

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 433

An Act to amend the Code of Virginia by adding in Chapter 11 of Title 23 an article numbered 1.1, consisting of sections numbered 23-132.1 through 23-132.12, and to amend the Code of Virginia by adding a section numbered 23-165.11, and to repeal Chapter 8 of Title 3.1, consisting of §§ 3.1-40 through 3.1-46.1, and Article 2 of Chapter 11 of Title 23, consisting of §§ 23-133 through 23-135.7, of the Code of Virginia, relating to the restructuring of Virginia Polytechnic Institute and State University.

[S 313]

Approved April 8, 1994

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 11 of Title 23 an article numbered 1.1, consisting of sections numbered 23-132.1 through 23-132.12, and that the Code of Virginia is amended by adding a section numbered 23-165.11 as follows:

Article 1.1.

Virginia Cooperative Extension and Agricultural Experiment Station Division.

§ 23-132.1. Virginia Cooperative Extension and Agricultural Experiment Station Division established; Cooperative Extension Service recognized.

There is hereby established within the Virginia Polytechnic Institute and State University a division to be known as the Virginia Cooperative Extension and Agricultural Experiment Station Division, hereinafter referred to as the Division, which shall encompass and administer the Virginia Cooperative Extension Service and the Agricultural Experiment Station with appropriate supporting programs. Further, the Cooperative Extension Service Program within Virginia State University, hereinafter referred to as "the Service Program," is hereby recognized. The Cooperative Extension Service Program shall be operated cooperatively by Virginia Polytechnic Institute and State University and Virginia State University, with agreed upon areas of program and service emphasis as set forth in the unified plan submitted by the two institutions to the U.S. Department of Agriculture.

§ 23-132.2. Administration of Division.

The board of visitors of the Virginia Polytechnic Institute and State University shall provide for the administration of such Division through the regular administrative and fiscal officers of the Virginia Polytechnic Institute and State University and shall make appointments to the administrative and research staff on recommendation of the president of the Virginia Polytechnic Institute and State University.

§ 23-132.3. Duties of Division; how work to be performed.

A. The Virginia Cooperative Extension Service shall provide the people of the Commonwealth with information and knowledge on subjects related to agriculture, including horticulture and silviculture, agribusiness, home economics, community resource development, 4-H Clubs, and subjects relating thereto, through instruction and the dissemination of useful and practical information through demonstrations, conferences, courses, workshops, publications, meetings, and mass media. The necessary printing and distribution of information in connection with the foregoing and this work shall be carried on in such manner as may be mutually agreed upon by Virginia Polytechnic Institute and State University for the work of the Division, the Virginia State University for the work of the Service Program, the Governor or his designated representative, the United States Secretary of Agriculture, the United States Secretary of Commerce, and other participating bodies.

B. The Cooperative Extension Service Program shall also conduct educational programs and disseminate useful and practical information to the people of the Commonwealth.

C. The Agricultural Experiment Station shall conduct research and investigations and establish, publish and distribute results in such forms as will tend to increase the economy, efficiency, and safety of the various enterprises and activities of interest to the Commonwealth and the nation, and promote the conservation and economic utilization of its natural and human resources.

§ 23-132.4. Selection of personnel; rules and regulations; work may be conducted with both adults and youth.

It shall be the duty of the Virginia Polytechnic Institute and State University and of the Virginia State University in cooperation with the departments and agencies of the federal government, to exercise great care in the selection of personnel to carry out the work and to supervise the work to see that it is properly done throughout the Commonwealth. The work shall be conducted under such rules and regulations as may be adopted by the Virginia Polytechnic Institute and State University for the work of the Division and by the Virginia State University for the work of the Service in cooperative relation to

the United States Department of Agriculture. The Virginia Polytechnic Institute and State University through the Division and the Virginia State University through the Service are authorized to conduct work with both adults and youth through local units to be known as "departments of extension and continuing education."

§ 23-132.5. Sources from which moneys may be received; disposition of receipts.

The Division may receive moneys from the Commonwealth, the federal government or private sources and all receipts of the Division shall be deposited to the credit of the general fund of the state treasury and are hereby appropriated to the Virginia Polytechnic Institute and State University to be used exclusively for the purposes of the Division.

§ 23-132.6. Appropriations by General Assembly.

There is hereby authorized to be appropriated for the purposes of this chapter such sums as the General Assembly may from time to time determine to be necessary. Any money that may be appropriated from the general fund of the state treasury, or received and appropriated from any agency or department of the federal government for the purposes of carrying out this chapter shall be expended by the Virginia Polytechnic Institute and State University through the Division and by the Virginia State University through the Service, and shall be accounted for in the manner prescribed by applicable law or regulations.

§ 23-132.7. For what purposes funds may be used.

The funds appropriated by the General Assembly as provided in § 23-132.6 shall be used by the Virginia Polytechnic Institute and State University and by the Virginia State University for the purpose of conducting cooperative extension services in the Commonwealth of Virginia and in cooperation with the several counties, cities, and other participating bodies therein so far as said funds will permit. "Cooperative extension service" is the function traditionally associated with the term "extension," which is the joint federal, state, and local program designed to aid transfer of information and research capabilities of land grant universities to citizens. Traditionally, the cooperative extension services focus on agriculture, including horticulture and silviculture, agribusiness, home economics, community resource development, and 4-H Clubs. These funds may be used for defraying all necessary expenses, including the payment of salaries and travel expenses, buying of equipment and supplies, and for other authorized expenses in connection with carrying out the work.

§ 23-132.8. Appropriations by local governing bodies.

The local governing bodies of the several counties and cities of the Commonwealth are hereby authorized and empowered to appropriate out of the county or city funds for the support of such activities of the Division such sums as said governing bodies may deem proper; the sums so appropriated are to be used in cooperation with the Virginia Polytechnic Institute and State University for paying such portions of the expenses of the Division and in such manner as may be agreed upon by the Virginia Polytechnic Institute and State University and the local governing body. Funds appropriated by the governing bodies of the county or city are to be supplemented by a sum or sums to be paid out of funds appropriated by the General Assembly to the Virginia Polytechnic Institute and State University for the Division and such funds as may be allotted from funds under its control.

§ 23-132.9. Soil survey.

For the purpose of continuing a survey of the soils of the Commonwealth which was begun by the United States Department of Agriculture, there is hereby authorized and directed to be made under the direction and supervision of such agricultural experiment station, a comprehensive soil survey of the Commonwealth of such a character and along such lines as to obtain an inventory of the soil resources of the Commonwealth and to determine their adaptability to various crops, forestry and livestock enterprises in order to promote the utilization of the lands of the Commonwealth in the most practical and economical way. It is contemplated that the experiment station will make this survey in cooperation with the United States Department of Agriculture.

§ 23-132.10. Agricultural survey.

There is authorized to be made under the direction and supervision of such agricultural experiment station, a thorough and comprehensive agricultural survey of the Commonwealth according to the most approved methods in practice, or which may be devised, for the purpose of gathering facts and information in regard to existing agricultural conditions in Virginia, and data upon which to base a study of agricultural economics and a constructive program for the development of agriculture and agricultural resources, which survey shall include matters pertaining to soils and soil fertility and management; soil erosion and drainage problems affecting soil fertility and productivity; the adaptation of various soil types, elevations and seasonable conditions to crops produced or which may suitably be produced; farm layout and selection and arrangement of fields for the use of labor-saving machinery, and economy and convenience in cultivation and farm operations; methods of cultivation, production and handling of crops, and general farm management; the various crops produced on farms, their yield and gross value compared with the cost of production and courses of low yield; farm labor, its distribution and efficiency; labor incomes of the various classes of farm labor; the relation of various farm products to public needs and local and general supply and demand; farm incomes and sources; capital investment and return; distribution of capital investment; the character and extent of idle lands

and their suitability for cultivation or other agricultural purposes in the various localities and what, if any, profitable use may be made of them through the introduction of livestock or crops adapted to such soils, by individuals or on a community plan, with notations of elevation, topography, temperatures and seasonal conditions as affecting fruit production, cotton or other crops; and any other information or studies which may seem advisable in determining methods for the betterment of agricultural conditions and the development of agricultural resources of the Commonwealth.

It is contemplated that in making the foregoing survey that the agricultural experiment station will, and is hereby authorized to, work in conjunction with and cooperate with similar agencies of the federal government whenever a suitable and satisfactory arrangement can be made for such cooperation.

§ 23-132.11. Reports.

The Virginia Polytechnic Institute and State University shall file such reports on the activities of the Division; the Virginia State University shall file such reports on the activities of the Service Program as may be required by law or requested by the Governor; and the two institutions shall file such reports on the unified plan as may be required by law or requested by the Governor.

§ 23-132.12. Construction of acts relating to the Virginia Cooperative Extension Service and Agricultural Experiment Station Division of Virginia Polytechnic Institute and State University.

All acts and parts of acts relating to the Virginia Cooperative Extension Service and Agricultural Experiment Station Division of the Virginia Polytechnic Institute and State University shall be construed as relating to the Division as established by this article, and no such act or part of an act shall be construed as limiting the provisions of this article.

§ 23-165.11. Cooperative Extension Service Program recognized; funding authority; unified plan; reports.

As provided in Article 1.1 (§ 23-132.1 et seq.) of Chapter 11 of Title 23 and subject to the federally required plan, the Cooperative Extension Service Program within Virginia State University, hereinafter referred to as "the Service Program," is hereby recognized. The Virginia State University is hereby empowered to accept grants, gifts or donations for the Cooperative Extension Service Program from the governing bodies of the several counties and cities of the Commonwealth, other public or private agencies, and individual donors. The Cooperative Extension Service Program shall be operated cooperatively by Virginia Polytechnic Institute and State University and Virginia State University, with agreed upon areas of program and service emphasis as set forth in the unified plan submitted by the two institutions to the U.S. Department of Agriculture. The Virginia State University shall file such reports on the activities of the Service Program as may be required by law or requested by the Governor and the two institutions shall file such reports on the unified plan as may be required by law or requested by the Governor.

2. That Chapter 8 of Title 3.1, consisting of §§ 3.1-40 through 3.1-46.1, and Article 2 of Chapter 11 of Title 23, consisting of §§ 23-133 through 23-135.7, of the Code of Virginia are repealed.