

§ 46.1-57. State-owned passenger type vehicles.—The Commissioner shall not issue any license plates for use upon vehicles used primarily for passenger transportation owned by the State or any of its departments, institutions, boards and agencies unless and until written application shall have been filed with the Director of the Budget Governor showing the necessity for the use and unless and until the Director of the Budget Governor shall have directed the Commissioner to issue such license plates.

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## CHAPTER 724

*An Act to provide for the submission of a proposed amendment to the Constitution of Virginia to the qualified voters for ratification or rejection; to prescribe when and how such referendum shall be had, the manner in which the results thereof shall be ascertained and certified, the returns canvassed, and the vote thereon proclaimed by the Governor.*

[H 705]

Approved April 10, 1972

Be it enacted by the General Assembly of Virginia:

1. § 1. It shall be the duty of the officers conducting the election directed by law to be held on the Tuesday after the first Monday in November, nineteen hundred seventy-two, at the places appointed for holding the same, to open a poll and take the sense of the qualified voters upon the ratification or rejection of the proposed amendment to the Constitution of Virginia, contained in the joint resolution proposing such amendment to the Constitution of Virginia, and directing a submission of such proposed amendment to the people for their approval and ratification, to wit:

Strike from the Constitution of Virginia, as ratified November third, nineteen hundred seventy, Section 1 of Article VII, which is as follows:

Section 1. Definitions.

As used in this article (1) "county" means any existing county or any such unit hereafter created, (2) "city" means an independent incorporated community which has within defined boundaries a population of 5,000 or more and which has become a city as provided by law, (3) "town" means any existing town or an incorporated community within one or more counties which has within defined boundaries a population of 1,000 or more and which has become a town as provided by law, (4) "regional government" means a unit of general government organized as provided by law within defined boundaries, as determined by the General Assembly, (5) "general law" means a law which on its effective date applies alike to all counties, cities, towns, or regional governments or to a reasonable classification thereof, and (6) "special act" means a law applicable to a county, city, town, or regional government and for enactment shall require an affirmative vote of two-thirds of the members elected to each house of the General Assembly.

The General Assembly may increase by general law the population minima provided in this article for cities and towns. Any county which on the effective date of this Constitution had adopted an optional form of government pursuant to a valid statute that does not meet the general law requirements of this article may continue its form of government without regard to such general law requirements until it adopts a form of government provided in conformity with this article. In this article,

whenever the General Assembly is authorized or required to act by general law, no special act for that purpose shall be valid unless this article so provides.

And insert in lieu thereof the following:

Section 1. Definitions.

As used in this article (1) "county" means any existing county or any such unit hereafter created, (2) "city" means an independent incorporated community which became a city as provided by law before noon on the first day of July, nineteen hundred seventy-one, or which has within defined boundaries a population of 5,000 or more and which has become a city as provided by law, (3) "town" means any existing town or an incorporated community within one or more counties which became a town before noon, July one, nineteen hundred seventy-one, as provided by law or which has within defined boundaries a population of 1,000 or more and which has become a town as provided by law, (4) "regional government" means a unit of general government organized as provided by law within defined boundaries, as determined by the General Assembly, (5) "general law" means a law which on its effective date applies alike to all counties, cities, towns, or regional governments or to a reasonable classification thereof, and (6) "special act" means a law applicable to a county, city, town, or regional government and for enactment shall require an affirmative vote of two-thirds of the members elected to each house of the General Assembly.

The General Assembly may increase by general law the population minima provided in this article for cities and towns. Any county which on the effective date of this Constitution had adopted an optional form of government pursuant to a valid statute that does not meet the general law requirements of this article may continue its form of government without regard to such general law requirements until it adopts a form of government provided in conformity with this article. In this article, whenever the General Assembly is authorized or required to act by general law, no special act for that purpose shall be valid unless this article so provides.

§ 2. At such election a ballot shall be furnished each voter which shall have printed thereon the following:

Question: Shall the Constitution be amended to include in the definition of "city" any incorporated community which became a city as provided by law before noon on July 1, 1971?

Yes  
 No

The ballot shall be prepared, distributed and voted, and the results thereof ascertained and certified, in the manner prescribed by § 24.1-165 of the Code of Virginia. It shall be the duty of the clerks and commissioners of election of each county and city, respectively, to make out, certify and forward an abstract of the votes cast for and against such proposed amendments in the manner now prescribed by law in relation to votes cast in general elections.

It shall be the duty of the State Board of Elections to open and canvass the abstracts of returns, and to examine and make statement of the whole number of votes given at said election for each of such proposed amendments and against each of such proposed amendments, respectively, in the manner now prescribed by law in relation to votes cast in general elections; and it shall be the duty of the State Board of Elections to record said certified statement in its office, and without delay to make out and transmit to the Governor of the Commonwealth an official copy of said statement, certified by it.

The Governor shall, without delay, make proclamation of the result, stating therein the aggregate vote for and against each such amendment,

to be published in such newspapers in the State as may be deemed requisite for general information; and if a majority of said votes be cast for the ratification of any amendment, he shall annex to his proclamation a copy thereof. The State Board of Elections shall cause to be sent a copy of this act to the clerks of each county and city, at least thirty days before the election. Each such clerk shall forthwith post a copy of this act at the courthouse of such county or city.

The expenses incurred in conducting this election shall be defrayed as in the case of the election of members of the General Assembly.

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## CHAPTER 725

*An Act to amend and reenact § 18.1-63 of the Code of Virginia, relating to encouraging procuring of illegal abortion or miscarriage.*

[H 735]

Approved April 10, 1972

Be it enacted by the General Assembly of Virginia:

1. That § 18.1-63 of the Code of Virginia be amended and reenacted as follows:

§ 18.1-63. If any person by publication, lecture, advertisement, or by the sale or circulation of any publication, or in any other manner, encourage or prompt the procuring of abortion or miscarriage, he shall be guilty of a misdemeanor.

If any person, by publication, lecture, advertisement, or by the sale or circulation of any publication, or through the use of a referral agency for profit, or in any other manner, encourage or promote the processing of an abortion or miscarriage to be performed in this State which is prohibited under this article, he shall be guilty of a misdemeanor.

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## CHAPTER 726

*An Act to create the Oyster Point Development Corporation within the city of Newport News for the purpose of developing certain lands, board of directors, powers and duties, issuance of revenue bonds, limitation of liabilities, and provisions for dissolution.*

[H 745]

Approved April 10, 1972

Be it enacted by the General Assembly of Virginia:

1. § 1. There is hereby created within the city of Newport News, Virginia, a political subdivision of the Commonwealth to be called the Oyster Point Development Corporation.

The Oyster Point Development Corporation is created with the express purpose of developing for sale or lease that property called the "Oyster Point Tract," said property being in the name of the city of Newport News.

§ 2. The corporation shall be governed by a Board of Directors composed of seven members appointed by the governing body of the city. All powers and duties of the corporation shall be exercised and performed by the directors. The directors shall be appointed initially for terms of one, two, three and four years, two being appointed for one-year terms,