



The Virginia Joint Commission on Technology and Science (JCOTS) held its first meeting of the 2008 Interim on April 17, 2008 in Richmond. Delegates May, Nixon, Rust, Cosgrove and Plum and Senators Watkins and Howell were present for the meeting.

The Commission deferred the election of a chair and vice-chair to a future meeting.

### **Legislative Update**

Patrick Cushing, staff attorney to JCOTS, provided an update on JCOTS-recommended legislation and other technology-related legislation from the 2008 Session of the General Assembly. The following bills recommended by JCOTS were enacted by the General Assembly:

- HB 238 (Cosgrove)/SB 286, recommendations of the JCOTS' Aerospace advisory committee, will create an income tax exemption for launch services and payload.
- HB 343 (Plum) and HB 344 (Plum) were both recommendations of the JCOTS' Electronics Recycling advisory committee. HB 343 will allow a locality to prohibit the disposal of cathode ray tubes in solid waste disposal facilities, provided the locality has implemented a recycling program for cathode ray tubes. HB 344 requires certain manufacturers of computer equipment to adopt and implement a recovery plan for the collection, recycling, and reuse of computer equipment.
- HB 632 (May), a recommendation of the JCOTS' Broadband advisory committee, clarifies the Virginia Resources Authority may be used as a funding mechanism for all projects involving the provision of broadband services, and not just those utilizing broadband technologies.
- HB 633 (May)/SB 133 (Houck) and HB 634 (May)/SB 132 (Houck) were recommendations of the joint JCOTS-FOIA Council subcommittee studying access to social security numbers. HB 633/SB 133 prohibits the dissemination of another person's social security number to the public. HB 634/SB 132 provides that, effective July 1, 2009, no agency shall require an individual to furnish a social security number unless it is authorized by law and essential to the performance of the agency's duties. The bills also direct agencies to report to JCOTS and the FOIA Council by October 1, 2008 about its collection and use of social security numbers.
- HB 137 (Peace)/SB 356 (Watkins) were recommendations of the JCOTS' Open Education advisory committee. The bills permit local school boards to enter into

contracts or issue purchase orders with publishers for the purchase of text books. The bills generally reorganize and update the textbook purchasing process in the Commonwealth.

Only one bill recommended by JCOTS was not adopted by the General Assembly. HB 1533 (Plum), a recommendation of the JCOTS' Electronic Recycling advisory committee, was continued, and will be further studied by JCOTS during the 2008 Interim. The bill would have banned the disposal of certain televisions and other component parts as solid waste.

Mr. Cushing also provided an overview of other technology-related legislation and technology-related budget items adopted by the 2008 Session of the General Assembly. A complete review of 2008 technology-related legislation is available on the JCOTS website.

### **Development of 2008 Work Plan**

Lisa Wallmeyer, director of JCOTS, presented a proposed work plan for the study of bills referred to JCOTS for study by the 2008 Session of the General Assembly, as well as the study of other issues identified by JCOTS members.

The proposed work plan would include the formation of two advisory committees, which will be comprised of legislators and representatives of interested citizens, industries, government agencies, etc. The Commission will seek applications from interested persons to serve on the committees.

The first advisory committee would be tasked with reviewing and reporting on transportation-related technologies that could be used to ease congestion, increase efficiencies, or improve safety in the Commonwealth. This committee will also review and make recommendations to JCOTS concerning HB 844, addressing idling, and SB 739, addressing minimum standards for vehicle noise emissions, both of which were referred to JCOTS for study by the General Assembly.

The second advisory committee would continue discussions concerning electronics recycling. The committee will discuss HB 1533, concerning the disposal of televisions, that was a recommendation of JCOTS in 2007 but was carried over by the General Assembly. The committee will also begin to discuss the necessity of a statewide compact fluorescent light bulb residential recycling policy.

In addition to these two advisory committees, the creation of two subcommittees was also proposed. The subcommittees would consist of members of JCOTS, and other legislative members or executive branch officials appointed by the chairman. The first of these subcommittees would continue discussions begun in 2007 about Open Education Resources, examining the feasibility of establishing a pilot program to encourage the use of these resources. The second subcommittee would continue the joint JCOTS-FOIA Council efforts to review access to social security numbers. In addition to reviewing

several bills aimed at limiting access to social security numbers on public records, the joint subcommittee will also work with state and local government to determine when social security numbers are collected, as directed by HB 633/SB 133 (2008).

Finally, it was recommended that JCOTS continue use of an executive committee, a practice that began in 2007. The executive committee would be tasked with reviewing HB 39 and HB 609 concerning texting while driving, and referred to JCOTS for study by the General Assembly, and HB 636 addressing electronic insurance notices, also referred to JCOTS for study. It was also recommended that the executive committee serve as the vehicle for continuing to review electronic medical records and broadband issues, to revisit cyber crimes laws, and to begin discussions concerning electronic medical credentialing.

The chairman noted that the work plan was flexible, and that additional topics and advisory committees could be added throughout the year, as necessary. Senator Watkins suggested that the issue of whether one may text a message to 9-1-1 be added to the agenda. No other comments about the work plan were received.

### **Update on HB 633/SB 133**

Staff provided an update to JCOTS about the status of HB 633 and SB 133, which would prohibit the dissemination of social security numbers to the general public. The bills were both enacted by the General Assembly, and will become law on July 1, 2008. Media reports indicate that the American Civil Liberties Union is preparing to file suit to challenge the law on First Amendment grounds. Staff will keep the committee members apprised as to the status of such lawsuit.

### **Other Business**

Staff reminded the JCOTS members that NASA Langley has invited the members of JCOTS to hold a meeting and tour NASA Langley on October 8, 2008. In addition, Virginia Tech is working to secure a date for a JCOTS meeting and tour in Blacksburg, which will likely take place in July. An event was planning in Blacksburg last summer, but was postponed due to scheduling conflicts of the members.

### **Adjournment**

The meeting was adjourned. The next meeting date has not yet been set.