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HOUSE BILL NO. 2541

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws and Technology
on February 11, 2019)

(Patron Prior to Substitute—Delegate Byron)

A *BILL to amend and reenact § 2.2-2699.3 of the Code of Virginia and to amend and reenact the second enactment of Chapter 444 of the Acts of Assembly of 2008, as amended by Chapters 759 and 760 of the Acts of Assembly of 2018, and to repeal the third enactment of Chapter 818 of the Acts of Assembly of 2009, as amended by Chapters 759 and 760 of the Acts of Assembly of 2018, and the third enactment of Chapter 852 of the Acts of Assembly of 2009, as amended by Chapters 759 and 760 of the Acts of Assembly of 2018, relating to the Office of Telework Promotion and Broadband Assistance and the Broadband Advisory Council; expiration.*

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2699.3 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2699.3. (Expires July 1, 2019) Broadband Advisory Council; purpose; membership; compensation; chairman.

A. The Broadband Advisory Council (the Council) is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The purpose of the Council shall be to advise the Governor on policy and funding priorities to expedite deployment and reduce the cost of broadband access in the Commonwealth.

B. The Council shall have a total membership of ~~14~~ 17 members that shall consist of ~~six~~ seven legislative members, ~~four~~ six nonlegislative citizen members, and four ex officio members. Members shall be appointed as follows: 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~~ three members of the Senate to be appointed by the Senate Committee on Rules; and ~~four~~ six nonlegislative citizen members to be appointed by the Governor, of whom one shall be a representative of the Virginia Cable Telecommunications Association, one shall be a representative of the Virginia Telecommunications Industry Association, one shall be a representative from local government recommended by the Virginia Municipal League and Virginia Association of Counties, and one shall be a representative of the Virginia Wireless Internet Service Providers Association, *one shall be a representative of a wireless service authority, and one shall be a representative of the Virginia, Maryland and Delaware Association of Electric Cooperatives.* The Secretaries of Agriculture and Forestry, Commerce and Trade, and Technology, or their designees, and the executive director of the Center for Rural Virginia and three Secretaries as defined in § 2.2-200 to be appointed by the Governor shall serve ex officio. Legislative and ex officio members shall serve terms coincident with their terms of office. Other 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. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

C. Legislative members of the Council shall receive such compensation as provided 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 expenses of legislative members shall be provided by the operating budgets of the Clerk of the House of Delegates and the Clerk of the Senate upon approval of the Joint Rules Committee. ~~Funding for the~~ *The Governor shall designate the office of one of the secretaries appointed pursuant to subsection B to provide funding for the costs of expenses of the nonlegislative citizen members and all other expenses of the Council shall be provided by the Office of the Secretary of Technology.*

D. The Council shall elect a chairman and a vice-chairman annually from among its membership. A majority of the members shall constitute a quorum. The Council shall meet at such times as may be called by the chairman or a majority of the Council.

E. Staff to the Council shall be provided by the ~~Office of Telework Promotion and Broadband Assistance~~ *Secretary of Commerce and Trade.* The Division of Legislative Services shall provide additional staff support to legislative members serving on the Council.

2. That the second enactment of Chapter 444 of the Acts of Assembly of 2008, as amended by Chapters 759 and 760 of the Acts of Assembly of 2018, is amended and reenacted as follows:

2. That the provisions of this act shall expire on July 1, 2019 2021.

3. That the third enactment of Chapter 818 of the Acts of Assembly of 2009, as amended by Chapters 759 and 760 of the Acts of Assembly of 2018, is repealed.

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60 4. That the third enactment of Chapter 852 of the Acts of Assembly of 2009, as amended by
61 Chapters 759 and 760 of the Acts of Assembly of 2018, is repealed.