

HOUSE BILL NO. 2440

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules

on \_\_\_\_\_)

(Patron Prior to Substitute--Delegate Greenhalgh)

A BILL to amend the Code of Virginia by adding in Chapter 13 of Title 22.1 an article numbered 5.1, consisting of sections numbered 22.1-237.1 through 22.1-237.6, relating to establishment of Asian American and Pacific Islander Heritage Commission; report.

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 13 of Title 22.1 an article numbered 5.1, consisting of sections numbered 22.1-237.1 through 22.1-237.6, as follows:**

Article 5.1.

Asian American and Pacific Islander Heritage Commission.

**§ 22.1-237.1. Asian American and Pacific Islander Heritage Commission; purpose.**

The Asian American and Pacific Islander Heritage Commission (the Commission) is established as an advisory commission in the executive branch of state government.

The purpose of the Commission is to advise the Board on the development and implementation of educational standards regarding Asian or Asian American and Pacific Islander contributions, culture, history, heritage, and language.

**§ 22.1-237.2. Membership; terms; quorum; meetings.**

The Commission shall have a total membership of 19 members that shall consist of six legislative members, 11 nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: four members of the House of Delegates, to include a member of the Virginia Asian American and Pacific Islander Caucus, 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 members of the Senate, to include a member of the Virginia Asian American and Pacific Islander Caucus.

27 to be appointed by the Senate Committee on Rules, ensuring equal representation by the majority and  
28 minority parties; six nonlegislative citizen members to be appointed by the Speaker of the House of  
29 Delegates; and five nonlegislative citizen members to be appointed by the Senate Committee on Rules.  
30 The Secretary of Education and the chairperson of the Virginia Asian Advisory Board or their designees  
31 shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Commission shall  
32 be citizens of the Commonwealth and shall have demonstrated either lived or professional experience in  
33 Asian American and Pacific Islander culture, history, heritage, or language.

34 Legislative members and ex officio members of the Commission shall serve terms coincident with  
35 their terms of office.

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

39 After the initial appointments, nonlegislative citizen members shall be appointed for a term of four  
40 years.

41 No House member shall serve more than four consecutive two-year terms, no Senate member shall  
42 serve more than two consecutive four-year terms, and no nonlegislative citizen member shall serve more  
43 than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill  
44 a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

45 The Commission shall annually elect a chairman and vice-chairman from among its membership.  
46 A majority of the members shall constitute a quorum. The Commission shall meet no more than four times  
47 each year. The meetings of the Commission shall be held at the call of the chairman or whenever the  
48 majority of the members so request.

49 **§ 22.1-237.3. Compensation; expenses.**

50 Legislative members of the Commission shall receive such compensation as provided in § 30-  
51 19.12, and nonlegislative citizen members shall receive such compensation for the performance of their  
52 duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary

53 expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding  
54 for the costs of compensation and expenses of the members shall be provided by the Department.

55 **§ 22.1-237.4. Powers and duties of the Commission.**

56 The Commission shall have the following powers and duties:

57 1. Advise the Board on the development and implementation of educational standards regarding  
58 Asian or Asian American and Pacific Islander contributions, culture, history, heritage, and language; and

59 2. Submit to the Governor and the General Assembly an annual report for publication as a report  
60 document as provided in the procedures of the Division of Legislative Automated Systems for the  
61 processing of legislative documents and reports. The chairman shall submit to the Governor and the  
62 General Assembly an annual executive summary of the interim activity and work of the Commission no  
63 later than the first day of each regular session of the General Assembly. The executive summary shall be  
64 submitted for publication as a report document as provided in the procedures of the Division of Legislative  
65 Automated Systems for the processing of legislative documents and reports and shall be posted on the  
66 General Assembly's website.

67 **§ 22.1-237.5. Staffing.**

68 The Department shall provide staff support to the Commission. All agencies of the Commonwealth  
69 shall provide assistance to the Commission, upon request.

70 **§ 22.1-237.6. Sunset.**

71 This article shall expire on July 1, 2027.

72 **2. That the initial appointments of nonlegislative citizen members to the Asian American and Pacific**  
73 **Islander Heritage Commission shall be for a term of one year.**

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