



Joint Commission on Technology and Science
April 22, 2008 1:30 p.m.
House Room C, General Assembly Building

- **Call to order, roll call.**

Delegate Joe T. May, chairman of JCOTS, called the meeting to order and welcomed members and guests. Delegates May, Cosgrove, Nixon, Alexander, and Plum, and Senators Howell, Miller, J.C., and Watkins were present at the meeting.

- **Website Update**

Patrick Cushing, Staff Attorney for JCOTS, provided a brief overview of some updates to the JCOTS website. The most comprehensive update is a new page that lists all reports, on a year by year basis, submitted to the General Assembly that address science or technology issues. The listing of reports was generated by sorting through all reports made to the General Assembly. By listing just technology-related reports, JCOTS staff hopes that this will make it easier to locate and use relevant reports.

In addition to this change, the JCOTS website is now protected by a "creative commons" license. The creative commons license, a type of copyright protection, was extensively discussed at the Open Education meetings in 2008, and was a part of the Copyright legislation recommended by JCOTS and adopted by the General Assembly. The creative commons license allows the licensee extensive flexibility to determine if all copyright privileges are reserved, or set the terms for how a licensed item may be used. For purposes of the JCOTS website, materials on the website may be freely shared for noncommercial purposes with attribution, but may not be altered.

- **Introduction of JCOTS Policy Briefs:** JCOTS policy briefs will be concise and easy to read documents highlighting both minor and major science and technology related policies, laws, programs, and regulations. Staff will produce several JCOTS Policy Briefs during the interim and welcome any suggestions for topics of focus.

Staff distributed two JCOTS Policy Briefs to the members and to the public. Policy Briefs are a new project designed as concise, 1-page (front and back) documents that will overview science and

technology-related policies, legislation, programs, regulations, or emerging issues. Staff indicated that new Policy Briefs will be published throughout the Interim, and will be published on the first Monday of every month on the JCOTS website. Staff asked the membership to please let them know if there are particular topics that they would like to see covered.

The first two briefs concern E-911 and the E-911 Fund, and the Innovation and Entrepreneurship Investment Authority (formerly the Innovative Technology Authority). The E-911 Fund was chosen as a topic after questions arose during the 2009 Session as to how the fund worked; the IEIA was chosen as it was the result of a major piece of legislation passed by the 2009 General Assembly resulting in significant policy developments related to research and development in the Commonwealth. Both briefs are available on the JCOTS website under the "Policy Briefs" tab. After presentation of the E-911 Fund brief, Senator John Watkins suggested that attention also be given to the Virginia Geographic Information Network (VGIN), which is related to E-911. He suggested that staff from VGIN be invited to a later meeting to brief the Commission on their work.

• **Legislative Update:**

Patrick Cushing provided JCOTS with an update on major technology- and science-related legislation from the 2009 Session. He began by noting that all of the legislation recommended by JCOTS at the conclusion of the 2008 Interim was adopted by the General Assembly, and became law. This includes legislation related to texting while driving, electronic insurance notices, copyright practices of the Commonwealth, open education resource centers, rechargeable battery recycling, and collection of social security numbers.

In addition to the bills recommended by JCOTS, the 2009 Session of the General resulted in the adoption of several major pieces of technology and science legislation. Most notably, the Virginia Enterprise Applications Office was merged into the Virginia Information Technology Agency, a health IT standards advisory committee was created to advise the Information Technology Advisory Committee, the Virginia Research and Technology Advisory Commission was abolished and increased research and development responsibilities were given to the Innovative Technology Authority (renamed the Innovation and Entrepreneurship Investment Authority), and legislation was adopted to encourage increased research and development in the biosciences.

A complete list of all technology- and science-related legislation adopted by the 2009 Session of the General Assembly, along with summaries, is available on the JCOTS website under the "Meeting Materials" tab.

• Formation of 2009 Work Plan:

Lisa Wallmeyer, Executive Director, presented the chairman's draft work plan to the members for their consideration. She noted that the draft was a work in progress. Delegate May invited members to share their ideas about potential topics for study.

Following-up on the success of last year's visit to Virginia Tech with tours and briefings of their major research initiatives, a trip to Old Dominion University is tentatively planned for the 2009 Interim. It is anticipated that visits to different research institutions around the Commonwealth will become an annual event.

The only bill referred to JCOTS by the 2009 Session of the General Assembly is Senator Barker's SB 1229. The bill would amend the database breach notification statute to include health information. JCOTS has previously spent an extensive amount of time reviewing database breach notification legislation. The bill was also jointly referred to the Joint Commission on Health Care (JCHC). The work plan recommended appointing Delegate Nixon and Senator Wampler to represent JCOTS in future meetings with the JCHC. Because the federal stimulus bill includes health privacy provisions, and because federal regulations are expected this summer, this subcommittee will likely not begin its work until the fall.

The work plan recommends continuing the social security subcommittee that met during the 2007 and 2008 Interim and working with the Freedom of Information Advisory Committee. Legislation adopted by the 2009 Session of the General Assembly delays the implementation of requirements that all collections of social security numbers by state and local agencies to July 1, 2010. In the meantime, staff continues to review and analyze the surveys submitted by state and local agencies last fall regarding social security number collection practices. It was recommended that the subcommittee retain the same membership as last year: Delegate May, Delegate Nixon, Delegate Alexander, and Senator Watkins.

The chairman requested that members identify areas ripe for study and review, and to work on these projects with staff to develop background materials, updates, or potential legislative recommendations, as appropriate. Amongst the topics identified for study:

- Electronics Recycling & ROHS standards -- Delegate Plum
- Truck Aerodynamics -- Delegate Cosgrove
- Follow-up on Open Education -- Senator Watkins
- Follow-up on Underground Transmission Lines -- Delegate May
- Renewable Energy -- Senator Miller
- Health IT -- Delegate Nixon

- Sexting -- Delegate Cosgrove
- Vehicle Miles Traveled -- Delegate Rust

The work plan also recommends continuation of a JCOTS Executive Committee, consisting of Delegate May, Senator Locke, Delegate Cosgrove, Senator Howell, Delegate Nixon, and Delegate Plum. The Executive Committee will serve as the conduit for the reports and recommendations on topics assigned to individual members of JCOTS. The Executive Committee will offer their comments, suggestions, and recommendations to the full Commission.

Senator Watkins suggested that as part of the follow-up on Open Education Resources, textbook publishers be invited to present to JCOTS. He said that the Open Education Subcommittee heard from a few textbook publishers last year, and that he thought that the entire Commission would benefit from learning about how emerging business plans for textbooks are embracing technology.

Delegate Cosgrove noted that "sexting" is an important emerging issue that is garnering a lot of attention in the media. In recognizing that this is a topic that cuts across issues of technology and criminal justice, he recommended that JCOTS seek to work with the Virginia State Crime Commission. JCOTS and the Crime Commission collaborated several years ago on computer crimes issues. It was also suggested that a review of computer crimes in general with the Crime Commission might be warranted, to ensure that the language in place is keeping pace with changing technologies.

• **Other Business:**

Senator Watkins reminded JCOTS members of the rocket launch scheduled for the evening of May 5 at Wallops Island, and encouraged members to attend the launch and the tour of the Wallops facilities the next day.

• **Public comment:**

No public comment was received.

• **Adjournment.**