

# 1996 SESSION

INTRODUCED

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## SENATE BILL NO. 625

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.*

Patron—Hawkins

Referred to the Committee on General Laws

### 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	<i>Virginia Education Network Board</i>
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.