



Joint Commission on Technology and Science

March 27, 2007 1:00 p.m.

House Room D, General Assembly Building

(Teleconferenced Location: 510 Cumberland Street, Suite 308; Bristol VA) *

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

Delegate Joe T. May, chairman of the Joint Commission on Technology and Science, welcomed the members of the Commission and members of audience to the JCOTS organizational meeting.

- **10 Years of Technology & Science Policy.**

Delegate May began the meeting by noting that 2007 marks the 10th anniversary of JCOTS, which was formed in 1997. JCOTS member Delegate Plum patroned the legislation that created JCOTS, and served as its first chairman.

Over the past decade, technology has transformed the way that the public and private sectors do business in the Commonwealth. It has affected many important sectors of the Commonwealth, including healthcare, education, and transportation. One indication that the Commonwealth has truly developed a technology-based economy is the fact that in computer memory chips have surpassed tobacco as Virginia's number one export.

JCOTS has been involved in many important policy developments relating to science and technology. Some of the key areas of involvement include the development of strong cybercrimes legislation, the promotion of technology-based economic development, the updating of Virginia's intellectual property requirements for universities, the adoption of UCITA and UETA, and the consolidation of information technology into a single agency. JCOTS has also been involved in bringing heightened awareness to the nanotechnology and modeling & simulation industries in the Commonwealth. Delegate May noted that JCOTS will continue its important work in technology and science policy with its 2007 workplan, which would be discussed later in the meeting.

* Members present at meeting in Richmond: Delegate May, Delegate Cosgrove, Delegate Nixon, Delegate Rust, Delegate Plum, & Senator Watkins. Senator Wampler participated in the meeting via teleconference from the Bristol meeting location.



• Legislative Update.

Staff provided a brief overview of technology and science legislation that was discussed during the 2007 Session of the General Assembly. For summaries of technology legislation, please see the legislative summaries included in the meeting materials and available on the JCOTS website. Overall, JCOTS legislation was very successful. Bills that were adopted by the General Assembly that were recommended by JCOTS included photo monitoring of traffic signals, security measures for electronic voting machines, and electronic medical records legislation.

A few bills were referred to JCOTS for further study during the 2007 Interim. These included HB 2973 related to cell phone spam, HB 2086 related to RFID technologies, HB 2821 and SB 819 related to disclosure of social security numbers and personally identifiable information, and HJ 688/SJ 380, both of which direct JCOTS to study the utilization of the Mid-Atlantic Regional Spaceport.

Staff also provided an overview of SB 1001, which relates to electronic meetings. The bill would allow an electronic meeting to be held with only three working days notice, bringing the notice provision in line with the current requirements for a regular meeting. The bill also contains provisions allowing for members of a public body to participate from a remote location without the three days notice in certain emergency circumstances.

• Real ID Update.

JCOTS had convened an advisory committee during the 2006 Interim to review the technology implications of the federal Real ID Act, which will place certain requirements on the issuance of driver's licenses. The Act has been controversial in both its scope, and the estimated costs to the states to implement the new requirements. However, because federal regulations providing details about the Act's requirements were not issued in a timely manner, the committee had been unable to accomplish its work.

The Department of Homeland Security issued regulations on March 1, 2007, nearly 18 months late. Staff provided JCOTS members with an overview of the requirements of the regulations, as well as a summary of the regulations prepared by the National Conference of State Legislatures. A link to the summary information is available on the JCOTS website. It was noted that at the



end of the 2006 Interim, the advisory committee requested that the Virginia Department of Motor Vehicles keep JCOTS up to date with any issues that arose in developing an implementation strategy. Staff will monitor continued work relating to the Real ID Act and continue to communicate with DMV about its progress.

• **Formation of 2007 Work Plan.**

At the request of Delegate Joe T. May, staff presented his proposed workplan for the 2007 Interim. A detailed copy of the workplan is available on the JCOTS website and was distributed at the meeting. The workplan proposed to create seven advisory committees as follows: Broadband Technologies; Underground Transmission Lines; Creation of a Nanotechnology Authority; Open Source Education; Electronic Medical Records; eCycling; and Aerospace. JCOTS will solicit applications from interested members of the public to be appointed to serve on the various committees.

Two bills -- HB 2821 and SB 819 -- were referred to the Freedom of Information Advisory Council and JCOTS for joint study. The bills would create a new Freedom of Information Act exemption for the disclosure of personally identifiable information. JCOTS has previously been involved in issues relating to the disclosure of personal information, especially as it relates to electronic data or databases. The workplan recommended appointing Senator Watkins and Delegate Alexander to work jointly with a select number of FOIA Council members, who have yet to be officially named.

Finally, the workplan suggested the creation of a JCOTS executive committee, comprised of select legislative members of JCOTS. The advisory committee could review bills for JCOTS, such as the cell phone spam and the RFID bills referred to JCOTS for study, that require staff research but that are perhaps not ripe for the convening of an advisory committee. The executive committee could also serve to identify other topics that emerge during the course of the year that might require JCOTS involvement, and to stay up-to-date on certain topics that remain permanently on JCOTS' radar, such as IT security issues, VITA/PPEA developments, and renewable energies.

JCOTS unanimously adopted the chairman's proposed workplan.

• **Other Business.**

Delegate Nixon suggested that JCOTS should review HB 2058 relating to electronic notarization. He noted that the bill was adopted by the General

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Assembly with a delayed enactment date of July, 2008. Delegate Nixon expressed concern with some of the technical language used in the bill. He also suggested that language in UCITA and UETA might need to be reviewed, as the electronic notarization is "UCITA in action," and it appeared that some of its language might have become outdated. Delegate May said that review of these issues would fall to the executive committee, and that if necessary, the executive committee could recommend the creation of a workgroup or advisory committee.

- **Public comment.**

No public comment was received.

- **Adjournment.**