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**HOUSE BILL NO. 1022**

Offered January 22, 1996

*A BILL to amend and reenact §§ 2.1-1.6, 2.1-20.4, and 9-6.25:2 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 35.2 of Title 2.1 an article numbered 8, consisting of sections numbered 2.1-563.36 through 2.1-563.40, relating to creation of the Virginia Education Network Board.*

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 Patron—Harris
 

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 Referred to Committee on General Laws
 

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

**1. That §§ 2.1-1.6, 2.1-20.4, and 9-6.25:2 of the Code of Virginia are amended and reenacted and the Code of Virginia is amended by adding in Chapter 35.2 of Title 2.1 an article numbered 8, consisting of sections numbered 2.1-563.36 through 2.1-563.40, as follows:**

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

Accountancy, Board for  
 Aging, Advisory Board on the  
 Agriculture and Consumer Services, Board of  
 Air Pollution, State Advisory Board on  
 Alcoholic Beverage Control Board, Virginia  
 Apple Board, Virginia State  
 Appomattox State Scenic River Advisory Board  
 Aquaculture Advisory Board  
 Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for  
 Art and Architectural Review Board  
 Athletic Board, Virginia  
 Auctioneers Board  
 Audiology and Speech-Language Pathology, Board of  
 Aviation Board, Virginia  
 Barbers, Board for  
 Branch Pilots, Board for  
 Bright Flue-Cured Tobacco Board, Virginia  
 Building Code Technical Review Board, State  
 Catoctin Creek State Scenic River Advisory Board  
 Cattle Industry Board, Virginia  
 Cave Board  
 Certified Seed Board, State  
 Chesapeake Bay Local Assistance Board  
 Chickahominy State Scenic River Advisory Board  
 Child Abuse and Neglect, Advisory Board on  
 Chippokes Plantation Farm Foundation, Board of Trustees  
 Clinch Scenic River Advisory Board  
 Coal Mining Examiners, Board of  
 Coal Research and Development Advisory Board, Virginia  
 Coal Surface Mining Reclamation Fund Advisory Board  
 Coastal Land Management Advisory Council, Virginia  
 Conservation and Development of Public Beaches, Board on  
 Conservation and Recreation, Board of  
 Contractors, Board for  
 Corn Board, Virginia  
 Correctional Education, Board of  
 Corrections, State Board of  
 Cosmetology, Board for  
 Criminal Justice Services Board  
 Dark-Fired Tobacco Board, Virginia  
 Deaf and Hard-of-Hearing, Advisory Board for the Department for the

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60 Dentistry, Board of  
61 Education, State Board of  
62 Egg Board, Virginia  
63 Emergency Medical Services Advisory Board  
64 Employment Agency Advisory Board  
65 Farmers Market Board, Virginia  
66 Film Office Advisory Board  
67 Fire Services Board, Virginia  
68 Forensic Science Advisory Board  
69 Forestry, Board of  
70 Funeral Directors and Embalmers, Board of  
71 Game and Inland Fisheries, Board of  
72 Geology, Board for  
73 Goose Creek Scenic River Advisory Board  
74 Health Planning Board, Virginia  
75 Health Professions, Board of  
76 Health, State Board of  
77 Hearing Aid Specialists, Board for  
78 Hemophilia Advisory Board  
79 Historic Resources, Board of  
80 Housing and Community Development, Board of  
81 Industrial Development Services Advisory Board  
82 Insurance Advisory Board, State  
83 Irish Potato Board, Virginia  
84 Laboratory Services Advisory Board  
85 (Effective July 1, 1996) Litter Control and Recycling Fund Advisory Board  
86 Marine Products Board, Virginia  
87 Medical Advisory Board, Department of Motor Vehicles  
88 Medical Board of the Virginia Retirement System  
89 Medicare and Medicaid, Advisory Board on  
90 Medicine, Board of  
91 Mental Health, Mental Retardation and Substance Abuse Services Board, State  
92 Migrant and Seasonal Farmworkers Board  
93 Military Affairs, Board of  
94 Mineral Mining Examiners, Board of  
95 Minority Business Enterprise, Interdepartmental Board of the Department of  
96 Networking Users Advisory Board, State  
97 Nottoway State Scenic River Advisory Board  
98 Nursing, Board of  
99 Nursing Home Administrators, Board of  
100 Occupational Therapy, Advisory Board on  
101 Oil and Gas Conservation Board, Virginia  
102 Opticians, Board for  
103 Optometry, Board of  
104 Peanut Board, Virginia  
105 Personnel Advisory Board  
106 Pesticide Control Board  
107 Pharmacy, Board of  
108 Physical Therapy to the Board of Medicine, Advisory Board on  
109 Plant Pollination Advisory Board  
110 Polygraph Examiners Advisory Board  
111 Pork Industry Board, Virginia  
112 Poultry Products Board, Virginia  
113 Private College Advisory Board  
114 Private Security Services Advisory Board  
115 Professional and Occupational Regulation, Board for  
116 Professional Counselors, Board of  
117 Professional Soil Scientists, Board for  
118 Psychiatric Advisory Board  
119 Psychology, Board of  
120 Public Buildings Board, Virginia  
121 Public Telecommunications Board, Virginia

- 122 Radiation Advisory Board
- 123 Real Estate Appraiser Board
- 124 Real Estate Board
- 125 Reciprocity Board, Department of Motor Vehicles
- 126 Recreational Fishing Advisory Board, Virginia
- 127 Recreation Specialists, Board of
- 128 Reforestation Board
- 129 Rehabilitation Providers, Advisory Board on
- 130 Rehabilitative Services, Board of
- 131 Respiratory Therapy, Advisory Board on
- 132 Retirement System Review Board
- 133 Rockfish State Scenic River Advisory Board
- 134 Safety and Health Codes Board
- 135 Seed Potato Board
- 136 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 137 Shenandoah State Scenic River Advisory Board
- 138 Small Business Advisory Board
- 139 Small Business Environmental Compliance Advisory Board
- 140 Small Grains Board, Virginia
- 141 Social Services, Board of
- 142 Social Work, Board of
- 143 Soil and Water Conservation Board, Virginia
- 144 Soybean Board, Virginia
- 145 State Air Pollution Control Board
- 146 Substance Abuse Certification Board
- 147 Surface Mining Review, Board of
- 148 Sweet Potato Board, Virginia
- 149 T & M Vehicle Dealers' Advisory Board
- 150 Teacher Education and Licensure, Advisory Board on
- 151 Tourism and Travel Services Advisory Board
- 152 Transportation Board, Commonwealth
- 153 Transportation Safety, Board of
- 154 Treasury Board, The, Department of the Treasury
- 155 Veterans' Affairs, Board on
- 156 Veterinary Medicine, Board of
- 157 Virginia Board for Asbestos Licensing
- 158 Virginia Coal Mine Safety Board
- 159 Virginia Correctional Enterprises Advisory Board
- 160 *Virginia Education Network Board*
- 161 Virginia Employment Commission, State Advisory Board for the
- 162 (Effective July 1, 1996) Virginia Higher Education Tuition Trust Fund, Board of the
- 163 Virginia Horse Industry Board
- 164 Virginia Manufactured Housing Board
- 165 Virginia Retirement System, Board of Trustees
- 166 (For effective date - See Editor's note) Virginia Sheep Industry Board
- 167 Virginia Veterans Cemetery Board
- 168 Virginia Waste Management Board
- 169 Visually Handicapped, Virginia Board for the
- 170 Voluntary Formulary Board, Virginia
- 171 War Memorial Foundation, Virginia, Board of Trustees
- 172 (Contingently repealed - See Editor's note) Waste Management Facility Operators, Board for
- 173 Water Resources Research Center Statewide Advisory Board, Virginia
- 174 Waterworks and Wastewater Works Operators, Board for
- 175 Well Review Board, Virginia
- 176 Youth and Family Services, State Board of.
- 177 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 178 referred to as boards:
- 179 Compensation Board
- 180 State Board of Elections
- 181 State Water Control Board
- 182 Virginia Parole Board

183 Virginia Veterans Care Center Board of Trustees.  
184 § 2.1-20.4. Bodies receiving compensation.  
185 A. Notwithstanding any other provision of law, the following commissions, boards, etc., shall be  
186 those which receive compensation from state funds pursuant to § 2.1-20.3:  
187 Accountancy, Board for  
188 Agriculture and Consumer Services, Board of  
189 Air Pollution Control Board, State  
190 Airports Authority, Virginia  
191 Apprenticeship Council  
192 Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for  
193 Athletic Board, Virginia  
194 Auctioneers Board  
195 Audiology and Speech-Language Pathology, Board of  
196 Aviation Board, Virginia  
197 Barbers, Board for  
198 Branch Pilots, Board for  
199 Building Code Technical Review Board, State  
200 (Effective July 1, 1996) Charitable Gaming Commission  
201 Chesapeake Bay Local Assistance Board  
202 Child Day Care and Early Childhood Programs, Virginia Council on  
203 Coal Mining Examiners, Board of  
204 College Building Authority  
205 Commonwealth Competition Council  
206 Commonwealth Transportation Board  
207 Conservation and Development of Public Beaches, Board on  
208 Conservation and Recreation, Board of  
209 Contractors, Board for  
210 Correctional Education, Board of  
211 Corrections, Board of  
212 Cosmetology, Board for  
213 Criminal Justice Services Board  
214 Deaf and Hard-of-Hearing, Advisory Board for the  
215 Dentistry, Board of  
216 Education, State Board of  
217 Education Loan Authority, Virginia - Board of Directors  
218 Elections, State Board of  
219 Environment, Council on the  
220 Fire Services Board, Virginia  
221 Funeral Directors and Embalmers, Board of  
222 Game and Inland Fisheries, Board of  
223 Geology, Board for  
224 Health, State Board of  
225 Health Professions, Board of  
226 Hearing Aid Specialists, Board for  
227 Higher Education, State Council of  
228 Historic Resources, Board of  
229 Housing and Community Development, Board of  
230 Information Management, Council on  
231 Marine Resources Commission  
232 Medical Assistance Services, Board of  
233 Medical Complaint Investigation Committee  
234 Medicine, Board of  
235 Mental Health, Mental Retardation and Substance Abuse Services Board, State  
236 Milk Commission  
237 Mineral Mining Examiners, Board of  
238 Motor Vehicle Dealer Board  
239 Nursing, Board of  
240 Nursing Home Administrators, Board of  
241 Occupational Therapy, Advisory Board on  
242 Oil and Gas Conservation Board, Virginia  
243 Opticians, Board for  
244 Optometry, Board of

245 Pesticide Control Board  
 246 Pharmacy, Board of  
 247 Physical Therapy, Advisory Board on  
 248 Port Authority, Board of Commissioners of the Virginia  
 249 Professional and Occupational Regulation, Board for  
 250 Professional Counselors, Board of  
 251 Professional Soil Scientists, Board for  
 252 Psychology, Board of  
 253 Public Defender Commission  
 254 Public School Authority, Virginia  
 255 Purchases and Supply Appeals Board  
 256 Real Estate Appraiser Board  
 257 Real Estate Board  
 258 Recreation Specialists, Board of  
 259 Rehabilitative Services, Board of  
 260 Respiratory Therapy, Advisory Board on  
 261 Safety and Health Codes Board  
 262 Seed Potato Board  
 263 Social Services, Board of  
 264 Social Work, Board of  
 265 State Health Department Sewage Handling and Disposal Appeal Review Board  
 266 Substance Abuse Certification Board  
 267 Surface Mining Review, Board of  
 268 Treasury Board  
 269 Veterans' Affairs, Board on  
 270 Veterinary Medicine, Board of  
 271 Virginia Board for Asbestos Licensing  
 272 *Virginia Education Network Board*  
 273 Virginia Health Planning Board  
 274 Virginia Manufactured Housing Board  
 275 Virginia Veterans Care Center Board of Trustees  
 276 Virginia Waste Management Board  
 277 Visually Handicapped, Virginia Board for the  
 278 (Contingent repeal - See Editor's note) Waste Management Facility Operators, Board for  
 279 Water Control Board, State  
 280 Waterworks and Wastewater Works Operators, Board for  
 281 Well Review Board, Virginia  
 282 Youth and Family Services, State Board of.

283 B. Individual members of boards, commissions, committees, councils, and other similar bodies  
 284 appointed at the state level and receiving compensation for their services on January 1, 1980, but who  
 285 will not receive compensation under the provisions of this article, shall continue to receive compensation  
 286 at the January 1, 1980, rate until such member's current term expires.

287 *Article 8.*

288 *Virginia Education Network Board.*

289 § 2.1-563.36. *Virginia Education Network Board; functions; membership; terms; chairman; meetings;*  
 290 *expenses.*

291 *The Virginia Education Network Board within the Council on Information Management is*  
 292 *established. The Board shall be charged with assisting educational institutions and other appropriate*  
 293 *public and private entities in the Commonwealth in the establishment, operation, and use of advanced*  
 294 *telecommunications facilities and services that constitute the Virginia Education Network.*

295 *Notwithstanding the provisions of § 2.1-42.1, the Board shall consist of thirteen members, including*  
 296 *the Secretary of Education, Director of the State Council of Higher Education, Superintendent of Public*  
 297 *Instruction, Chancellor of the of the Community College System, State Librarian, Chairman of the*  
 298 *Virginia Technology Council, Director of the Council on Information Management and Director of the*  
 299 *Department of Information Technology. Any of the foregoing designated members may, with prior*  
 300 *notification to the Chairman of the Virginia Education Network Board, delegate another member of his*  
 301 *respective organization to serve in his stead. The remaining five members shall be designated by the*  
 302 *Governor from institutions of higher education; the designations shall be recommended by the president*  
 303 *of each institution. Of those members first designated by the Governor, two shall serve for terms of*  
 304 *three years, two for terms of two years and one for a term of one year. Thereafter, the successors of all*  
 305 *designated members shall be designated for a term of two years each. Vacancies other than by*

306 expiration of the term shall be filled by the Governor for the unexpired term. No member shall serve  
307 more than two consecutive two-year terms.

308 The Governor shall designate a member to serve as chairman, and the members may elect from their  
309 number a vice-chairman and may appoint a secretary and such other officers as they deem necessary  
310 and shall prescribe their duties and terms of office.

311 The Board shall meet at least annually or at the call of its chairman.

312 A quorum of the Board shall consist of seven members.

313 Board members shall be reimbursed for their actual and necessary expenses for travel and  
314 subsistence incurred in performance of their duties as Board members away from their places of  
315 residence. The expenses shall be paid from such funds as may be appropriated for the purpose.

316 § 2.1-563.37. General Powers.

317 The general powers of the Board are to:

318 1. Request the services, expertise, policy development and technical support of the Council on  
319 Information Management from the Director on issues concerning the Virginia Education Network.

320 2. Accept grants from the United States government and agencies and instrumentalities thereof and  
321 any other source. To these ends, the Board shall have the power to comply with such conditions and  
322 execute such agreements as may be necessary, convenient or desirable.

323 3. Prescribe rules and promulgate regulations necessary or incidental to the performance of the  
324 duties or executions of the powers conferred under this article concerning the Virginia Education  
325 Network.

326 4. Do all acts necessary or convenient to carry out the purposes of this article.

327 § 2.1-563.38. Duties of Board.

328 The Board shall:

329 1. Allocate and oversee the administration of appropriations, grants, gifts, and contributions for the  
330 Virginia Education Network.

331 2. Be responsible for monitoring and tracking all contractual and other relationships between the  
332 Commonwealth and the various entities in the Virginia Education Network. Appropriate actions include,  
333 but are not limited to:

334 a. Requiring such plans or reports and conducting such inspections and investigations as it deems  
335 necessary;

336 b. Ensuring that agreements for the utilization of the Virginia Education Network are entered into  
337 and determining the conditions thereof; and

338 c. Ensuring that the acquisition, production and distribution of services and facilities are available to  
339 any entity in the Commonwealth meeting the prescribed criteria established by the Board.

340 3. Oversee and approve all planning relating to, and forecast the needs of and for, advanced  
341 telecommunications services and facilities which relate to the Virginia Education Network within the  
342 Commonwealth. Appropriate actions include, but are not limited to:

343 a. Ensuring the availability of adequate advanced telecommunications services and facilities; and

344 b. Ensuring the provision of assistance to the educational institutions and other appropriate entities  
345 of the Commonwealth relating to the use of the Virginia Education Network.

346 4. Ensure that the development and use of the Virginia Education Network services and facilities are  
347 coordinated. Appropriate actions include, but are not limited to:

348 a. Overseeing the network established for the purpose of interconnecting the various entities and  
349 facilities within the Commonwealth;

350 b. Establishing appropriate criteria and evaluating the state of readiness of potential users of the  
351 Virginia Education Network;

352 c. Establishing appropriate criteria and procedures for allocating available funds for the use of  
353 potential users of the Virginia Education Network;

354 d. Recommending adoption of policies, standards and guidelines relating to technology, curriculum  
355 and training to appropriate entities of the Commonwealth, including, but not limited to, the Council on  
356 Information Management, the State Council of Higher Education and the Department of Education; and

357 e. Working with all local, state and federal agencies and other appropriate entities in matters  
358 involving furthering the use of the Virginia Education Network.

359 § 2.1-563.39. Virginia Education Network funds.

360 Any funds appropriated to the Council on Information Management for carrying out the purposes of  
361 this article shall be dispensed to:

362 1. Support the development of the Virginia Education Network within the Commonwealth.

363 2. Conduct and sponsor research into methods for improving the Virginia Education Network and the  
364 uses which might result from these improvements.

365 3. Purchase appropriate advanced telecommunications services and facilities for the Commonwealth's  
366 higher education institutions and for public libraries, museums and other appropriate entities.

367 4. Generally aid educational and other appropriate entities within the Commonwealth in their efforts

368 to serve the citizens of the Commonwealth.

369 § 2.1-563.40. Council support to the Board.

370 The Department of Planning and Budget, the Department of Education and the State Council of  
371 Higher Education shall, at the request of the Council on Information Management, provide  
372 administrative support to the Council and perform such other services as the Council may direct to  
373 provide services, expertise, supplies and facilities to the Board.

374 § 9-6.25:2. Policy boards, commissions and councils.

375 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the  
376 following policy boards, commissions and councils:

377 Apprenticeship Council

378 Athletic Board

379 Auctioneers Board

380 Blue Ridge Regional Education and Training Council

381 Board for Accountancy

382 Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects

383 Board for Barbers

384 Board for Contractors

385 Board for Cosmetology

386 Board for Geology

387 Board for Hearing Aid Specialists

388 Board for Opticians

389 Board for Professional and Occupational Regulation

390 Board for Professional Soil Scientists

391 Board for Waterworks and Wastewater Works Operators

392 Board of Agriculture and Consumer Services

393 Board of Audiology and Speech-Language Pathology

394 Board of Coal Mining Examiners

395 Board of Conservation and Recreation

396 Board of Correctional Education

397 Board of Dentistry

398 Board of Directors, Virginia Student Assistance Authorities

399 Board of Funeral Directors and Embalmers

400 Board of Health Professions

401 Board of Historic Resources

402 Board of Housing and Community Development

403 Board of Medical Assistance Services

404 Board of Medicine

405 Board of Mineral Mining Examiners

406 Board of Nursing

407 Board of Nursing Home Administrators

408 Board of Optometry

409 Board of Pharmacy

410 Board of Professional Counselors

411 Board of Psychology

412 Board of Recreation Specialists

413 Board of Social Services

414 Board of Social Work

415 Board of Surface Mining Review

416 Board of Veterinary Medicine

417 Board on Conservation and Development of Public Beaches

418 Chesapeake Bay Local Assistance Board

419 Child Day Care and Early Childhood Programs, Virginia Council on

420 Child Day-Care Council

421 Commission on Local Government

422 Commonwealth Transportation Board

423 Council on Human Rights

424 Council on Information Management

425 Criminal Justice Services Board

426 Disability Services Council

427 Farmers Market Board, Virginia

428 Immigrant and Refugee Policy Council

429 Interdepartmental Council on Rate-setting for Children's Facilities  
430 Library Board, the Library of Virginia  
431 Marine Resources Commission  
432 Milk Commission  
433 Pesticide Control Board  
434 Real Estate Appraiser Board  
435 Real Estate Board  
436 Reciprocity Board, Department of Motor Vehicles  
437 Safety and Health Codes Board  
438 Seed Potato Board  
439 Southside Virginia Marketing Council  
440 Specialized Transportation Council  
441 State Air Pollution Control Board  
442 State Board of Corrections  
443 State Board of Elections  
444 State Board of Health  
445 State Board of Youth and Family Services  
446 State Health Department, Sewage Handling and Disposal Appeal Review Board  
447 State Library Board  
448 State Mental Health, Mental Retardation and Substance Abuse Services Board  
449 State Water Control Board  
450 Substance Abuse Certification Board  
451 Treasury Board, The, Department of the Treasury  
452 Virginia Aviation Board  
453 Virginia Board for Asbestos Licensing  
454 *Virginia Education Network Board*  
455 Virginia Fire Services Board  
456 Virginia Gas and Oil Board  
457 Virginia Health Planning Board  
458 Virginia Health Services Cost Review Council  
459 Virginia Manufactured Housing Board  
460 Virginia Parole Board  
461 Virginia Public Telecommunications Board  
462 Virginia Soil and Water Conservation Board  
463 Virginia Voluntary Formulary Board  
464 Virginia Waste Management Board  
465 Virginia World Trade Council.  
466 (For repeal - See Editor's note) Waste Management Facility Operators, Board for.