreement.

C. Each responsible public entity receiving detailed proposals from private entities for a qualifying project shall provide copies of such proposals to the Chairman of the Commission, the chairmen of the House Committee on Appropriations, House Committee on Finance, and Senate Committee on Finance and Appropriations or their designees, and the Director of the Department of General Services prior to entering into the negotiation of an interim or comprehensive agreement.

~~B. The following qualifying projects shall not be subject to review by the Commission:~~

~~1. Any proposed qualifying project with a total cost of less than \$3 million.~~

~~2. Any proposed qualifying project with a total cost of more than \$3 million but less than \$50 million for which funds have been specifically appropriated as a public-private partnership in the general appropriation act or capital construction projects that have been authorized in the appropriation act, provided such project does not increase in size more than five percent beyond the plans and justifications that were the basis of the appropriation. For any qualifying project that will be completed in phases and for which no appropriation has been made for phases other than the current phase of the project, the Commission may undertake additional reviews of such projects.~~

D. Within 10 days of receipt of a complete copy of the detailed proposals for a qualifying project, the Commission shall determine whether to accept or decline such proposals for review and notify the responsible public entity of its decision. If the Commission accepts a proposal for review, the findings and recommendations of the Commission shall be provided to the responsible public entity within 45 days of receiving complete copies of the detailed

proposals. If no findings or recommendations are provided by the Commission to the responsible public entity within the 45-day period, the Commission shall be deemed to have no findings or recommendations. Upon acceptance for review, the responsible public entity shall provide any additional information regarding the qualifying project upon the request of the Commission, provided such information is available to or can be obtained by the responsible public entity.

~~D.E. The Commission shall review accepted detailed proposals and provide findings and recommendations to the responsible public entity, including (i) whether the terms and conditions of the proposals and proposed qualifying project create state tax supported debt taking into consideration the specific findings of the Secretary of Finance with respect to such recommendation, (ii) an analysis of the potential financial impact of the qualifying project, (iii) a review of the policy aspects of the detailed proposals and the qualifying project, and (iv) proposed general business terms and conditions.~~

~~Review by the Commission shall not be construed to constitute approval of any appropriations necessary to implement any subsequent interim or comprehensive agreement.~~

E.F. The responsible public entity shall not commence negotiation of an interim or comprehensive agreement until the Commission has submitted its recommendations or declined to accept the detailed proposals for review.

F.G. The responsible public entity shall submit a copy of the proposed interim or comprehensive agreement to the Commission, the chairmen of the House Committee on Appropriations, House Committee on Finance, and Senate Committee on Finance and Appropriations or their designees, and the Director of the Department of General Services at least 30 days prior to execution of the agreement along with a report describing the extent to which the Commission's recommendations were addressed in the proposed interim or comprehensive agreement.

H. The following qualifying projects shall not be subject to review by the Commission:

1. Any proposed qualifying project with a total cost of less than \$3 million.

2. Any proposed qualifying project with a total cost of more than \$3 million but less than \$50 million for which funds have been specifically appropriated as a public-private partnership in the general appropriation act or capital construction projects that have been authorized in the appropriation act, provided such project does not increase in size more than five percent beyond the plans and justifications that were the basis of the appropriation. For any qualifying project that will be completed in phases and for which no appropriation has been made for phases other than the current phase of the project, the Commission may undertake additional reviews of such projects.

Drafting note: Technical changes, including restructuring the organization of existing § 30-280 for clarity and readability are made. The catchline is changed for brevity and to standardize sections related to collegial bodies.

~~§ 30-281~~ 30.1-xxx. Confidentiality of certain records submitted to the Commission.

Records and information afforded the protection under subdivision 11 of § 2.2-3705.6 that are provided by a responsible public entity to the Commission shall continue to be protected from disclosure when in the possession of the Commission.

Drafting note: No changes.

~~CHAPTER 57.~~

~~INTERCOLLEGIATE ATHLETICS REVIEW COMMISSION.~~

Article 8.

Intercollegiate Athletics Review Commission.

Drafting note: Certain provisions of existing Chapter 57 (§§ establishing the Intercollegiate Athletics Review Commission, are retained as proposed Article 8 of Chapter 14. The general provisions of section § 30-359 of existing Chapter 57 regarding membership requirements, quorum and voting requirement, and compensation have been stricken and are retained in proposed Chapter 11 (General Provisions).

§ ~~30-359~~ 30.1-xxx. Intercollegiate Athletics Review Commission; purpose; ~~membership; terms; compensation and expenses.~~

1096 ~~A. As used in this chapter, "Commission" means the Intercollegiate Athletics Review~~
1097 ~~Commission.~~

1098 B. The Intercollegiate Athletics Review Commission (the Commission) is established
1099 ~~as an advisory commission~~ in the legislative branch of state government. The purpose of the
1100 Commission is to review the plan and financing recommendations of the board of visitors of
1101 any public institution of higher education in the Commonwealth relating to the institution
1102 adding a major intercollegiate athletics program such as football or basketball or changing the
1103 division level of any of its existing intercollegiate athletics programs as set forth in subsection
1104 I of § 23.1-1309.

1105 **Drafting note: Existing § 30-359 has been divided into two separate code sections**
1106 **(proposed §§ 30.1-xxx and 30.1-xxx) and a new code section has been created to conform**
1107 **to standard language related to legislative commissions, which sets out separate code**
1108 **sections for commission purpose and commission membership. Subsection A of existing §**
1109 **30-359, which sets out a short reference to the term "Commission" is stricken and**
1110 **relocated to existing language of proposed § 30.1-xxx to conform to current code style.**
1111 **The catchline is changed to better reflect the content of the section.**

1112 ~~C. 30.1-xxx. Membership.~~

1113 The Commission shall ~~consist of eleven~~ have a total membership of 11 members ~~that~~
1114 shall consist of seven legislative members and four ex officio, nonvoting members, as follows:

1115 ~~1. the~~ The chair of the House Committee on Appropriations, or his designee, and three
1116 members of the House Committee on Appropriations appointed by the chair; ~~and~~

1117 2. the chair of the Senate Committee on Finance and Appropriations, or his designee,
1118 and two members of the Senate Committee on Finance and Appropriations appointed by the
1119 chair.

1120 ~~3. In addition, Four ex officio, nonvoting members, as follows:~~

1121 a. the Auditor of Public Accounts,

1122 b. the Secretary of Education,

c. the Secretary of Finance, and

d. the Executive Director of the State Council of Higher Education for Virginia ~~shall serve as ex-officio, nonvoting members of the Commission.~~

~~D. Members shall serve terms coincident with their terms of office. Vacancies for unexpired terms shall be filled in the same manner as the original appointments.~~

~~E. The members of the Commission shall elect a chairman and vice chairman annually. A majority of the voting members of the Commission shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~F. Members of the Commission shall receive such compensation and reimbursement of expenses as provided in the general appropriation act.~~

Drafting note: Drafting note: Existing § 30-359 has been divided into two separate code sections and a new code section (proposed § 30.1-xxx) has been created to conform to standard language related to legislative commissions, which sets out separate code sections for commission purpose and commission membership. General provisions regarding membership requirements and compensation that apply to all legislative commissions have been stricken and are retained in proposed Chapter 11 (General Provisions). Technical changes are made to standardize language related to legislative commissions.

~~§ 30-360~~ 30.1-xxx. Review of plans to add a major intercollegiate athletics program or change the division level of an existing intercollegiate athletics program Powers and duties of the Commission.

A. The Commission shall have the following powers and duties:

1. Review, and provide findings and recommendations for, plans from public institution of higher education to add a major intercollegiate athletics program or change the division level of an existing intercollegiate athletics program.

1149 a. Within two business days of receipt of a plan and financing recommendations for
1150 changing the division level of any existing intercollegiate athletics program pursuant to
1151 subsection I of § 23.1-1309, the Commission shall review the plan and notify the board of
1152 visitors of the public institution of higher education of its findings and recommendations.

1153 ~~B.~~ b. Within 45 business days of receipt of a plan and financing recommendations for
1154 adding a major intercollegiate athletics program ~~such as football or basketball~~ pursuant to
1155 subsection I of § 23.1-1309, the Commission shall review the plan and notify the board of
1156 visitors of the public institution of higher education of its findings and recommendations.

1157 2. Submit reports pursuant to 30.1-xxx[CHAP 11].

1158 ~~C.~~ B. Findings and recommendations of the Commission may relate to (i) the potential
1159 financial impact of the addition of a major intercollegiate athletics program or a change in the
1160 division level of an existing intercollegiate athletics program upon the Commonwealth and
1161 students, (ii) the potential impact on the subsidy percentage, as that term is defined in § 23.1-
1162 1309, or (iii) the policy aspects of such an addition or change. Review by the Commission shall
1163 not be construed to constitute approval of any appropriations necessary to implement any
1164 portion of the plan.

1165 ~~D.~~ C. Findings and recommendations of the Commission shall require an affirmative
1166 vote by three of the five members from the House Committee on Appropriations and two of the
1167 three members from the Senate Committee on Finance and Appropriations.

1168 **Drafting note: Language from the catchline of existing § 30-360 is relocated to**
1169 **subsection A of proposed § 30.1-xxx to clarify the powers and duties of the Intercollegiate**
1170 **Athletics Review Commission, which appear in the catchline but not the text of existing §**
1171 **30-360. The phrase "such as football and or basketball" is deleted as unnecessary.**
1172 **Technical changes, including updating the catchline to properly reflect the contents of the**
1173 **code section and renumbering subsections, are made. Language regarding submitting**
1174 **reports is added as a duty.**

1175 ~~§ 30-361~~ 30.1-xxx. Staff; cooperation from other state agencies Staffing.

1176 Administrative staff support shall be provided by the staffs of the House Committee on
1177 Appropriations and the Senate Committee on Finance and Appropriations. ~~Additional~~
1178 ~~assistance as needed shall be provided by the~~ The State Council of Higher Education for
1179 Virginia shall provide assistance as requested by the Commission.

1180 **Drafting note: Technical changes, including updating the catchline to better reflect**
1181 **the content of the section and standardizing language related to legislative commissions,**
1182 **are made.**

1183

CHAPTER 15.

COMMEMORATIVE, EDUCATIONAL, AND MEMORIAL COMMISSIONS.

Drafting note: Existing Chapters 27 (Dr. Martin Luther King, Jr. Memorial Commission), 34.1 (Brown v. Board of Education Scholarship Program and Fund), 55 (Commission on Civic Education), and 66 (American Revolution 250 Commission) are retained as proposed Articles 1 through 4, respectively, of Chapter 15 (Commemorative, Educational, and Memorial Commissions).

CHAPTER 27.

DR. MARTIN LUTHER KING, JR. MEMORIAL COMMISSION.

Article 1.

Dr. Martin Luther King, Jr. Memorial Commission.

Drafting note: Existing Chapter 27, establishing the Dr. Martin Luther King, Jr. Memorial Commission, is retained as proposed Article 1 of Chapter 15.

~~§ 30-192~~ 30.1-xxx. Dr. Martin Luther King, Jr. Memorial Commission; purpose.

~~There is hereby established within the legislative branch, the~~ The Dr. Martin Luther King, Jr. Memorial Commission, ~~hereinafter referred to as the "Commission,"~~ (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to (i) promote the legacy and continuation of the work of Dr. Martin Luther King, Jr., particularly racial, economic and social justice, academic scholarship, and community service; (ii) coordinate and lead year-round educational and commemorative activities throughout the Commonwealth that inform the public of his principles, achievements, and contributions, giving special emphasis to his career as a scholar, author, orator, community leader, conciliator, and theologian; and to the federal and state King Holiday; (iii) facilitate public policy analysis relative to his principles and teachings; (iv) foster an appreciation of diverse cultures, particularly minority populations within the Commonwealth; and (v) provide opportunities for public discourse on contemporary issues.

Drafting note: Technical changes are made to standardize the language used to establish legislative bodies.

~~§ 30-192.1~~ 30.1-xxx. Membership; ~~terms~~.

The Commission shall ~~be composed~~ have a total membership of 18 members that ~~consist of~~ shall include 10 legislative members ~~and eight, six~~ nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: ~~four members of the Senate, to be appointed by the Senate Committee on Rules; six~~

1. Six members of the House of Delegates; to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~the Executive Director of Living the Dream; the President of the Foundation for the Humanities and Public Policy; three nonlegislative citizen members, of whom one shall be a representative of the Southern Christian Leadership Conference of Virginia and two shall be nonlegislative citizens at large, to be appointed by the Senate Committee on Rules; and three;~~

2. Four members of the Senate to be appointed by the Senate Committee on Rules;

3. Three nonlegislative citizen ~~at large~~ members; to be appointed by the Speaker of the House of Delegates; and

4. Three nonlegislative citizen members to be appointed by the Senate Committee on Rules, of whom one shall be a representative of the Southern Christian Leadership Conference of Virginia.

5. The Executive Director of Living the Dream and the Executive Director of Virginia Humanities shall serve ex officio with voting privileges. ~~Nonlegislative citizen members shall be citizens of the Commonwealth.~~

Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

The Senate Committee on Rules and the Speaker of the House shall ensure, to the extent possible, that their respective appointments to the Commission reflect the demographic population of the Commonwealth.

~~Legislative members and nonlegislative citizen members serving by virtue of their office on the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed for successive terms. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chairman and a vice chairman from among its membership who shall be members of the General Assembly.~~

Drafting note: Technical changes are made to reorganize and standardize provisions for the appointment of members to legislative bodies. Provisions are revised to clarify that two members currently identified as nonlegislative citizen members are members who serve ex officio with voting privileges. The obsolete title, "President of the Foundation for the Humanities and Public Policy," is updated to the current title for that position, "Executive Director of Virginia Humanities." General provisions relating to terms and officers are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions). The catchline is updated to more accurately reflect the content of the section as amended. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-192.2. Quorum; meetings; voting on recommendations.~~

~~A majority of the members shall constitute a quorum. The Commission shall meet no more than four times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to quorums, meetings, and voting are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-192.3. Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing appropriations to the Commission, or if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: General provisions relating to compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-192.4~~ 30.1-xxx. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Identify, plan, develop, and implement appropriate programs and events that further the philosophy and memory of Dr. Martin Luther King, Jr.;

2. Monitor the educational goals, programs, and objectives of public and private schools to encourage the recognition and inclusion of the achievements and contributions of ethnic and minority groups;

3. Inventory and review, biennially, activities and events sponsored by localities in the Commonwealth and those instituted or offered by public and private schools and institutions of higher education designed to honor Dr. King's memory;

4. Facilitate the analysis of public policy relative to Dr. King's principles and philosophy, including his work pertaining to social and economic justice, ethics, and racial equality, and promote the appreciation of diverse cultures among the citizenry;

5. Collaborate with ~~The~~ the King Center in Atlanta and other established state and local entities and community organizations in activities and events that commemorate the birth and death ~~of Dr. King~~ and in initiatives designed to perpetuate ~~the~~ his work and legacy ~~of Dr. Martin Luther King, Jr.~~;

6. Establish a memorial to honor Dr. ~~Martin Luther King, Jr.~~, in which (i) records, oral histories, and memorabilia documenting his relationship with and impact on the Commonwealth may be acquired and preserved; (ii) information concerning his life, work, teachings, writings, and philosophy may be collected, preserved, and accessed for educational and cultural purposes; and (iii) scholarly inquiry and writing, undergraduate and graduate study, and policy analysis may be conducted;

7. Encourage and support collaborative activities among state, local, and national organizations that (i) emphasize the noncommercialization of the state and federal King Holiday_; (ii) present his life and achievements in historical context_; (iii) articulate the relationship between his philosophy, contributions, and current public policies_; and (iv) demonstrate his principles consistently through significant participation of persons of diverse racial, ethnic, and cultural backgrounds in public and private endeavors and enterprises;

8. Monitor and evaluate state, local, and national public policy relative to the principles and philosophy of Dr. King_; and make appropriate recommendations to ~~the Governor and the General Assembly~~ and the Governor to maintain progress ~~towards~~ toward social and economic justice and equal opportunity for all citizens;

9. ~~Apply for~~ Seek, receive, and expend ~~such~~ gifts, donations, grants, bequests, ~~and or~~
other funds from any source ~~as may be received or that becomes available in connection with~~
its duties under this chapter, and may comply with such conditions and requirements as may be
~~imposed in connection therewith~~ to support the work of the Commission and facilitate the
objectives of this article;

10. Seek, accept, and direct the expenditure of public and private contributions to enable
it to carry out the ~~purposes of this chapter~~ Commission's purpose and ~~to~~ enhance its fiscal
stability, financial management, and ~~fund-raising~~ fundraising abilities; ~~and~~

11. Perform such other functions and activities as may be necessary to facilitate or
implement the Commission's objectives; and

12. Submit reports as required by 30.1-xxx.

**Drafting note: Language relating to submitting reports is added to proposed 30.1-
xxx as a duty of the commission. Technical changes are made to standardize provisions
establishing the purpose of a legislative body.**

~~§ 30-192.5~~ 30.1-xxx. Staffing.

The Office of the Clerk of the ~~chairman~~ chair of the Commission shall provide
administrative staff support. The Division of Legislative Services shall provide legal, research,
policy analysis, and other services as requested by the Commission. ~~All agencies of the~~
~~Commonwealth shall assist the Commission, upon request.~~

**Drafting note: General provisions relating to agency assistance are proposed for
deletion because such provisions are consolidated and given general application in
proposed Chapter 11 (General Provisions) to all legislative bodies established in this
proposed Subtitle III (Legislative Commissions). The term "chairman" is updated to
"chair" to modernize language and technical changes are made.**

~~§ 30-192.6. Chairman's executive summary of activity and work of the Commission.~~

~~The chairman of the Commission shall submit to the General Assembly and the
Governor an annual executive summary of the interim activity and work of the Commission no~~

~~later than the first day of each regular session of the General Assembly. The executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a state document. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to reporting requirements are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-192.7~~ 30.1-xxx. Dr. Martin Luther King, Jr. Commission Fund established.

There is hereby created in the state treasury a special nonreverting fund to be known as the Dr. Martin Luther King, Jr. Commission Fund, ~~hereafter referred to as "the Fund (the Fund)."~~ The Fund shall be established on the books of the Comptroller. All moneys, including gifts, donations, grants, bequests, and other funds from any source as may be received by the Commission, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of supporting the Commission's work and as seed money to generate additional funds. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the ~~chairman~~ chair, upon the approval of a majority of the members of the Commission.

Drafting note: Technical changes.

~~§ 30-192.8. Repealed.~~

Drafting note: Repealed by Acts 2005, c. 731, cl. 2.

~~BROWN V. BOARD OF EDUCATION SCHOLARSHIP AWARDS COMMITTEE~~

~~§§ 30-226 through 30-231. Repealed.~~

Drafting note: Repealed by Acts 2005, cc. 753 and 834, cl. 4, effective March 26, 2005.

~~CHAPTER 34.1.~~

~~BROWN V. BOARD OF EDUCATION SCHOLARSHIP PROGRAM AND FUND.~~

Article 2.

Brown v. Board of Education Scholarship Program and Fund.

Drafting note: Existing Chapter 34.1, establishing the Brown v. Board of Education Scholarship Program and Fund, is retained as proposed Article 2 of Chapter 15.

~~§ 30-231.01~~ 30.1-xxx. Definitions.

As used in this ~~chapter~~ article, unless the context indicates otherwise requires a different meaning:

"Accredited career and technical education postsecondary school" means (i) a privately owned and managed, academic-vocational non-college degree school, ~~none college~~ non-college degree school, postsecondary school, or a vocational non-college degree school, as such terms are defined in § 23.1-213; (ii) formed, incorporated, or chartered within the Commonwealth and whose administrative office and principal campus is located in ~~Virginia~~ the Commonwealth; (iii) accredited by a national or regional organization or agency recognized by the United States Secretary of Education for accrediting purposes; and (iv) certified by the State Council of Higher Education to award certificates and diplomas or to confer degrees, pursuant to § 23.1-219.

"Approved education program" means an educational agency or transition program or services accepted for participation in the Program by the ~~Brown v. Board of Education Scholarship~~ Committee.

"College-Level Examination Program-~~(CLEP)~~" or "CLEP" means a program consisting of a series of general and subject examinations in undergraduate college courses that measures an individual's ~~college-level~~ college-level knowledge gained through ~~course-work~~ coursework, independent study, cultural pursuits, travel, special interests, military service, and professional development; for the purpose of earning college credit.

"Committee" means the Brown v. Board of Education Scholarship Committee.

"Dual enrollment" means the concurrent enrollment of a scholarship recipient in an adult education program for the high school diploma and a public or private accredited two-year or four-year ~~Virginia~~ institution of higher education in the Commonwealth.

"Educational agency" means any (i) public school in the Commonwealth, (ii) public or private accredited two-year or four-year ~~Virginia~~ institution of higher education in the Commonwealth that is in compliance with the Southern Association of Colleges and Schools accreditation standards for institutions and academic programs or other national or regional organization or agency recognized by the United States Secretary of Education for accrediting purposes, (iii) high school equivalency preparation program in compliance with Board of Education guidelines, (iv) College-Level Examination Program-~~(CLEP)~~ in compliance with the requirements of the College Board governing ~~college-level~~ college-level examination programs, or (v) accredited career and technical education postsecondary school in the Commonwealth, that accepts for admission recipients of the ~~Brown v. Board of Education Scholarship Program~~.

"Eligible student" means a person who resided in a jurisdiction in the Commonwealth between 1954 and 1964 in which the public schools were closed to avoid desegregation and who (i) was unable during such years to (a) begin, continue, or complete his education in the public schools of the Commonwealth; (b) attend a private academy or foundation, whether within or outside of the Commonwealth, established to circumvent desegregation; or (c) pursue postsecondary education opportunities or training because of the inability to obtain a high school diploma or (ii) was required to relocate within or outside of the Commonwealth to begin, continue, or complete his public education during such years because public schools were

239 closed to avoid desegregation. "Eligible student" also means a lineal or collateral descendant of
240 such person. "Eligible student" includes only persons currently domiciled and residing in the
241 Commonwealth.

242 "Fund" means the Brown v. Board of Education Scholarship Program Fund.

243 "Graduate degree program" means an accredited academic program of study offered by
244 ~~a Virginia~~ an institution of higher education in the Commonwealth that has been accepted for
245 participation in the Program by the ~~Brown v. Board of Education Scholarship~~ Committee to
246 which scholarship recipients are accepted for admission and for which successful completion
247 of the academic program culminates in the awarding of the masters or doctoral degree.

248 "High school equivalency preparation program" means a program of preparation and
249 instruction for adults who did not complete high school, and for youth who have been granted
250 permission by the division superintendent of the school in which they are enrolled, to take a
251 high school equivalency examination approved by the Board of Education.

252 "Professional degree program" means an accredited graduate level program of study
253 offered by ~~a Virginia~~ an institution of higher education in the Commonwealth that has been
254 accepted for participation in the Program by the ~~Brown v. Board of Education Scholarship~~
255 Committee to which scholarship recipients are accepted for admission and successful
256 completion of the academic program culminates in the award of a degree in medicine, dentistry,
257 nursing, law, pharmacy, optometry, engineering, architecture, veterinary medicine, or other
258 discipline approved by the Committee.

259 "Program" means the Brown v. Board of Education Scholarship Program ~~and Fund~~.

260 "Transition program and services" means individualized instruction or a compensatory
261 education program designed to provide remediation, acceleration, or fundamental basic life
262 skills to assist scholarship recipients in overcoming learning problems or to prepare such
263 persons for academic success in an approved education program.

264 **Drafting note: The definition of "eligible student" is relocated from existing § 30.1-**
265 **321.2 to conform to the standard convention of placing definitions at the beginning of an**

article. Technical changes are made, including establishing separate terms for "Program" and "Fund" to clarify references throughout the article.

§ ~~30-231.1~~ 30.1-xxx. Brown v. Board of Education Scholarship Program—~~created~~; purpose.

~~There is hereby created, from such funds made available for this purpose, the~~ The Brown v. Board of Education Scholarship Program, ~~hereinafter referred to as the "Program."~~ The Program shall be is established for the purpose of assisting students who were enrolled in the public schools of ~~Virginia~~ the Commonwealth between 1954 and 1964, in jurisdictions in which the public schools were closed to avoid desegregation, and their lineal or collateral descendants, in obtaining any of the following: the adult high school diploma; a passing score on a high school equivalency examination approved by the Board of Education; ~~College-Level Examination Program (CLEP)~~ credit; career or technical education or training in an approved program at a comprehensive community college or at an accredited career and technical education postsecondary school in the Commonwealth; an undergraduate degree from an accredited associate-degree-granting or baccalaureate (i) private institution of higher education or (ii) public institution of higher education; a graduate degree at the masters or doctoral level; or a professional degree from an accredited baccalaureate private institution of higher education in the Commonwealth or baccalaureate public institution of higher education in the Commonwealth.

Drafting note: The phrase "and their lineal or collateral descendants" is added to better reflect the purpose of the program under existing law. Technical changes are made, including changes to modernize language related to legislative bodies.

§ ~~30-231.2~~ 30.1-xxx. Criteria for awarding and renewal of scholarships; ~~awards made~~ by the Brown v. Board of Education Scholarship Committee; ~~eligible students~~; ~~Standards of Learning requirements and assessments waived for eligible students~~ eligibility; penalty.

291 A. ~~With Scholarships shall be awarded to eligible students annually by the Committee~~
292 ~~with~~ the funds made available from gifts, grants, donations, bequests, and other funds as may
293 be received for such purpose; ~~scholarships shall be awarded annually.~~

294 B. Awards may be granted for part-time or full-time attendance ~~for no more than one~~
295 ~~and shall be limited to:~~

296 1. One year of study for students enrolled in adult education programs for the high
297 school diploma and preparation programs for a high school equivalency examination approved
298 by the Board of Education or ~~the College-Level Examination Program (for CLEP)~~ credit; and
299 ~~for no~~

300 2. No more than the minimum number of credit hours required to complete program
301 requirements, except as approved by the Committee for students enrolled in the following
302 approved education programs: ~~(i) an~~

303 a. An approved career or technical education or training program at a comprehensive
304 community college, or at an accredited career and technical education postsecondary school in
305 the Commonwealth; ~~(ii) a~~

306 b. A two-year undergraduate comprehensive community college program; ~~(iii) a~~

307 c. A four-year undergraduate degree program; ~~(iv) a~~

308 d. A recognized five-year undergraduate degree program; ~~(v) a~~

309 e. A masters or doctoral level degree program; ~~and (vi) a or~~

310 f. A professional degree program.

311 Awards granted may also be used for ~~the College-Level Examination Program (CLEP)~~
312 examinations and costs related to preparation for the tests, transition programs and services,
313 and dual enrollment programs as may be approved by the Committee, in accordance with § ~~30-~~
314 ~~231.8 30.1-xxx. Awards granted to applicants accepted for enrollment at accredited career and~~
315 ~~technical education postsecondary schools shall be made in accordance with Article VIII,~~
316 ~~Section 11 of the Constitution of Virginia. In addition, no~~

317 C. No scholarship under this Program shall be used to obtain multiple baccalaureate,
318 masters, doctoral, or professional degrees.

319 B. D. The Standards of Learning requirements and all related assessments shall be
320 waived for any student awarded a scholarship under ~~this~~ the Program and enrolled in an adult
321 basic education program to obtain the high school diploma.

322 C. E. No student pursuing a course of religious training or theological education or a
323 student enrolled in any institution whose primary purpose is to provide religious training or
324 theological education shall be eligible to receive scholarship awards. However, nothing in this
325 section shall be construed to prohibit a student from taking courses of a religious or theological
326 nature to satisfy undergraduate and graduate elective requirements for a liberal arts nonreligious
327 degree.

328 D. F. Only students who are domiciled residents of Virginia as defined by § 23.1-502
329 shall be eligible to receive ~~such scholarship~~ awards. ~~However, to facilitate the~~ For purposes of
330 this Program only, the Committee may establish a list of acceptable documents to verify United
331 States citizenship and legal presence in the Commonwealth from among those included in
332 regulations promulgated by the Department of Motor Vehicles governing legal presence in the
333 Commonwealth to obtain a driver's license or identification card, and regulations promulgated
334 by the State Health Department governing requests for and access to vital records.

335 ~~E. Scholarships shall be awarded to eligible students by the Committee.~~

336 F. Scholarships may be renewed, upon request, annually if the recipient:

337 1. Maintains Virginia domicile and residency;
338 2. Evidences satisfactory academic achievement and progress toward program
339 completion; and

340 3. Maintains continuous enrollment in an approved education program until graduation
341 or program completion, in accordance with the provisions of this section and § ~~30-231.1~~ 30.1-
342 xxx.

For scholarship renewal purposes, the Committee may extend the period in which satisfactory academic achievement shall be demonstrated for no more than two semesters or the equivalent thereof.

~~G. For the purpose of this chapter, "eligible student" means a person who resided in a jurisdiction in Virginia between 1954 and 1964 in which the public schools were closed to avoid desegregation and who (i) was unable during such years to (a) begin, continue, or complete his education in the public schools of the Commonwealth, (b) ineligible to attend a private academy or foundation, whether in state or out of state, established to circumvent desegregation, or (c) pursue postsecondary education opportunities or training because of the inability to obtain a high school diploma or (ii) was required to relocate within or outside of the Commonwealth to begin, continue, or complete his public education during such years because public schools were closed to avoid desegregation. "Eligible student" also means a lineal or collateral descendant of such person. "Eligible student" includes only persons currently domiciled and residing in the Commonwealth. Any person who uses a false or fictitious name or gives a false or fictitious address in any application for a scholarship or knowingly makes a false statement or conceals a material fact or otherwise commits a fraud in any such application is guilty of a Class 3 misdemeanor.~~

Drafting Note: The definition of "eligible student" is relocated from this section to proposed § 30.1-xxx [§ 30-231.01] to conform to the standard convention of placing definitions at the beginning of an article.

~~§ 30-231.5 30.1-xxx. Brown v. Board of Education Scholarship Committee established; membership; terms; vacancies; chairman and vice-chairman purpose.~~

~~A. There is hereby established in the legislative branch of state government the The Brown v. Board of Education Scholarship Committee, hereinafter referred to as the "Committee," is established in the legislative branch of state government to evaluate applications for and select recipients of the Brown v. Board of Education eligible students to receive scholarships, in accordance with the provisions of this chapter under the Program.~~

§ 30.1-xxx. Membership.

~~B.~~ A. The Committee shall ~~consist~~ have a total membership of 11 members that shall include six legislative members and five nonlegislative citizen members. Members shall be appointed as follows: ~~(i) four~~

1. Four members of the House of Delegates ~~and two~~ to be appointed by the Joint Rules Committee;

2. Two members of the Senate to be appointed by the Joint Rules Committee; ~~and (ii) five~~

3. Five nonlegislative citizen members to be appointed by the Governor, of whom one shall represent college admissions personnel, one shall have expertise in academic and career counseling, and three shall represent residents of the affected jurisdictions, ~~to be appointed by the Governor. Nonlegislative citizen members of the Committee shall be citizens of the Commonwealth of Virginia.~~

B. Unless otherwise approved in writing by the ~~chairman~~ chair of the Committee and the Joint Rules Committee, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

~~C. Legislative members of the Committee shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed. However, no House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, and no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a nonlegislative citizen member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Committee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.~~

Drafting note: The catchline is updated to more accurately reflect the content of the section as amended. General provisions relating to terms, vacancies, and officers are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Here and in other proposed sections, "chairman" is replaced with "chair" for consistency. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-231.6. Quorum; meetings; voting on recommendations.~~

~~A majority of the voting members shall constitute a quorum. The Committee shall meet not more than four times each year. The meetings of the Committee shall be held at the call of the chairman or whenever the majority of the voting members so request. No recommendation of the Committee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Committee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Committee.~~

Drafting note: General provisions relating to quorum, meetings, and voting are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-231.7. Compensation; expenses.~~

~~Legislative members of the Committee shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from~~

~~existing appropriations to the Committee, or if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: General provisions relating to compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-231.8~~ 30.1-xxx. Powers and duties of the Committee.

The Committee shall have the following powers and duties:

1. Establish criteria for the awarding of scholarships, including, ~~but not limited to,~~ eligibility for and ~~the~~ renewal of scholarships; ~~evidence of satisfactory academic achievement in accordance with § 30-231.2,~~ 30.1-xxx; terms and conditions of scholarships awarded pursuant to ~~§ 30-231.3,~~ 30.1-xxx; the cancellation, rescindment, and recovery of scholarship awards; ~~and conditions for which repayment of scholarships, or any part thereof, may be required;~~

2. Evaluate applications for and select recipients of ~~the Brown v. Board of Education~~ scholarships, ~~in accordance with the provisions of this chapter~~ under the Program;

3. Establish standards and determine approved education programs to ensure that the Program is implemented and administered in a manner that preserves the purpose for which it was created;

4. Establish, revise as necessary, and implement policies and standards to govern all aspects of the Program;

5. Confer with the Board of Education, Virginia Community College System, State Council of Higher Education, and Private College Advisory Board to the State Council of Higher Education to establish a protocol to facilitate (i) the dual enrollment of eligible students in two-year and four-year degree programs; and (ii) the conventional enrollment of ~~such~~ eligible students in public and private two-year and four-year accredited institutions of higher education;

450 6. Develop and implement a system to provide individualized transition programs and
451 services, including, ~~but not limited to~~, remediation, acceleration, and fundamental basic life
452 skills, designed to prepare eligible students for academic success in the preparation program for
453 a high school equivalency examination approved by the Board of Education; earning college
454 credit through ~~the College-Level Examination Program (CLEP) examinations~~; adult basic
455 education programs; and two-year, four-year, graduate, and professional degree programs;

456 7. Determine annually the sum of any gifts, grants, donations, bequests, or other funds
457 in the ~~Brown v. Board of Education Scholarship Program Fund~~, and set the annual maximum
458 scholarship award, and determine the maximum number of scholarships that may be awarded
459 each year;

460 8. Seek, receive, and expend gifts, grants, donations, bequests, or other funds from any
461 source on behalf of the Program for its support and to facilitate its purpose;

462 9. Make ~~the first~~ awards of the ~~Brown v. Board of Education Scholarship Program~~
463 annually to eligible students ~~between July 1, 2004, and July 1, 2006, but no later than July 1,~~
464 ~~2006~~ selected by the Committee; ~~and~~

465 10. Submit reports pursuant to 30.1-xxx[CHAP 11]; and
466 11. Perform such other duties, functions, and activities as may be necessary to facilitate
467 and implement the objectives of this ~~chapter~~ article.

468 **Drafting note: The reporting requirements contained in existing § 30-231.10 are**
469 **relocated to this section. Technical changes are made, including removing "without**
470 **limitation" when used in conjunction with "including" on the basis of § 1-218, which**
471 **states that throughout the Code, "'Includes' means includes, but not limited to."**
472 **Technical changes are made for clarity and to standardize language related to legislative**
473 **bodies.**

474 ~~§ 30-231.9 30.1-xxx. Staff support; State Council of Higher Education to advise and~~
475 ~~assist Committee~~ Staffing.

476 The Office of the Clerk of the ~~chairman~~ chair of the Committee shall provide
477 administrative staff support. The Division of Legislative Services shall provide legal, research,
478 policy analysis, and other services as requested by the Committee. The State Council of Higher
479 Education, consistent with its statutory responsibilities for higher education in the
480 Commonwealth, shall advise and provide technical assistance to the Committee in the
481 implementation and administration of the Program, in accordance with the provisions of this
482 chapter and in the manner as may be requested by the Committee. ~~All agencies of the~~
483 ~~Commonwealth shall provide assistance to the Committee, upon request.~~

484 **Drafting note: The catchline is updated to more accurately reflect the content of**
485 **the section as amended. Here and in other proposed sections, "chairman" is replaced with**
486 **"chair" for consistency. General provisions relating agency assistance are proposed for**
487 **deletion because such provisions are consolidated and given general application in**
488 **proposed Chapter 11 (General Provisions) to all legislative bodies established in this**
489 **proposed Subtitle III (Legislative Commissions). Technical changes are made.**

490 ~~§ 30-231.10. Chairman's executive summary of activity and work of the Committee.~~

491 ~~The chairman shall submit to the General Assembly and the Governor an annual~~
492 ~~executive summary of the interim activity and work of the Committee no later than the first day~~
493 ~~of each regular session of the General Assembly. The executive summary shall state whether~~
494 ~~the Committee intends to submit to the General Assembly and the Governor a report of its~~
495 ~~findings and recommendations for publication as a state document. The executive summary~~
496 ~~shall be submitted as provided in the procedures of the Division of Legislative Automated~~
497 ~~Systems for the processing of legislative documents and reports and shall be posted on the~~
498 ~~General Assembly's website.~~

499 **Drafting note: General provisions relating to executive summaries are proposed**
500 **for deletion because such provisions are consolidated and given general application in**
501 **proposed Chapter 11 (General Provisions) to all legislative bodies established in this**
502 **proposed Subtitle III (Legislative Commissions).**

§ ~~30-231.4~~ 30.1-xxx. Brown v. Board of Education Scholarship Program Fund established.

There is hereby created in the state treasury a special nonreverting fund to be known as the Brown v. Board of Education Scholarship Program Fund, ~~hereafter referred to as the "Fund."~~ The Fund shall be established on the books of the Comptroller ~~and shall consist of~~ All funds appropriated for such purposes and any gifts, ~~grants~~, donations, grants, bequests, ~~or~~ and other funds ~~from any source as may be received by the Brown v. Board of Education Scholarship Program or the Brown v. Board of Education Scholarship Committee~~ on behalf of the Program. ~~Moneys~~ shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of awarding scholarships to eligible students, pursuant to §§ ~~30-231.2 and 30-231.3~~ 30.1-xxx and 30.1-xxx [30-231.2 and 30-231.3]. Expenditures and disbursements for scholarships to eligible students from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the ~~Chairman~~ chair of the State Council of Higher Education as directed by the ~~Brown v. Board of Education Scholarship Committee~~.

Drafting note: Here and in other proposed sections, "chairman" is replaced with "chair" for consistency. Language is updated for clarity and consistency and other technical changes are made.

§ ~~30-231.3~~ 30.1-xxx. Amount and use of scholarships; ~~use of scholarships;~~ disbursement and recovery of scholarship funds; terms and conditions; ~~penalty~~.

~~A. Scholarships shall be awarded from gifts, grants, donations, bequests, or other funds made available to the Program.~~ No scholarship awarded under ~~this~~ the Program shall exceed the total annual costs of tuition, a book allowance, and fees assessed by the educational agency for the specific program in which the student is enrolled, as determined by the Committee.

B. The full amount of each scholarship awarded to a recipient shall be used solely for the payment of tuition, a book allowance, and fees, or for a one-time only payment of the costs of a preparation program, instructional materials, and high school equivalency examinations approved by the Board of Education or ~~the College Level Examination Program (CLEP)~~ examinations.

C. Awards granted to applicants accepted for enrollment at accredited career and technical education postsecondary schools shall be made in accordance with Article VIII, ~~section~~ Section 11 of the Constitution of Virginia.

~~D. No scholarship under this Program shall be used to obtain multiple baccalaureate, masters, doctoral, or professional degrees.~~

~~E. Before any scholarship is awarded, the applicant shall sign an acceptance form under the terms of which the applicant affirms~~ affirming the accuracy of the information he has provided and ~~agrees~~ agreeing to pursue the approved education program for which the scholarship is awarded until his graduation or the completion of the program, as appropriate. Following verification of enrollment by the relevant educational agency to the State Council of Higher Education, educational agencies acting as agents for students receiving awards under this ~~chapter~~ article shall promptly credit disbursed funds to student accounts. ~~A~~

E. No scholarship award made in accordance with the provisions of this chapter shall ~~not~~ be reduced by the educational agency upon receipt of any other financial assistance on behalf of the student. However, the scholarship award may be reduced by the Committee to ensure that, when such award is added to other financial assistance, the award does not produce a total of financial assistance that exceeds the annual total costs of tuition, a book allowance, and fees, ~~pursuant to this section. Beginning on July 1, 2008, every~~ Every educational agency acting as an agent for students receiving awards under this ~~chapter~~ article shall notify the Committee and the State Council of Higher Education upon request concerning the type and total of other financial assistance received by such students. ~~In addition, every~~

F. Every educational agency accepting for admission persons awarded a ~~Brown v. Board of Education~~ scholarship under the Program shall, upon request, provide the Committee information concerning the accreditation status of the school and academic programs offered, and other relevant information as the Committee may require to evaluate the person's eligibility for the scholarship and to determine the eligibility of the educational agency for participation in the Program. Whenever a student withdraws from an educational agency or otherwise fails, regardless of reason, to complete the program in which he is enrolled, the educational agency shall surrender promptly to the Commonwealth the balance of the scholarship award, in accordance with the tuition refund policy in effect at the time of the student's admission to the educational agency.

~~F. Any person who uses a false or fictitious name or gives a false or fictitious address in any application for a scholarship or knowingly makes a false statement or conceals a material fact or otherwise commits a fraud in any such application shall be is guilty of a Class 3 misdemeanor.~~

G. This ~~chapter~~ article shall not be construed as creating any legally enforceable right or entitlement on the part of any person or any right or entitlement to participation in the Program. ~~Scholarships shall be awarded to the extent funds are made available to the Program through gifts, grants, donations, bequests, or other funds.~~

Drafting note: The catchline is updated to more accurately reflect the content of the section as amended. Language relating to penalties for the use of false or fictitious names or addresses is relocated to proposed § 30.1-xxx [§ 30-231.3] and redundant provisions are consolidated. Language is updated for clarity and consistency and other technical changes are made.

~~CHAPTER 55.~~

~~COMMISSION ON CIVIC EDUCATION.~~

Article 3.

Commission on Civic Education.

Drafting note: Existing Chapter 55, establishing the Commission on Civic Education, is retained as proposed Article 3 of Chapter 15.

~~§ 30-348~~ 30.1-xxx. Commission on Civic Education; purpose; ~~membership; terms~~.

The Commission on Civic Education (the Commission) is established in the legislative branch of state government. The ~~purposes~~ purpose of the Commission ~~are~~ is to (i) educate students on the importance of citizen involvement in a constitutional republic, (ii) promote the study of state and local government among the Commonwealth's citizenry, and (iii) enhance communication and collaboration among organizations in the Commonwealth that conduct civic education.

§ 30.1-xxx. Membership.

The Commission shall have a total membership of 17 members that shall consist of five legislative members and 12 nonlegislative citizen members. Members shall be appointed as follows:

1. Three members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~two~~

2. ~~Two~~ members of the Senate, to be appointed by the Senate Committee on Rules; ~~six~~

3. ~~Six~~ nonlegislative citizen members, of whom ~~two of whom~~ shall be former or current government or civics teachers, ~~one of whom~~ shall be a representative of an organization involved in civic engagement, ~~one of whom~~ shall be a representative of an institution of political or civil engagement studies center, ~~one of whom~~ shall be a Department of Education social studies specialist, and ~~one of whom~~ shall have the qualifications or experience as determined by the Speaker, to be appointed by the Speaker of the House of Delegates; and ~~six~~

4. ~~Six~~ nonlegislative citizen members, of whom ~~two of whom~~ shall be current or former social studies coordinators, ~~one of whom~~ shall be a representative of a voter outreach organization, ~~one of whom~~ shall be a member of the Virginia Press Association, ~~one of whom~~ shall be a professor of social studies education, and ~~one of whom~~ shall have the qualifications

or experience as determined by the Senate Committee on Rules, to be appointed by the Senate Committee on Rules. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.~~

Unless otherwise approved in writing by the ~~chairman~~ chair of the Commission, the Clerk of the House of Delegates, and the Clerk of the Senate, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

~~Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.~~

Drafting note: This section is divided into two proposed sections, the first proposed section establishes the commission and the second section relates to membership. The catchlines are updated to reflect the content of the sections. General provisions relating to terms and officers are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions). Technical changes are made. The term "chairman" is updated to "chair" to modernize language and technical changes are made.

~~§ 30-349. Quorum; meetings; voting on recommendations.~~

~~A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever a majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to quorums, meetings and voting are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-350. Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.~~

Drafting note: General provisions relating to compensation and expenses are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-351~~ 30.1-xxx. Powers and duties; ~~report of the Commission.~~

The Commission shall have the following powers and duties:

1. ~~To develop~~ Develop and coordinate outreach programs in collaboration with schools to educate students on the importance of understanding that (i) a constitutional republic is a form of government dependent on reasoned debate and good faith negotiation; (ii) individual involvement is a critical factor in community success; and (iii) consideration of and respect for others is essential to deliberating, negotiating, and advocating positions on public concerns;.

2. ~~To identify~~ Identify civic education projects in the Commonwealth and provide technical assistance as may be needed to such programs.;

3. ~~To build~~ Build a network of civic education professionals to share information and strengthen partnerships.;

4. ~~To develop~~ Develop, in consultation with entities represented on the Commission and others as determined by the Commission, a clearinghouse that ~~shall be~~ is accessible on the Department of Education's website. The electronic clearinghouse shall include, ~~among other things,~~ (i) a database of civic education resources, lesson plans, and other programs of best practices in civic education; (ii) a bulletin board to promote discussion and exchange of ideas relative to civic education; (iii) an events calendar; and (iv) links to civic education research.;

5. ~~To make~~ Make recommendations to the Board of Education regarding revisions to the Standards of Learning for civics and government.;

6. ~~To seek~~ Seek, receive, and expend gifts, grants, donations, bequests, or other funds from any source to support the work of the Commission and facilitate the objectives of this ~~chapter.~~ the article; and

7. ~~To submit to the Governor and the General Assembly an annual report. The chairman shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~ Submit reports as required by 30.1-xxx.

Drafting note: The term "among other things" is removed when used in conjunction with "including" on the basis of § 1-218, which states that throughout the Code, "'Includes' means includes, but not limited to." General provisions relating to reporting are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies

established in this proposed Subtitle III (Legislative Commissions). The term "chairman" is updated to "chair" to modernize language. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-353~~ 30.1-xxx. Staffing.

~~Administrative staff support shall be provided by the~~ The Office of the Clerk of the ~~chairman~~ chair of the Commission shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. ~~Technical assistance shall be provided by the~~ The Department of Education shall provide technical assistance. ~~All agencies of the Commonwealth shall provide assistance to the Commission, upon request.~~

Drafting note: General provisions relating to agency assistance are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions). The term "chairman" is updated to "chair" to modernize language. Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-352~~ 30.1-xxx. Commission on Civic Education Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Commission on Civic Education Fund, ~~referred to in this section as "the Fund (the Fund)."~~ The Fund shall be established on the books of the Comptroller ~~and shall consist of~~. All moneys, including gifts, grants, donations, bequests, or other funds from any source as may be received by the Commission ~~for its work~~. Moneys, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used for the purpose of enabling the Commission to perform its duties. Expenditures and

disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the ~~chairman~~ chair of the Commission.

Drafting note: The term "chairman" is updated to "chair" to modernize language.
Language is updated for clarity and consistency and other technical changes are made.

~~§ 30-354. Repealed.~~

Drafting note: Repealed by Acts 2020, c. 1045, cl. 2.

~~CHAPTER 66.~~

~~AMERICAN REVOLUTION 250 COMMISSION.~~

Article 4.

American Revolution 250 Commission.

Drafting note: Existing Chapter 66, establishing the American Revolution 250 Commission, is retained as proposed Article 4 of Chapter 15.

~~§ 30-421~~ 30.1-xxx. (Expires July 1, 2032) American Revolution 250 Commission; purpose.

The American Revolution 250 Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to commemorate the 250th anniversary of the American Revolution, the Revolutionary War, and the independence of the United States.

Drafting note: No change.

~~§ 30-422~~ 30.1-xxx. (Expires July 1, 2032) Membership; ~~terms; vacancies; chairman and vice chairman.~~

~~A.~~ The Commission shall have a total membership of at least 26 members that shall ~~consist of~~ include five legislative members, 16 nonlegislative citizen members, and at least five ex officio members. Members shall be appointed as follows:

1. Two members of the Senate, to be appointed by the Senate Committee on Rules;

2. Three members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;

3. One representative from each of the lead commemoration partners: the Jamestown-Yorktown Foundation, the primary state agency; the Virginia Museum of History & Culture, the primary nonstate agency; and Gunston Hall, the primary representative of ~~Virginia's~~ historic homes and related sites in the Commonwealth;

4. One representative from the American Battlefield Trust ~~and one~~;

5. One representative from the Virginia Bar Association;

~~5-6.~~ Six members appointed by the Governor from a list of 10 candidates provided by the Jamestown-Yorktown Foundation; and

~~6-7.~~ Six members appointed by the Governor from a list of 10 candidates provided by the Virginia Museum of History & Culture.

The ~~chairman~~ chair and ~~vice-chairman~~ vice-chair of the Commission may appoint up to four members who are directors of historic homes, historic sites, or National Park Service sites in ~~Virginia~~ the Commonwealth. Such members shall serve ~~as ex officio members~~ with voting privileges.

The ~~chairman~~ chair and ~~vice-chairman~~ vice-chair of the Commission may appoint former legislative members of the Commission who have retired or resigned from the General Assembly. Such members shall serve ~~as ex officio members~~ with voting privileges.

The Secretary of Education, the Librarian of Virginia, the Director of the Department of Historic Resources, the Executive Director of Virginia Humanities, and the Chief Executive Officer of the Virginia Tourism Authority, or their designees, shall serve ~~as ex officio members~~ with voting privileges. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.~~

~~B. The Commission shall elect a chairman and vice-chairman from among its membership.~~

~~C. Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for the duration of the Commission's activities. Appointments to fill vacancies shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.~~

Drafting note: General provisions relating to terms and officers are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions). The term "chairman" is updated to "chair" to modernize language.

~~§ 30-423. (Expires July 1, 2032) Quorum; meetings.~~

~~A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever a majority of the members so request.~~

Drafting note: General provisions relating to quorums and meetings are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-424. (Expires July 1, 2032) Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12. Nonlegislative citizen members of the Commission shall not receive compensation or reimbursement for travel and other expenses incurred in the performance of their duties.~~

Drafting note: General provisions relating to compensation are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-425~~ 30.1-xxx. (Expires July 1, 2032) Powers and duties of the Commission.

A. The Commission shall have the following powers and duties:

794 1. Formulate and implement a program for the inclusive observance of the 250th
795 anniversary of the independence of the United States and the Revolutionary War in ~~Virginia~~
796 the Commonwealth, including (i) civic, cultural, and historical education and scholarship
797 concerning the ideals of the American Revolution and their contemporary relevance; (ii)
798 visitation of museums and historic sites, including battlefields; (iii) creation and publication of
799 historical documents and studies; (iv) cooperation with agencies responsible for the
800 preservation or restoration of historic sites, buildings, art, and artifacts; (v) establishment of
801 exhibitions and interpretive and wayfinding signage; (vi) arrangement of appropriate public
802 ceremonies; (vii) a comprehensive marketing and tourism campaign encompassing calendar
803 year 2025 through calendar year 2026; and (viii) the general dissemination of public
804 information regarding ~~Virginia's~~ the Commonwealth's involvement in the American Revolution
805 and its legacy today;

806 2. Appoint and establish an advisory council composed of nonlegislative citizen
807 members at large who have a knowledge of relevant history or expertise in areas useful to the
808 work of the Commission, including a representative of the Sons of the Revolution in the
809 Commonwealth of Virginia, a representative of the Virginia Daughters of the American
810 Revolution, and a representative of the National Washington-Rochambeau Revolutionary
811 Route Association. The advisory council shall make recommendations and provide comment
812 as requested by the Commission. The Commission may from time to time appoint, add, or
813 remove members of the advisory council. Members of the advisory council shall serve without
814 compensation or reimbursement;

815 3. Appoint and establish an executive committee composed of members of the
816 Commission, including the Commission's ~~chairman~~ chair and ~~vice-chairman~~ vice-chair and one
817 representative designated by each of the following: the Jamestown-Yorktown Foundation, the
818 Virginia Museum of History & Culture, and Gunston Hall; ~~and~~

819 4. Submit reports as required by 30.1-xxx; and

5. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the objectives of the Commission.

B. The Commission may solicit, accept, use, and dispose of gifts, grants, donations, bequests, or other funds or real or personal property for the purpose of aiding or facilitating the work of the Commission. In accordance with the appropriation act, the Commission may procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements as it may deem necessary to carry out its duties ~~as set forth in this chapter~~. No contract, lease, or other legal agreement shall be entered into by the Commission that extends beyond the date of expiration of the Commission.

Drafting note: Technical changes are made, including removing "as set forth in this chapter" to conform to current Code style. The reporting requirements in existing § 30-427 are retained in this proposed section. The term "chairman" is updated to "chair" to modernize language. Technical changes are made.

~~§ 30-426~~ 30.1-xxx. (Expires July 1, 2032) Staffing.

A. The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties ~~as set forth in this chapter~~. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts appropriated thereof. If funds are not appropriated for staffing, the Joint Rules Committee shall determine the staffing support for the Commission.

~~B. Administrative staff support shall be provided by the~~ The Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the ~~chairman~~ chair of the Commission ~~serves~~ shall provide administrative staff support. The Division of Legislative Services shall provide legal services as requested by the Commission. ~~All agencies and political subdivisions of the Commonwealth shall provide assistance to the Commission, upon request.~~

Drafting note: General provisions that apply to all legislative commissions have been stricken and are retained in proposed Chapter 11 (General Provisions). Technical

changes are made, including removing "as set forth in this chapter" to conform to current Code style, and updating the term "chairman" to "chair" to modernize language are made.

~~§ 30-427. (Expires July 1, 2032) Chairman's executive summary of activity and work of the Commission; report.~~

~~The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: General provisions relating to executive summaries are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-428. 30.1-xxx. (Expires July 1, 2032) Virginia American Revolution 250 Commission Fund.~~

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia American Revolution 250 Commission Fund, ~~hereafter referred to as the "Fund (the Fund)."~~ The Fund shall be established on the books of the Comptroller, ~~and shall consist of All funds appropriated for such purpose and~~ gifts, ~~grants,~~ donations, ~~grants,~~ bequests, ~~or and~~ other funds ~~from any source as may be~~ received by the Commission for its work. ~~Moneys~~ shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of enabling the Commission to perform its duties. Expenditures and disbursements from the Fund shall be made

874 by the State Treasurer on warrants issued by the Comptroller upon written request of the
875 ~~chairman~~ chair of the Commission.

876 **Drafting note: The term "chairman" is updated to "chair" to modernize language.**

877 **Technical changes are made to standardize language related to legislative bodies.**

878 § ~~30-429~~ 30.1-xxx. (Expires July 1, 2032) Sunset.

879 This ~~chapter~~ article shall expire on July 1, 2032.

880 **Drafting note: Technical change.**

881 #

CHAPTER 16.

STUDY COMMISSIONS.

Drafting note: Proposed Chapter 16, Study Commissions, is created to logically organize legislative bodies whose purposes are to study, review, evaluate, assess, or investigate a particular topic or issue in order to report and make recommendations to the General Assembly. Membership consists of legislative members and nonlegislative citizen members, usually with specific expertise or background relevant to the topic. Existing Chapters 67 (Virginia Commission to End Hunger), 61 (Commission on School Construction and Modernization), and 69 (Commission on Women's Health) are retained in proposed Chapter 16 as Articles 1, 2, and 3, respectively.

CHAPTER 67.

VIRGINIA COMMISSION TO END HUNGER.

Article 1.

Virginia Commission to End Hunger.

Drafting note: Existing Chapter 67, relating to the Virginia Commission to End Hunger, is retained as proposed Article 1 of Chapter 16.

§ ~~30-430~~ 30.1-xxx. (Expires July 1, 2027) Virginia Commission to End Hunger; purpose.

The Virginia Commission to End Hunger (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to develop an action plan every two years for ending hunger in the Commonwealth, review the progress of such plan, and ensure cross-collaboration among government entities and community partners toward the goal of ending hunger in the Commonwealth.

Drafting note: The two paragraphs comprising the existing section are consolidated into one paragraph for consistency.

§ ~~30-431~~ 30.1-xxx. (Expires July 1, 2027) Membership; ~~terms; quorum; meetings~~.

The Commission shall have a total membership of 19 members that shall ~~consist of~~ include eight legislative members and 11 nonlegislative citizen members. Members shall be

appointed as follows: ~~three members of the Senate, to be appointed by the Senate Committee on Rules; five~~

1. Five members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~five~~

2. Three members of the Senate to be appointed by the Senate Committee on Rules;

3. Six nonlegislative citizen members, of whom one shall be a researcher at the university level, one shall be a representative of the Secretary of Health and Human Services, two shall be representatives from community organizations working toward ending hunger, one shall be a high school junior or senior student representative from a public school, and one shall be a board-certified physician, to be appointed by the Speaker of the House of Delegates; and

4. Five nonlegislative citizen members, ~~one of whom is~~ one shall be a researcher at the university level, ~~three of whom are~~ shall be representatives from community organizations working toward ending hunger, and ~~one of whom is~~ shall be a nutritionist, to be appointed by the Senate Committee on Rules; ~~and six nonlegislative citizen members, one of whom is a researcher at the university level, one of whom is a representative of the Secretary of Health and Human Services, two of whom are representatives from community organizations working toward ending hunger, one of whom is a high school junior or senior student representative from a public school, and one of whom is a board-certified physician, to be appointed by the Speaker of the House of Delegates. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.~~

~~Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.~~

~~No Senate member shall serve more than two consecutive four-year terms, no House member shall serve more than four consecutive two-year terms, and no nonlegislative citizen~~

~~member appointed by the Speaker of the House of Delegates or the Senate Committee on Rules shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.~~

~~The Commission shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: General provisions relating to terms, vacancies, officers, quorums, meetings, and voting equalization that apply to all legislative collegial bodies are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Technical changes are made, including the insertion and reordering of subdivisions for clarity and consistency.

~~§ 30-432. (Expires July 1, 2027) Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.~~

Drafting note: This section relating to compensation and expenses is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

85 § ~~30-433~~ 30.1-xxx. (Expires July 1, 2027) Powers and duties of the Commission.

86 The Commission shall have the following powers and duties:

87 1. Identify all funding sources that can be used for improving nutrition and ending
88 hunger for which the state has administrative control as well as for development of future
89 funding_;

90 2. Identify strategies for ensuring that each public elementary and secondary student has
91 access to nutritious meals and snacks at school, including by promoting full participation in all
92 federally assisted school meal and snack programs by both eligible schools and eligible students
93 in such schools_;

94 3. Identify barriers to food access and develop sustainable policies and programs to
95 address ~~those~~ such barriers_;

96 4. Promote and facilitate public-private partnerships_;

97 5. Develop benchmarks and set goals to indicate success_;

98 6. Submit ~~to the Governor and the General Assembly an annual report for publication~~
99 ~~as a report document as provided in the procedures of the Division of Legislative Automated~~
100 ~~Systems for the processing of legislative documents and reports. The chairman of the~~
101 ~~Commission shall submit to the Governor and the General Assembly an annual executive~~
102 ~~summary of the interim activity and work of the Commission no later than the first day of each~~
103 ~~regular session of the General Assembly. The executive summary shall be submitted for~~
104 ~~publication as a report document as provided in the procedures of the Division of Legislative~~
105 ~~Automated Systems for the processing of legislative documents and reports and shall be posted~~
106 ~~on the General Assembly's website~~ reports pursuant to § 30.1-xxx [Chapter 11]; and

107 7. Perform such other duties, functions, and activities as may be necessary to facilitate
108 and implement the objectives of this article.

109 **Drafting note: A specific provision relating to a required annual report is proposed**
110 **for deletion because such provisions are consolidated and given general application in**
111 **proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in**
112 **this proposed Subtitle III (Legislative Commissions) and is replaced with a reference to**

the reporting requirement in proposed Chapter 11. For consistency with other commissions, a subdivision relating to other duties, functions, and activities is added to the Commission's powers and duties. Technical changes are made.

§ ~~30-434~~ 30.1-xxx. (Expires July 1, 2027) Staffing.

~~Administrative staff support shall be provided by the~~ The Office of the Clerk of the ~~chairman~~ chair of the Commission shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. ~~All agencies of the Commonwealth shall provide assistance to the Commission, upon request.~~

Drafting note: A general provision relating to agency assistance is proposed for deletion because such provisions are given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language is updated for clarity and consistency, including updating "chairman" to "chair" to modernize language.

§ ~~30-435~~ 30.1-xxx. (Expires July 1, 2027) Sunset.

This ~~chapter article~~ shall expire on July 1, 2027.

Drafting note: Technical change.

~~CHAPTER 61.~~

~~COMMISSION ON SCHOOL CONSTRUCTION AND MODERNIZATION.~~

Article 2.

Commission on School Construction and Modernization.

Drafting note: Existing Chapter 61, relating to the Commission on School Construction and Modernization, is retained as proposed Article 2 of Chapter 16.

§ ~~30-384~~ 30.1-xxx. (Expires July 1, 2026) Commission on School Construction and Modernization; purpose.

The Commission on School Construction and Modernization (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to develop and provide guidance and resources to local school divisions related to school

construction and modernization and make funding recommendations to ~~the Governor and~~ the General Assembly and the Governor.

Drafting note: Technical changes.

§ ~~30-385~~ 30.1-xxx. (Expires July 1, 2026) Membership; ~~terms~~.

The Commission shall have a total membership of 17 members that shall ~~consist of~~ include eight legislative members, three nonlegislative citizen members, and six ex officio members. Members shall be appointed as follows: ~~three members of the Senate, to be appointed by the Senate Committee on Rules; five~~

1. Five members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~one~~

2. Three members of the Senate to be appointed by the Senate Committee on Rules;

3. One nonlegislative citizen member to be appointed by the ~~Senate Committee on Rules~~ Speaker of the House of Delegates; ~~one~~

4. One nonlegislative citizen member to be appointed by the ~~Speaker of the House of Delegates~~ Senate Committee on Rules; and ~~one~~

5. One nonlegislative citizen member to be appointed by the Governor.

The Superintendent of Public Instruction, the Director of the Department of General Services, the Executive Director of the Virginia Resources Authority, the State Treasurer, the President of the Board of Education, and the Director of the Department of Planning and Budget, or their ~~respective~~ designees, shall ~~each~~ serve ex officio with voting privileges. ~~Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.~~

~~Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration~~

~~of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All~~

~~Notwithstanding § 30-xxx[Chapter 11], all members may be reappointed for successive terms with no term limits. Nonlegislative citizen members shall be appointed for a term of two years.~~

~~The Commission shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.~~

Drafting note: The catchline is changed to reflect the content of the section as amended. General provisions relating to reimbursement for travel, terms, vacancies, and officers are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language relating to term limits is updated to clarify a difference from the provision of general application in proposed Chapter 11. Technical changes are made, including the insertion and reordering of subdivisions for consistency and clarity.

~~§ 30-386. (Expires July 1, 2026) Quorum; meetings; voting on recommendations. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: This section relating to quorums, meetings, and voting equalization is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-387. (Expires July 1, 2026) Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2-2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2-2-2813 and 2-2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: This section relating to compensation and expenses is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-388 30.1-xxx.~~ (Expires July 1, 2026) Powers and duties of the Commission.

The Commission shall have the following powers and duties:

- ~~1. Assessing Assess~~ the Commonwealth's school facilities and ~~determining determine~~ funding needs for school construction and modernization ~~funding needs;~~
- ~~2. Identifying Identify~~ funding mechanisms and ~~making make~~ recommendations to the ~~Governor and the~~ General Assembly and the Governor;
- ~~3. Establishing Establish~~ best practices in school ~~modernization and~~ construction and modernization for school divisions;
- ~~4. Creating Create~~ standardized construction designs and procurement practices to recommend and make available to local school divisions;
- ~~5. Identifying Identify~~ potential cost-saving measures for implementation by local school divisions to minimize construction and modernization costs where possible;
- ~~6. Submitting to the General Assembly and the Governor an annual report for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The chairman of~~

~~the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website. Submit reports pursuant to § 30.1-xxx [Chapter 11]; and~~

7. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the objectives of this article.

Drafting note: A specific provision relating to a required annual report is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions) and is replaced with a reference to the reporting requirement in proposed Chapter 11. For consistency with other such commissions, a subdivision relating to other duties, functions, and activities is added to the Commission's powers and duties. Language is updated for clarity and consistency and technical changes are made.

~~§ 30-389 30.1-xxx. (Expires July 1, 2026) Staffing. Administrative staff support shall be provided by the The Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman chair of the Commission serves shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission.~~

Drafting note: The term "chairman" is updated to "chair" to modernize language and language is updated for consistency.

~~§ 30-390 30.1-xxx. (Expires July 1, 2026) Sunset.~~

~~This chapter article shall expire on July 1, 2026.~~

Drafting note: Technical change.

~~COMMISSION ON WOMEN'S HEALTH.~~

Article 3.

Commission on Women's Health.

Drafting note: Existing Chapter 69, relating to the Commission on Women's Health, is retained as proposed Article 3 of Chapter 16.

§ ~~30-447~~ 30.1-xxx. Commission on Women's Health; purpose.

The Commission on Women's Health (the Commission) is established as a commission in the legislative branch of state government. The purpose of the Commission is to study, report on, and make recommendations on issues related to women's health, including maternal health.

Drafting note: Technical changes.

§ ~~30-448~~ 30.1-xxx. Membership; ~~terms; vacancies; chair and vice chair.~~

The Commission shall ~~consist~~ have a total membership of 15 members that shall include 10 legislative members and five nonlegislative citizen members. Members shall be appointed as follows: ~~six~~

1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; ~~four~~

2. Four members of the Senate to be appointed by the Senate Committee on Rules; ~~two~~
3. Two nonlegislative citizen members with significant experience or expertise in women's or maternal health policy to be appointed by the Speaker of the House of Delegates; and ~~three~~

4. Three nonlegislative citizen members with significant experience or expertise in women's or maternal health policy to be appointed by the Senate Committee on Rules.
~~Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.~~

~~Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative Notwithstanding § 30-xxx[Chapter 11], legislative members and nonlegislative citizen members may be reappointed for successive terms with no term limits. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.~~

~~The Commission shall elect a chair and vice chair from among its membership, who shall be members of the General Assembly.~~

Drafting note: General provisions relating to reimbursement for travel, terms, vacancies, and officers are proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language relating to term limits is updated to clarify a difference from the provision of general application in proposed Chapter 11. Technical changes are made, including the insertion of subdivisions for clarity.

~~§ 30-449. Quorum; meetings; voting on recommendations.~~

~~A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chair or whenever the majority of the members so request.~~

~~No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.~~

Drafting note: This section relating to quorums, meetings, and voting equalization is proposed for deletion because such provisions are consolidated and given general

application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-450. Compensation; expenses.~~

~~Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.~~

Drafting note: This section relating to compensation and expenses is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

~~§ 30-451~~ 30.1-xxx. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Study and evaluate issues related to women's health, including maternal health, mental health, access to reproductive care, chronic conditions, and health outcomes;
2. Examine the intersection of social determinants of health and ~~their~~ the impact of such determinants on women's health outcomes;
3. Conduct public hearings, facilitate stakeholder engagement, and consult with subject-matter experts as necessary;
4. Identify systemic barriers to equitable health care access for women and recommend policies to address such barriers; ~~and~~

5. Develop and make recommendations to the General Assembly for legislative, regulatory, and budgetary changes or policies to improve women's health outcomes in the Commonwealth;

6. Submit reports pursuant to § 30.1-xxx [Chapter 11]; and

7. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the objectives of this article.

Drafting note: For consistency with other commissions, (i) a reference to the general reporting requirement for legislative collegial bodies and (ii) language relating to other duties, functions, and activities are added to the Commission's powers and duties.

Language is updated for clarity.

~~§ 30-452 30.1-xxx.~~ Staffing.

~~Administrative staff support shall be provided by the The Office of the Clerk of the House of Delegates or the Office of the Clerk of the Senate as may be appropriate for the house in which the chair of the Commission serves shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. Staff shall perform those duties assigned to it by the Commission. The Commission may also consult or contract with experts who have knowledge of the issues before it within the amounts appropriated for such purpose. The Department of Health, the Department of Medical Assistance Services, and all other agencies of the Commonwealth shall provide assistance to the Commission upon request of the Commission.~~

Drafting note: A general provision relating to agency assistance is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions). Language is updated for consistency with other commissions.

~~§ 30-453. Executive summary of activity and work of the Commission.~~

~~The chair shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than December 1 of each~~

~~year. Such executive summary shall include any legislative, regulatory, or budgetary changes
or policies recommended by the Commission. The executive summary shall be submitted as
provided in the procedures of the Division of Legislative Automated Systems for the processing
of legislative documents and reports and shall be posted on the General Assembly's website.~~

Drafting note: This section relating to an executive summary is proposed for deletion because such provisions are consolidated and given general application in proposed Chapter 11 (General Provisions) to all legislative collegial bodies established in this proposed Subtitle III (Legislative Commissions).

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