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**SENATE BILL NO. 625**

Senate Amendments in [ ] — February 2, 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. The Governor may designate the remaining five members from a list of qualified*  
 304 *persons submitted to him by the presidents of each institution. Every list shall contain at least three*  
 305 *names for each vacancy to be filled. The Governor shall not be limited in his designations to the*

persons so nominated. ] Of those members first designated by the Governor, two shall serve for terms of three years, two for terms of two years and one for a term of one year. Thereafter, the successors of all designated members shall be designated for a term of two years each. Vacancies other than by expiration of the term shall be filled by the Governor for the unexpired term. No member shall serve more than two consecutive two-year terms.

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

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

A quorum of the Board shall consist of seven members.

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

§ 2.1-563.37. General Powers.

The general powers of the Board are to:

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

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

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

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

§ 2.1-563.38. Duties of Board.

The Board shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 2.1-563.39. Virginia Education Network funds.

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

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

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

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

370 4. Generally aid educational and other appropriate entities within the Commonwealth in their efforts  
 371 to serve the citizens of the Commonwealth.

372 § 2.1-563.40. Council support to the Board.

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

377 § 9-6.25:2. Policy boards, commissions and councils.

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

380 Apprenticeship Council

381 Athletic Board

382 Auctioneers Board

383 Blue Ridge Regional Education and Training Council

384 Board for Accountancy

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

386 Board for Barbers

387 Board for Contractors

388 Board for Cosmetology

389 Board for Geology

390 Board for Hearing Aid Specialists

391 Board for Opticians

392 Board for Professional and Occupational Regulation

393 Board for Professional Soil Scientists

394 Board for Waterworks and Wastewater Works Operators

395 Board of Agriculture and Consumer Services

396 Board of Audiology and Speech-Language Pathology

397 Board of Coal Mining Examiners

398 Board of Conservation and Recreation

399 Board of Correctional Education

400 Board of Dentistry

401 Board of Directors, Virginia Student Assistance Authorities

402 Board of Funeral Directors and Embalmers

403 Board of Health Professions

404 Board of Historic Resources

405 Board of Housing and Community Development

406 Board of Medical Assistance Services

407 Board of Medicine

408 Board of Mineral Mining Examiners

409 Board of Nursing

410 Board of Nursing Home Administrators

411 Board of Optometry

412 Board of Pharmacy

413 Board of Professional Counselors

414 Board of Psychology

415 Board of Recreation Specialists

416 Board of Social Services

417 Board of Social Work

418 Board of Surface Mining Review

419 Board of Veterinary Medicine

420 Board on Conservation and Development of Public Beaches

421 Chesapeake Bay Local Assistance Board

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

423 Child Day-Care Council

424 Commission on Local Government

425 Commonwealth Transportation Board

426 Council on Human Rights

427 Council on Information Management

428 Criminal Justice Services Board

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