

CHAPTER ~~11~~ 26.

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.

Drafting note: Existing Chapter 11 of Title 23 is logically reorganized as proposed Chapters 13 and 26 of Title 23.1. Existing provisions that apply generally to governing boards of public institutions of higher education are consolidated in proposed Chapter 13. Existing provisions relating to the incorporation, membership and meetings, and powers and duties of the governing board that are unique to the University are retained in proposed Chapter 26.

Article 1.

General Provisions.

Drafting note: Existing provisions relating to the incorporation, membership and meetings, and powers and duties of the board of visitors are consolidated in Article 1 and technical changes are made.

~~§ 23-114 23.1-2600. Board of visitors a corporation and under control of General Assembly~~ Corporate name; name of the University.

A. The board of visitors of Virginia Polytechnic Institute and State University (the board) shall be ~~and remain~~ a corporation under the name and style of the "Virginia Polytechnic Institute and State University" and shall have, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1 except those powers that are confined to corporations created pursuant to Title 13.1. The board shall at all times be under the control of the General Assembly.

B. The institution shall be known as the Virginia Polytechnic Institute and State University (the University).

C. ~~All acts and parts of acts and statutes laws~~ relating to Virginia Polytechnic Institute, its predecessors ~~by whatever name known, or to, its board of visitors, or the boards board~~ of visitors ~~thereof, of each of its predecessors~~ shall be construed as relating to the ~~Virginia Polytechnic Institute and State~~ University.

1072 **Drafting note: Technical changes are made to conform the language in this section**
1073 **to that of each other four-year public institution of higher education.**

1074 ~~§ 23-115 23.1-2601. Appointment of visitors generally; number and eligibility~~
1075 ~~Membership.~~

1076 A. The board of visitors is to shall consist of ~~fourteen~~ 14 members, ~~thirteen~~ of whom 13
1077 shall be appointed by the Governor, and one ~~of whom~~ shall be the ~~President~~ president of the
1078 Board of Agriculture and Consumer Services, who shall serve ex officio. Of the 13 members
1079 appointed by the Governor, ~~three may be nonresidents~~ at least 10 members shall be residents of
1080 the Commonwealth and at least six members shall be alumni of the University. ~~The visitors in~~
1081 ~~the office on April 9, 1945, are continued in office until the end of their respective terms, or~~
1082 ~~until June 30, 1945, whichever last occurs.~~

1083 ~~As soon as practicable after April 9, 1945, the Governor shall appoint four members to~~
1084 ~~fill the unexpired portions of the terms which began on July 1, 1944, and shall appoint three~~
1085 ~~additional members for new terms of two years and two for new terms of four years, each term~~
1086 ~~beginning July 1, 1945. He shall, in addition, appoint the President of the State Board of~~
1087 ~~Agriculture and Consumer Services as an ex officio member for a term of four years to begin~~
1088 ~~July 1, 1945; provided that, if the tenure in office as President of such ex officio member expires~~
1089 ~~within that time, the Governor shall appoint such member's successor to fill the unexpired term.~~
1090 ~~Such President shall remain eligible for appointment as an ex officio member so long as he~~
1091 ~~continues in office as President. All appointments for full terms, as well as to fill vacancies,~~
1092 ~~shall be made~~ by the Governor are subject to confirmation by the Senate.

1093 B. The alumni association of the University may submit to the Governor a list of three
1094 nominees for each vacancy on the board, whether it occurs by expired term or otherwise. The
1095 Governor may appoint a member from the list of nominees.

1096 **Drafting note: Existing provisions relating to the membership of the board of**
1097 **visitors are logically combined in this proposed section, existing provisions relating to the**
1098 **terms and removal of members of the board are stricken and incorporated into proposed §**

1099 **23.1-1300, and technical changes are made to conform the language to that of each other**
1100 **four-year public institution of higher education. Obsolete language is recommended for**
1101 **repeal.**

1102 ~~§ 23-116. Appointment of visitors from nominees of alumni association.~~

1103 ~~(a) The Governor may appoint visitors from a list of qualified persons submitted to him~~
1104 ~~by the alumni association of the University on or before the first day of April of any year in~~
1105 ~~which the terms of any visitors will expire.~~

1106 ~~(b) Whenever a vacancy occurs, otherwise than by expiration of term, the Governor shall~~
1107 ~~certify this fact to the association and nominations may be submitted of qualified persons and~~
1108 ~~the Governor may fill the vacancy, if his discretion so dictates, from among the eligible~~
1109 ~~nominees of the association, whether or not alumni or alumnae.~~

1110 ~~(c) Every list shall contain at least three names for each vacancy to be filled.~~

1111 ~~(d) The Governor is not to be limited in his appointments to the persons so nominated.~~

1112 ~~(e) At no time shall less than six of the appointive visitors be alumni or alumnae of the~~
1113 ~~University.~~

1114 **Drafting note: The provisions of existing § 23-116 are stricken and incorporated**
1115 **into proposed § 23.1-2601.**

1116 ~~§ 23-117. Eligibility to serve for more than two successive terms.~~

1117 ~~No person, except the ex-officio member, shall be eligible to serve for or during more~~
1118 ~~than two successive four-year terms; but after the expiration of a term of two years or less, or~~
1119 ~~after the expiration of the remainder of a term to which appointed to fill a vacancy, two~~
1120 ~~additional four-year terms may be served by such a member if appointed thereto. Incumbents on~~
1121 ~~April 5, 1945, appointed for full terms prior to June 1, 1944, shall be deemed to be serving their~~
1122 ~~first terms.~~

1123 **Drafting note: The provisions of existing § 23-117 are stricken and incorporated**
1124 **into proposed § 23.1-1300.**

1125 § ~~23-118 23.1-2602.~~ ~~Officers and committees of the board; officers of the University~~
1126 ~~Meetings; officers; committees.~~

1127 A. The board shall meet in Blacksburg, in the County of Montgomery, at least once a
1128 year and at such other times and places as it determines. Special meetings of the board may be
1129 called by the Governor, the rector, or any three members. Notice of the time and place of each
1130 meeting shall be provided to each member.

1131 B. A majority of the board shall constitute a quorum. A majority of each committee shall
1132 constitute a quorum.

1133 C. The board ~~of visitors~~ shall appoint from ~~their own body~~ its membership a rector, ~~who~~
1134 shall to preside at ~~their~~ its meetings, and, ~~in his absence,~~ a president pro tempore to preside at its
1135 meetings in the absence of the rector. ~~The board may appoint a vice president of the University~~
1136 ~~and, by appropriate regulations, prescribe his authority, duties, and compensation, if any, and he~~
1137 ~~shall hold office at the pleasure of the board.~~

1138 D. The board shall appoint a secretary.

1139 E. The board shall also appoint from its membership an executive committee of ~~not less~~
1140 than at least three ~~nor~~ but not more than six, ~~which, during the interim between board meetings,~~
1141 members that shall be empowered during the interim between board meetings to exercise ~~all or~~
1142 ~~such part of the~~ such powers of the board as the board may ~~by resolution~~ prescribe by
1143 resolution.

1144 F. The board may ~~likewise~~ appoint special committees and prescribe their duties and
1145 powers.

1146 ~~The executive~~ G. Each committee, ~~and other committees~~ shall ~~make reports~~ report its
1147 actions to the board, at ~~its~~ the board's annual meeting ~~or oftener if required, of the acts~~
1148 ~~performed by them from time to time and at such other times as the board may require.~~ The
1149 board shall also appoint a treasurer of the University and may appoint a secretary thereof, and
1150 also a clerk to the board, and such other officers, assistants and deputies as they deem advisable
1151 to conduct the business and affairs of the University.

1152 **Drafting note: Technical changes are made to conform provisions relating to**
1153 **meetings, officers, and committees of the board of visitors to those of each other four-year**
1154 **public institution of higher education.**

1155 ~~§ 23-119. Quorum of board and of committees.~~

1156 ~~A majority of the board and also of all committees appointed pursuant to § 23-118 shall~~
1157 ~~constitute a quorum.~~

1158 **Drafting note: The provisions of existing § 23-119 are stricken and incorporated**
1159 **into proposed § 23.1-2602.**

1160 ~~§ 23-120.~~

1161 **Drafting note: Repealed by Acts 2015, c. 560.**

1162 ~~§ 23-121. Meetings of board.~~

1163 ~~The board shall meet at Blacksburg, in the County of Montgomery, at least once a year,~~
1164 ~~and at such other times or places as they shall determine, the days of meeting to be fixed by~~
1165 ~~them. Special meetings of the board may be called by the Governor, the rector, or any three~~
1166 ~~members. In either of such cases, notice of the time and place of meeting shall be given to every~~
1167 ~~other member.~~

1168 **Drafting note: The provisions of existing § 23-121 are stricken and incorporated**
1169 **into proposed § 23.1-2602.**

1170 ~~§ 23-122 23.1-2603. Powers and duties of board generally; expenses.~~

1171 ~~A. The board shall be is~~ charged with the care ~~and,~~ preservation, and improvement of the
1172 property belonging to the University; and with the protection and safety of students and other
1173 persons residing on ~~the such~~ property, ~~and in pursuance thereof shall be empowered to.~~ Pursuant
1174 ~~to such duties, the board may~~ change roads or driveways on the property ~~belonging to the~~
1175 ~~University~~ or entrances ~~thereto to such property,~~ ~~or to~~ close temporarily or permanently the
1176 roads, ~~and~~ driveways ~~on such property~~ and entrances; ~~to to such property,~~ prohibit ~~entrance to~~
1177 ~~the property of~~ undesirable and disorderly persons ~~from entering such property,~~ ~~or to~~ eject such

1178 persons from ~~the such~~ property, and ~~to~~ prosecute under ~~the laws of the~~ state law trespassers and
1179 persons committing offenses on ~~the such~~ property.

1180 B. The board shall regulate the government and discipline of the students; ~~and,~~
1181 ~~generally, in respect to the government of the University, may make such regulations as they~~
1182 ~~deem expedient, not contrary to law. Such reasonable expenses as the visitors may incur in the~~
1183 ~~discharge of their duties shall be paid out of the funds of the University.~~

1184 **Drafting note: Several provisions of existing the second paragraph of § 23-122 are**
1185 **stricken and incorporated into proposed §§ 23.1-1301 and 23.1-1307. Technical changes**
1186 **are made.**

1187 ~~§ 23-122.1~~ 23.1-2604. Investment of endowment funds, endowment income, ~~and gifts;~~
1188 ~~standard of care; liability; exemption from the Virginia Public Procurement Act etc.~~

1189 A. As used in this section:

1190 "Derivative" means a contract or financial instrument or a combination of contracts and
1191 financial instruments, including any contract commonly known as a "swap," that gives the
1192 University the right or obligation to deliver, receive delivery of, or make or receive payments
1193 based on changes in the price, value, yield, or other characteristic of a tangible or intangible
1194 asset or group of assets or changes in a rate, index of prices or rates, or other market indicator
1195 for an asset or group of assets.

1196 "Option" means an agreement or contract whereby the University may grant or receive
1197 the right to purchase, sell, or pay or receive the value of any personal property asset, including
1198 any agreement or contract that relates to any security, contract, or agreement.

1199 "Financial security" means any note, stock, treasury stock, bond, debenture, evidence of
1200 indebtedness, certificate of interest, collateral-trust certificate, preorganization certificate of
1201 subscription, transferable share, investment contract, voting-trust certificate, certificate of
1202 deposit for a security, or fractional undivided interest in oil, gas, or other mineral rights; any put,
1203 call, straddle, option, or privilege on any security, certificate of deposit, or group or index of
1204 securities (including any interest therein or based on the value thereof); any put, call, straddle,

1205 option, or privilege entered into on a national securities exchange relating to foreign currency; in
1206 general, any interest or instrument commonly known as a "security;" or any certificate of
1207 interest or participation in, temporary or interim security for, receipt for, guarantee of, or
1208 warrant or right to subscribe to or purchase any financial security.

1209 B. The board ~~of visitors~~ shall invest and manage the endowment funds, endowment
1210 income, gifts, all other nongeneral fund reserves and balances, and local funds of or held by the
1211 University in accordance with this section and the provisions of the Uniform Prudent
1212 Management of Institutional Funds Act (§ 64.2-1100 et seq.).

1213 B-C. No member of the board ~~of visitors~~ shall be personally liable for losses suffered by
1214 ~~an~~ any endowment fund, endowment income, ~~gifts gift,~~ all other nongeneral fund ~~reserves~~
1215 reserve and ~~balances balance,~~ or local funds of or held by the University, arising from
1216 investments made pursuant to the provisions of subsection A.

1217 C-D. The investment and management of endowment funds, endowment income, gifts,
1218 all other nongeneral fund reserves and balances, or local funds of or held by the University shall
1219 not be subject to the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.).

1220 D-E. In addition to the investment practices authorized by the Uniform Prudent
1221 Management of Institutional Funds Act (§ 64.2-1100 et seq.), the board ~~of visitors~~ may ~~also~~
1222 invest or reinvest the endowment funds, endowment income, gifts, all other nongeneral fund
1223 reserves and balances, and local funds of or held by the University in derivatives, options, and
1224 financial securities.

1225 1. In this section, "derivative" means a contract or financial instrument or a combination
1226 of contracts and financial instruments, including, without limitation, any contract commonly
1227 known as a "swap," which gives the University the right or obligation to deliver or receive
1228 delivery of, or make or receive payments based on, changes in the price, value, yield or other
1229 characteristic of a tangible or intangible asset or group of assets, or changes in a rate, an index
1230 of prices or rates, or other market indicator for an asset or a group of assets.

1231 ~~2. In this section, an "option" means an agreement or contract whereby the University~~
1232 ~~may grant or receive the right to purchase or sell, or pay or receive the value of, any personal~~
1233 ~~property asset including, without limitation, any agreement or contract that relates to any~~
1234 ~~security, contract, or agreement.~~

1235 ~~3. In this section, "financial security" means any note, stock, treasury stock, bond,~~
1236 ~~debenture, evidence of indebtedness, certificate of interest, collateral trust certificate,~~
1237 ~~preorganization certificate of subscription, transferable share, investment contract, voting trust~~
1238 ~~certificate, certificate of deposit for a security, fractional undivided interest in oil, gas, or other~~
1239 ~~mineral rights, any put, call, straddle, option, or privilege on any security, certificate of deposit,~~
1240 ~~or group or index of securities (including any interest therein or based on the value thereof), or~~
1241 ~~any put, call, straddle, option, or privilege entered into on a national securities exchange relating~~
1242 ~~to foreign currency, or in general, any interest or instrument commonly known as a "security,"~~
1243 ~~or any certificate of interest or participation in, temporary or interim security for, receipt for,~~
1244 ~~guarantee of, or warrant or right to subscribe to or purchase any of the foregoing.~~

1245 ~~E.F.~~ The authority ~~as~~ provided in this section ~~as it relates~~ to invest and reinvest
1246 nongeneral fund reserves and balances of or held by the University is predicated upon an
1247 approved management agreement between the University and the Commonwealth ~~of Virginia~~.

1248 **Drafting note: Technical changes.**

1249 ~~§ 23-123.~~

1250 **Drafting note: Repealed by Acts 1981, c. 319.**

1251 ~~§ 23-124. Appointment of professors; removal of professors and officers.~~

1252 ~~The board shall appoint as many professors as they deem proper, and, with the assent of~~
1253 ~~two-thirds of the members of the board, may remove any professor or, subject to the provisions~~
1254 ~~of Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2, any other officer of the University.~~

1255 **Drafting note: The provisions of existing § 23-124 related to the appointment of**
1256 **professors are stricken and incorporated into proposed § 23.1-1301. The provisions of**

1257 existing § 23-124 related to the removal of professors are stricken and incorporated into
1258 proposed § 23.1-2605.

1259 ~~§ 23-125. Prescribing duties of professors and course of instruction.~~

1260 ~~The board shall prescribe the duties of each professor and the course and mode of~~
1261 ~~instruction.~~

1262 **Drafting note: The provisions of existing § 23-125 are stricken and incorporated**
1263 **into proposed § 23.1-2605.**

1264 ~~§ 23-126. 23.1-2605. Appointment of president; employment of agents or servants~~
1265 ~~Employees.~~

1266 ~~The board shall appoint a president of the University and~~ A. The board shall appoint a
1267 treasurer of the University. The treasurer or the officer who controls the funds of the University
1268 shall give bond in the sum of \$50,000, payable to the Commonwealth, with condition for the
1269 faithful discharge of the duties of his office. The bond shall be approved by the board, entered
1270 on the board's journal, and transmitted to the Comptroller and shall remain filed in the
1271 Comptroller's office.

1272 B. The board may appoint a vice-president of the University and prescribe his authority,
1273 duties, and compensation, if any. The vice-president shall hold office at the pleasure of the
1274 board.

1275 C. The board may employ a secretary of the University, a clerk to the board, and such
1276 other agents or servants, officers, assistants, and deputies as may be necessary to conduct the
1277 business and affairs of the University.

1278 D. The board may remove any officer of the University with the assent of two-thirds of
1279 its members, subject to such human resources programs as may be established by the board
1280 pursuant to § 23-38.116.

1281 E. The board shall prescribe the duties of professors and the course and mode of
1282 instruction. The board may remove any professor with the assent of two-thirds of its members.

1283 **Drafting note: Provisions related to specific employees and officers of the**
1284 **University contained in existing §§ 23-124, 23-125, and 23-127 are consolidated in**
1285 **proposed § 23.1-2605. Subsection D makes necessary reference to the board's power to**
1286 **establish an alternative human resources program pursuant to § 23-38.116. Technical**
1287 **changes are made.**

1288 ~~§ 23-127. Bond of treasurer.~~

1289 ~~The board shall require the treasurer, or the officer in whose hands the funds of the~~
1290 ~~University may be placed, to give bond in the sum of \$50,000, payable to the Commonwealth,~~
1291 ~~with condition for the faithful discharge of the duties of his office, which bond being approved~~
1292 ~~by the board and entered at large on its journal, shall be transmitted to the Comptroller, and~~
1293 ~~remain filed in his office.~~

1294 **Drafting note: The provisions of existing § 23-127 are stricken and incorporated**
1295 **into proposed § 23.1-2605.**

1296 ~~§ 23-128. Professors' salaries; fees of students.~~

1297 ~~Each professor shall receive a stated salary, to be fixed by the board of visitors. The~~
1298 ~~board shall fix the fees to be charged for tuition of students, other than those allowed~~
1299 ~~scholarships under § 23-31, which shall be a credit to the fund of the University.~~

1300 **Drafting note: The provisions of existing § 23-128 are stricken and incorporated**
1301 **into proposed § 23.1-1301.**

1302 ~~§ 23-129.~~

1303 **Drafting note: Repealed by Acts 1981, c. 319.**

1304 ~~§ 23-130, 23.1-2606. Curriculum.~~

1305 The curriculum of the ~~Virginia Polytechnic Institute and State~~ University shall embrace
1306 such branches of learning as relate to agriculture and the mechanic arts; without excluding other
1307 scientific and classical studies; and ~~including~~ military tactics.

1308 **Drafting note: Technical changes.**

1309 ~~§ 23-131. School of mines continued.~~

1310 ~~The school of mines now established at the Virginia Polytechnic Institute and State~~
1311 ~~University is continued, and shall receive for its support such sums as may be appropriated by~~
1312 ~~law for the purpose.~~

1313 **Drafting note: The provisions of existing § 23-131 are recommended for repeal as**
1314 **obsolete.**

1315 ~~§ 23-132.~~

1316 **Drafting note: Repealed by Acts 1972, c. 48.**

1317 ~~§ 23-155.05 23.1-2607. Purchase of electric power and energy; duration of contracts;~~
1318 ~~source of payments.~~

1319 A. For purposes of this section:

1320 "Other party" means any other entity, including ~~but not limited to any~~ (i) ~~another~~
1321 ~~municipality or~~ public institution of higher education, ~~or any~~ political subdivision, public
1322 authority, agency, or instrumentality of the Commonwealth, ~~another or~~ state, or the United
1323 States ~~of America~~ or (ii) ~~a~~ partnership, limited liability company, not-for-profit corporation,
1324 electric cooperative, or investor-owned utility, whether created, incorporated, or otherwise
1325 organized and existing under the laws of the Commonwealth or ~~another~~ state or the United
1326 States ~~of America~~.

1327 "Project" means any (i) system or facilities for the generation, transmission,
1328 transformation, or supply of electrical power and energy by any means whatsoever, including
1329 ~~but not limited to~~ fuel, fuel transportation, and fuel supply resources ~~and other related facilities,~~
1330 ~~any one or more;~~ (ii) electric generating ~~units~~ unit situated at a particular site, in the continental
1331 United States ~~of America, or any;~~ (iii) interest in ~~the foregoing such system, facilities, or unit,~~
1332 whether an undivided interest as a tenant in common or otherwise,; or ~~any~~ (iv) right to the
1333 output, capacity, or services ~~thereof of such system, facilities, or unit.~~

1334 B. ~~Virginia Polytechnic Institute and State~~ The University may contract with any other
1335 party to buy power and energy ~~required for to meet~~ its present or future requirements. ~~Such~~
1336 ~~contracts~~ Any such contract may provide that (i) the source of such power and energy is limited

1337 to a specified project ~~or may include provision for; (ii)~~ replacement power and energy. ~~Any such~~
1338 ~~contract may provide that shall be provided; or (iii)~~ the University shall be obligated to make
1339 payments required by the contract whether ~~or not a the~~ project is completed, operable, or
1340 operating and notwithstanding the suspension, interruption, interference, reduction, or
1341 curtailment of the output of a project or the amount of power and energy contracted for, ~~and that~~
1342 ~~such; (iv)~~ payments ~~under required by~~ the contract (a) shall not be subject to any reduction,
1343 whether by offset or otherwise, ~~and (b)~~ shall not be conditioned upon the performance or
1344 nonperformance ~~by of~~ any other party. ~~Such contracts, with respect to any project, may also~~
1345 ~~provide, in the event of default by the University or any other party to any such contract for such~~
1346 ~~project in the performance of its obligations thereunder, for the University or other party to any~~
1347 ~~such contract for such project to succeed to the rights and interests and assume the obligations~~
1348 ~~of the defaulting party, pro rata or otherwise as may be agreed upon in such contracts. Such~~
1349 ~~contracts may provide that the other party is not obligated to provide power and energy in the~~
1350 ~~event that the project specified to be the source of power and energy to be purchased and sold~~
1351 ~~under such contracts is inoperable or in the case of the suspension, interference, reduction or~~
1352 ~~curtailment of the output of such project or in events of force majeure.~~

1353 ~~Notwithstanding the provisions of any other law or charter provision to the contrary, any~~
1354 ~~such contract, with respect to the sale or purchase of capacity, output, power, or energy from a~~
1355 ~~project, may extend for a period not exceeding 50 years from the date a project is estimated to~~
1356 ~~be placed in normal continuous operation; and the execution and effectiveness thereof shall not~~
1357 ~~be subject to any authorizations or approvals by the Commonwealth or any agency, commission,~~
1358 ~~or instrumentality or political subdivision thereof except as specifically required by law.~~

1359 ~~Any such contract shall provide that payments by the University under any such~~
1360 ~~contract, (c) shall~~ be made solely from, ~~and may be secured by a pledge of and lien upon,~~ the
1361 revenues derived by the University from the ownership and operation of the electric system of
1362 the University, (d) may be secured by a pledge of and ~~such payments lien upon the electric~~
1363 system of the University, and (e) shall constitute an operating expense of ~~such the~~ electric

1364 system of the University; (v) in the event of default by the University or any other party to the
1365 contract in the performance of its obligations for any project, the University or any other party
1366 to the contract for such project shall succeed to the rights and interests and assume the
1367 obligations of the defaulting party, either pro rata or as may be otherwise agreed upon in the
1368 contract; or (vi) no other party shall be obligated to provide power and energy in the event that
1369 (a) the project is inoperable, (b) the output of the project is subject to suspension, interference,
1370 reduction or curtailment, or (c) a force majeure occurs.

1371 C. Notwithstanding any other charter or provision of law to the contrary, no such
1372 contract, with respect to the sale or purchase of capacity, output, power, or energy from a
1373 project, shall exceed 50 years from the date that the project is estimated to be placed in normal
1374 continuous operation.

1375 D. The execution and effectiveness of any such contract shall not be subject to any
1376 authorizations and approvals by the Commonwealth or any agency, commission,
1377 instrumentality, or political subdivision of the Commonwealth except as specifically required by
1378 law.

1379 E. No obligation under any such contract shall constitute a legal or equitable pledge,
1380 charge, lien, or encumbrance upon any property of the University or upon any of its income,
1381 receipts, or revenues, except the revenues of its electric system, and the faith and credit of the
1382 University ~~are not, or may shall~~ not be, pledged for the payment of any obligation under any
1383 such contract.

1384 F. The University shall ~~be obligated to~~ fix, charge, and collect rents, rates, fees, and
1385 charges for electric power and energy and other services, facilities, and commodities sold,
1386 furnished, or supplied through its electric system sufficient to provide revenues adequate to
1387 meet its obligations under any such contract and to pay any and all other amounts payable from
1388 or constituting a charge and lien upon such revenues, including amounts sufficient to pay the
1389 principal of and interest on bonds of the University ~~heretofore or hereafter~~ issued for purposes

1390 related to its electric system. Any pledge made by the University pursuant to this ~~paragraph~~
1391 subsection shall be governed by the laws of the Commonwealth.

1392 **Drafting note: The provisions of the single section in existing Article 7 (§ 23-155.05)**
1393 **of Chapter 11 are logically relocated as proposed § 23.1-2607 of Article 1 of Chapter 26.**
1394 **Technical changes are made.**

1395 Article ~~1.1.2.~~

1396 Virginia Cooperative Extension and Agricultural Experiment Station Division; Hampton Roads
1397 Agricultural Research and Extension Center.

1398 **Drafting note: Article 2 logically combines provisions on the closely related**
1399 **Virginia Cooperative Extension and Agricultural Experiment Station Division and**
1400 **Hampton Roads Agricultural Research and Extension Center. Technical changes are**
1401 **made.**

1402 § ~~23-132.1~~ 23.1-2608. Virginia Cooperative Extension and Agricultural Experiment
1403 Station Division established; Cooperative Extension Service recognized.

1404 A. There is hereby established within the ~~Virginia Polytechnic Institute and State~~
1405 University a division to be known as the Virginia Cooperative Extension and Agricultural
1406 Experiment Station Division, ~~hereinafter referred to as~~ (the Division), which shall encompass
1407 and administer the Virginia Cooperative Extension ~~Service~~ and the Agricultural Experiment
1408 Station with appropriate supporting programs.

1409 ~~Further, the~~ B. The Cooperative Extension Service ~~Program~~ within Virginia State
1410 University, ~~hereinafter referred to as~~ "(the Service Program,") is hereby recognized. The
1411 ~~Cooperative Extension~~ Service ~~Program~~ shall be operated cooperatively by ~~Virginia Polytechnic~~
1412 ~~Institute and State~~ the University and Virginia State University, with ~~agreed upon~~ agreed upon
1413 areas of program and service emphasis as set forth in the unified plan submitted by the two
1414 institutions to the U.S. Department of Agriculture.

1415 **Drafting note: Technical changes.**

1416 § ~~23-132.2~~ 23.1-2609. Administration of the Division.

1417 The board ~~of visitors of the Virginia Polytechnic Institute and State University~~ shall
1418 provide for the administration of ~~such~~ the Division through the regular administrative and fiscal
1419 officers of the ~~Virginia Polytechnic Institute and State~~ University and shall make appointments
1420 to the administrative and research staff on recommendation of the president of the ~~Virginia~~
1421 ~~Polytechnic Institute and State~~ University.

1422 **Drafting note: Technical changes.**

1423 § ~~23-132.3~~ 23.1-2610. Duties of the Division; ~~how work to be performed and the~~
1424 Service.

1425 A. The ~~Virginia Cooperative Extension Division and the~~ Service shall provide the people
1426 of the Commonwealth with useful and practical information and knowledge on ~~subjects related~~
1427 ~~to~~ agriculture, including horticulture and silviculture, agribusiness, home economics,
1428 community resource development, 4-H Clubs, and related subjects ~~relating thereto~~, through
1429 instruction and the dissemination of useful and practical information through demonstrations,
1430 conferences, courses, workshops, publications, meetings, ~~and~~ mass media, and other educational
1431 programs. The necessary printing and distribution of information in connection with ~~the~~
1432 ~~foregoing and~~ this work shall be ~~carried on~~ performed in such manner as may be mutually
1433 agreed upon by ~~Virginia Polytechnic Institute and State University for the work of the Division,~~
1434 ~~the Virginia State University for the work of the Service Program;~~ (i) the Governor or his
1435 designated representative designee, the ~~United States~~ U.S. Secretary of Agriculture, the ~~United~~
1436 ~~States~~ U.S. Secretary of Commerce, ~~and~~ other participating bodies, and the University for the
1437 work of the Division and (ii) the Governor or his designee, the U.S. Secretary of Agriculture,
1438 the U.S. Secretary of Commerce, other participating bodies, and Virginia State University for
1439 the work of the Service.

1440 B. ~~The Cooperative Extension Service Program shall also conduct educational programs~~
1441 ~~and disseminate useful and practical information to the people of the Commonwealth.~~

1442 § ~~3.2-503~~. Duties of ~~Extension Division of Virginia Polytechnic Institute and State~~
1443 ~~University~~.

1444 ~~A.~~ Personnel of the ~~Extension~~ Division ~~of Virginia Polytechnic Institute and State~~
1445 ~~University~~ shall inform local governing bodies of the Commonwealth whenever agricultural
1446 conditions are present in such localities that would warrant the declaration of a disaster pursuant
1447 to Section 301 of Public Law 93-288, 42 U.S.C. § 5141.

1448 ~~B.C.~~ Personnel of the ~~Extension~~ Division ~~of Virginia Polytechnic Institute and State~~
1449 ~~University~~ shall provide farmers and local governing bodies with such assistance and
1450 information as is available concerning federal and state disaster relief programs.

1451 ~~C.D.~~ The Agricultural Experiment Station shall conduct research and investigations and
1452 establish, publish, and distribute results in such forms as will tend to increase the economy,
1453 efficiency, and safety of the various enterprises and activities of interest to the Commonwealth
1454 and the nation, and promote the conservation and economic utilization of its natural and human
1455 resources.

1456 **Drafting note: Subsections B and C logically incorporate the provisions of existing**
1457 **§ 3.2-503. Technical changes are made.**

1458 ~~§ 23-132.4 23.1-2611. Selection of personnel; rules and regulations; work may be~~
1459 ~~conducted with both adults and youth~~ Personnel; local units.

1460 ~~It shall be the duty of the Virginia Polytechnic Institute and State~~ A. The University and
1461 ~~of the~~ Virginia State University, in cooperation with the departments and agencies of the federal
1462 government, ~~to~~ shall exercise great care in the selection of personnel to carry out and supervise
1463 the work ~~and to supervise the work to see that it is properly done throughout the Commonwealth~~
1464 of the Division and the Service. The work shall be conducted under such ~~rules and~~ regulations
1465 as may be adopted by the ~~Virginia Polytechnic Institute and State~~ University for the work of the
1466 Division and ~~by the~~ Virginia State University, in cooperation with the U.S. Department of
1467 Agriculture, for the work of the Service ~~in cooperative relation to the United States Department~~
1468 of Agriculture Program.

1469 ~~B.~~ The ~~Virginia Polytechnic Institute and State University through the~~ Division and the
1470 ~~Virginia State University through the~~ Service are authorized to ~~conduct~~ work with both adults

1471 and youth through local units to be known as "departments of extension and continuing
1472 education."

1473 **Drafting note: Technical changes are made, including use of "regulations" rather**
1474 **than "rules and regulations" per recommendation of the Code Commission.**

1475 ~~§ 23-132.5 23.1-2612. Sources from which moneys may be received; disposition of~~
1476 ~~receipts~~ Division; funding sources.

1477 The Division may receive moneys from the Commonwealth, the federal government ~~or,~~
1478 and private sources ~~and all.~~ All receipts of the Division shall be deposited to the credit of the
1479 general fund of the state treasury and ~~are hereby~~ appropriated to the ~~Virginia Polytechnic~~
1480 ~~Institute and State~~ University to be used exclusively for the purposes of the Division.

1481 **Drafting note: Technical changes.**

1482 ~~§ 23-132.6 23.1-2613. Appropriations~~ The Division and the Service; appropriations by
1483 the General Assembly.

1484 ~~There is hereby authorized to be appropriated for the purposes of this chapter such sums~~
1485 ~~as the~~ A. The General Assembly may ~~from time to time determine to be~~ appropriate such funds
1486 to the Division and the Service as it deems necessary. Any ~~money that may be appropriated~~
1487 ~~from the general fund of the state treasury, or received and appropriated~~ general funds and funds
1488 received from any agency or department of the federal government for the purposes of carrying
1489 out this ~~chapter article~~ shall be expended by the ~~Virginia Polytechnic Institute and State~~
1490 University through the Division and by the Virginia State University through the Service;
1491 Program and shall be accounted for in the manner prescribed by applicable law or regulations.

1492 B. Funds appropriated by the General Assembly shall be used by the University or
1493 Virginia State University for the purpose of conducting cooperative extension services in the
1494 Commonwealth. Such funds may be used to defray all necessary expenses, including salaries,
1495 travel expenses, equipment, supplies, or other authorized expenses.

1496 **Drafting note: Subsection B incorporates the provisions of existing § 23-132.7 with**
1497 **the exception of the explanatory provisions contained in that section. Technical changes**
1498 **are made.**

1499 ~~§ 23-132.7. For what purposes funds may be used.~~

1500 ~~The funds appropriated by the General Assembly as provided in § 23-132.6 shall be used~~
1501 ~~by the Virginia Polytechnic Institute and State University and by the Virginia State University~~
1502 ~~for the purpose of conducting cooperative extension services in the Commonwealth of Virginia~~
1503 ~~and in cooperation with the several counties, cities, and other participating bodies therein so far~~
1504 ~~as said funds will permit. "Cooperative extension service" is the function traditionally associated~~
1505 ~~with the term "extension," which is the joint federal, state, and local program designed to aid~~
1506 ~~transfer of information and research capabilities of land grant universities to citizens.~~
1507 ~~Traditionally, the cooperative extension services focus on agriculture, including horticulture and~~
1508 ~~silviculture, agribusiness, home economics, community resource development, and 4-H Clubs.~~
1509 ~~These funds may be used for defraying all necessary expenses, including the payment of salaries~~
1510 ~~and travel expenses, buying of equipment and supplies, and for other authorized expenses in~~
1511 ~~connection with carrying out the work.~~

1512 **Drafting note: With the exception of explanatory statements, the provisions of**
1513 **existing § 23.1-132.7 are stricken and incorporated into proposed § 23.1-2613. Explanatory**
1514 **statements are stricken.**

1515 ~~§ 23-132.8 23.1-2614. Appropriations The Division; appropriations by local governing~~
1516 ~~bodies.~~

1517 ~~The Any local governing bodies of the several counties and cities body of the~~
1518 ~~Commonwealth are hereby authorized and empowered to may appropriate out of the county or~~
1519 ~~city funds for the support of such, to be supplemented by funds appropriated by the General~~
1520 ~~Assembly to the University for the Division and such other funds as the University may~~
1521 ~~allocate, to support the activities of the Division ~~such sums as said governing bodies may deem~~~~
1522 ~~proper; the sums so appropriated are to be used in cooperation with the Virginia Polytechnic~~

1523 ~~Institute and State University for paying such portions of the expenses of the Division and~~ in
1524 such manner as may be agreed upon by the ~~Virginia Polytechnic Institute and State~~ University
1525 and the local governing body. ~~Funds appropriated by the governing bodies of the county or city~~
1526 ~~are to be supplemented by a sum or sums to be paid out of funds appropriated by the General~~
1527 ~~Assembly to the Virginia Polytechnic Institute and State University for the Division and such~~
1528 ~~funds as may be allotted from funds under its control.~~

1529 **Drafting note: Technical changes.**

1530 § ~~23-132.9~~ 23.1-2615. ~~Soil~~ Agricultural Experiment Station; soil survey.

1531 For the purpose of continuing a survey of the soils of the Commonwealth ~~which that~~ was
1532 begun by the ~~United States~~ U.S. Department of Agriculture, ~~there is hereby authorized and~~
1533 ~~directed to be made under the direction and supervision of such agricultural experiment station,~~
1534 the Agricultural Experiment Station shall direct and supervise a comprehensive soil survey of
1535 the Commonwealth of such a character and along such lines as to obtain an inventory of the soil
1536 resources of the Commonwealth and to determine their adaptability to various crops, forestry,
1537 and livestock enterprises ~~in order~~ to promote the utilization of the lands of the Commonwealth
1538 in the most practical and economical way. It is contemplated that the ~~experiment station~~
1539 Agricultural Experiment Station will make ~~this such soil~~ survey in cooperation with the ~~United~~
1540 States U.S. Department of Agriculture.

1541 **Drafting note: Technical changes.**

1542 § ~~23-132.10~~ 23.1-2616. Agricultural Experiment Station; agricultural survey.

1543 ~~There is authorized to be made under the direction and supervision of such agricultural~~
1544 ~~experiment station, The Agricultural Experiment Station may direct and supervise~~ a thorough
1545 and comprehensive agricultural survey of the Commonwealth according to the most approved
1546 methods in practice, ~~or which may be devised, for the purpose of gathering to gather~~ facts and
1547 information ~~in regard to~~ on existing agricultural conditions in ~~Virginia, the Commonwealth~~
1548 data upon which to base a study of agricultural economics and a constructive program for the
1549 development of agriculture and agricultural resources, ~~which survey shall include matters~~

1550 ~~pertaining to.~~ The survey shall examine (i) soils and soil fertility and management; (ii) soil
1551 erosion and drainage problems affecting soil fertility and productivity; (iii) the adaptation of
1552 various soil types, elevations, and seasonable conditions to crops produced or ~~which that~~ may
1553 suitably be produced; (iv) farm layout and selection ~~and;~~ (v) arrangement of fields for the use of
1554 labor-saving machinery, ~~and;~~ (vi) economy and convenience in cultivation and farm operations;
1555 (vii) methods of cultivation, production, and handling of crops, ~~and;~~ (viii) general farm
1556 management; (ix) the various crops produced on farms, and their yield and gross value
1557 compared with the cost of production and courses of low yield; (x) farm labor, and its
1558 distribution and efficiency; (xi) labor incomes of the various classes of farm labor; (xii) the
1559 relation of various farm products to public needs and local and general supply and demand;
1560 (xiii) farm incomes and income sources; (xiv) capital investment and return; (xv) distribution of
1561 capital investment; (xvi) the character and extent of idle lands and their suitability for
1562 cultivation or other agricultural purposes in the various localities and what, if any, profitable use
1563 may be made of them through the introduction of livestock or crops adapted to such soils, by
1564 individuals or on a community plan, with notations of elevation, topography, temperatures, and
1565 seasonal conditions ~~as~~ affecting ~~fruit~~ production of fruit, cotton ~~or,~~ and other crops; and (xvii)
1566 any other information or studies ~~which that~~ may seem advisable in determining methods for the
1567 betterment of agricultural conditions and the development of the agricultural resources of the
1568 Commonwealth.

1569 ~~It is contemplated that in making the foregoing survey that the agricultural experiment~~
1570 ~~station will, and is hereby authorized to,~~ The Agricultural Experiment Station is authorized to
1571 and it is contemplated that the Agricultural Experiment Station will work in conjunction with
1572 and cooperate with similar agencies of the federal government to make such agricultural survey
1573 whenever a suitable and satisfactory arrangement can be made for such cooperation.

1574 **Drafting note: Technical changes.**

1575 Article 6.

1576 Virginia Truck and Ornamentals Research Station.

1577 **Drafting note: Existing Article 6 (§ 23-155.01 et seq.) of Chapter 11 is stricken and**
1578 **its four sections are relocated to proposed Article 2 of this chapter with technical changes**
1579 **to reflect its name in current use.**

1580 § ~~23-155.01~~ 23.1-2617. ~~Established~~ Hampton Roads Agricultural Research and
1581 Extension Center established.

1582 The ~~Virginia Truck and Ornamentals~~ Hampton Roads Agricultural Research ~~Station is~~
1583 ~~hereby abolished as a permanent state institution and is reestablished~~ and Extension Center is
1584 established as a component of the Virginia Agricultural Experiment Station ~~which is, by the~~
1585 ~~provisions of § 23-132.1, part of the Research Division at the Virginia Polytechnic Institute and~~
1586 ~~State University.~~

1587 **Drafting note: Existing § 23-155.01 of Article 6 (§ 23-155.01 et seq.) of Chapter 11 is**
1588 **logically relocated as proposed § 23.1-2617. Technical changes are made, including**
1589 **updating the name of the Hampton Roads Agricultural Research and Extension Center.**

1590 § ~~23-155.02~~ 23.1-2618. ~~Function~~ Hampton Roads Agricultural Research and Extension
1591 Center; function.

1592 The ~~Virginia Truck and Ornamentals~~ Hampton Roads Agricultural Research ~~Station, at~~
1593 ~~times hereafter referred to as the "Station,"~~ and Extension Center shall conduct basic and
1594 applied research in the fields of horticulture, plant breeding and variety testing, entomology,
1595 nematology, plant pathology, plant physiology, and soil science which may bear directly on the
1596 interests of commercial growers of vegetable and ornamental crops in the Tidewater ~~Virginia~~
1597 region of the Commonwealth. The ~~station~~ Hampton Roads Agricultural Research and Extension
1598 Center shall coordinate its research with related work of the Virginia Agricultural Experiment
1599 Station to avoid unnecessary duplication of effort. The ~~information acquired~~ Hampton Roads
1600 Agricultural Research and Extension Center shall disseminate the results of its research
1601 conducted pursuant to this section ~~shall be disseminated.~~ The Norfolk and Eastern Shore
1602 branches of the ~~station will~~ Hampton Roads Agricultural Research and Extension Center shall
1603 be retained as active research stations.

1604 **Drafting note: Existing § 23-155.02 of Article 6 (§ 23-155.01 et seq.) of Chapter 11 is**
1605 **logically relocated as proposed § 23.1-2618. Technical changes are made.**

1606 § ~~23-155.03~~ 23.1-2619. Board ~~of Directors~~ directors.

1607 A. A ~~Board~~ board of ~~Directors~~ directors shall serve as an advisory body ~~representing to~~
1608 the Hampton Roads Agricultural Research and Extension Center that represents local
1609 agricultural interests. The ~~Board will~~ shall consist of five members, ~~all~~ appointed by the ~~Dean~~
1610 dean of the College of Agriculture and Life Sciences. Three ~~of the appointive~~ appointed
1611 members shall be ~~selected from the membership~~ members of the Association of Virginia Potato
1612 and Vegetable Growers, Incorporated. ~~Two of the appointive and two appointed~~ members shall
1613 be ~~selected from the membership~~ members of the Virginia ~~Nurseryman's Nursery and~~
1614 Landscape Association, ~~Incorporated~~.

1615 ~~The term of office of the appointive members~~ B. Members of the board shall ~~be serve for~~
1616 terms of four years.

1617 C. The members of the ~~Board~~ board shall name one of its members chairman ~~and three~~.

1618 D. Three members of the ~~Board~~ board shall constitute a quorum for the transaction of
1619 business.

1620 E. The ~~Board~~ board shall hold at least one meeting annually at either the Norfolk or
1621 Eastern Shore branch research stations and such other meetings as may be necessary at such
1622 times and places as the chairman or any three members may designate.

1623 **Drafting note: Technical changes.**

1624 § ~~23-155.04~~ 23.1-2620. ~~Executive Director~~ Hampton Roads Agricultural Research and
1625 Extension Center; executive director.

1626 An ~~Executive Director~~ executive director shall be appointed to administer the Norfolk
1627 and Eastern Shore branches of the ~~station~~ Hampton Roads Agricultural Research and Extension
1628 Center and ~~to~~ carry out ~~the station's~~ its research program ~~of research~~. The ~~Executive Director~~
1629 executive director shall serve at the pleasure of and be answerable to the Dean of the College of
1630 Agriculture and Life Sciences of the University.

1631 **Drafting note: Existing § 23-155.04 of Article 6 (§ 23-155.01 et seq.) of Chapter 11 is**
1632 **logically relocated as proposed § 23.1-2620. Technical changes are made.**

1633 ~~§ 23-132.11 23.1-2621. Reports The Division and the Service; reports.~~

1634 ~~A. The Virginia Polytechnic Institute and State University shall file such reports on the~~
1635 ~~activities of the Division; the Virginia State University shall file such reports on the activities of~~
1636 ~~the Service Program as may be required by law or requested by the Governor; and the two~~
1637 ~~institutions.~~

1638 ~~B. Virginia State University shall file such reports on the activities of the Service as may~~
1639 ~~be required by law or requested by the Governor.~~

1640 ~~C. The University and Virginia State University shall file such reports on the unified~~
1641 ~~plan as may be required by law or requested by the Governor.~~

1642 **Drafting note: Technical changes.**

1643 ~~§ 23-132.12 23.1-2622. Construction of acts relating to the Virginia Cooperative~~
1644 ~~Extension Service and Agricultural Experiment Station Division of Virginia Polytechnic~~
1645 ~~Institute and State University.~~

1646 All acts ~~and parts of acts~~ relating to the ~~Virginia Cooperative Extension Service and~~
1647 ~~Agricultural Experiment Station Division of the Virginia Polytechnic Institute and State~~
1648 ~~University~~ shall be construed as relating to the Division as established by this article; and no
1649 such act ~~or part of an act~~ shall be construed as limiting the provisions of this article.

1650 **Drafting note: Technical changes.**

1651 ~~Article 2.~~

1652 ~~Research Division.~~

1653 ~~§§ 23-133 through 23-135.7.~~

1654 **Drafting note: Repealed by Acts 1994, c. 433.**

1655 ~~Article 2.01 3.~~

1656 Virginia Center for Coal and Energy Research.

1657 **Drafting note: Technical changes.**

1658 § ~~23-135.7:1~~ 23.1-2623. ~~Created Virginia Center for Coal and Energy Research~~
1659 established.

1660 The Virginia Center for Coal and Energy Research (the Center) is ~~hereby created to be~~
1661 ~~located at Virginia Polytechnic Institute and State University, hereinafter referred to as the~~
1662 Center.

1663 § ~~23-135.7:2~~. Function.

1664 The Center shall be established as an interdisciplinary study, research, information, and
1665 resource facility for the Commonwealth ~~of Virginia utilizing and shall utilize~~ the full
1666 capabilities of faculty, staff, libraries, and laboratories for the benefit of Virginians and the
1667 expansion of knowledge pertaining to coal and energy research and development. The Center
1668 shall be located at the University.

1669 **Drafting note: Existing §§ 23-135.7:1 and 23-135.7:2 are logically combined in**
1670 **proposed § 23.1-2623. Technical changes are made.**

1671 § ~~23-135.7:3~~ 23.1-2624. Control and supervision.

1672 The Center shall be subject to the control and supervision of the board ~~of visitors of~~
1673 Virginia Polytechnic Institute and State University.

1674 **Drafting note: Technical changes.**

1675 § ~~23-135.7:4~~ 23.1-2625. ~~Appointment of executive~~ Executive director.

1676 The board ~~of visitors of Virginia Polytechnic Institute and State University~~ shall appoint
1677 an executive director for the Center.

1678 § ~~23-135.7:5~~. ~~Powers and duties of executive director.~~

1679 The executive director with who, subject to the approval of the board ~~of visitors of~~
1680 Virginia Polytechnic Institute and State University, shall ~~have the following powers and duties:~~

- 1681 1. Exercise all powers and perform all duties imposed upon him by law; ~~and~~
1682 2. Carry out the specific duties imposed upon him by the board ~~of visitors of Virginia~~
1683 Polytechnic Institute and State University; and

1684 3. Employ such personnel and contract for such services as may be required to carry out
1685 the purposes of this article.

1686 **Drafting note: Existing §§ 23-135.7:4 and 23-135.7:5 are logically combined in this**
1687 **proposed § 23.1-2625. Technical changes are made.**

1688 § ~~23-135.7:6~~ 23.1-2626. Powers and duties of the Center.

1689 The Center, under the direction of the executive director, shall ~~have the following~~
1690 ~~powers and duties~~:

1691 1. ~~To develop~~ Develop a degree program in energy production and conservation research
1692 at the master's level in conjunction with the State Council ~~on Higher Education~~;

1693 2. ~~To develop~~ Develop and provide programs of continuing education and in-service
1694 training for persons who work in the ~~field~~ fields of coal or other energy research, development,
1695 or production;

1696 3. ~~To operate in conjunction~~ Collaborate with other departments of ~~Virginia Polytechnic~~
1697 ~~Institute and State~~ the University, including ~~but not limited to~~ the Department of Mining and
1698 Minerals Engineering;

1699 4. ~~To conduct~~ Conduct research in the fields of coal, coal utilization, migrating natural
1700 gases such as methane and propane, and other ~~energy-related~~ energy-related work;

1701 5. ~~To collect~~ Collect and maintain data on energy production, development, and
1702 utilization;

1703 6. ~~To foster~~ Foster the utilization of research information, discoveries, and data;

1704 7. ~~To coordinate~~ Coordinate the functions of the Center with each of the Center's energy
1705 research facilities to prevent duplication of effort;

1706 8. ~~To apply~~ Apply for and accept grants from the ~~United States~~ federal government ~~and~~
1707 ~~the~~, state government ~~and agencies and instrumentalities thereof~~, and ~~from~~ any other source ~~in~~
1708 ~~carrying to carry~~ out the purposes of this article. ~~To these ends, the~~ The Center ~~shall have the~~
1709 ~~power to may~~ comply with such conditions and execute such agreements as may be necessary to
1710 accept such grants;

1711 9. ~~To accept~~ Accept gifts, bequests, and any other thing of value to ~~be used for carrying~~
1712 carry out the purposes of this article;

1713 10. ~~To receive~~ Receive, administer, and expend all funds and other assistance made
1714 available to the Center ~~for to carry out~~ the purposes of ~~carrying out~~ this article;

1715 11. ~~To consult~~ Consult with the Division of Energy of the Department of Mines,
1716 Minerals and Energy in the preparation of the Virginia Energy Plan pursuant to § 67-201; and

1717 12. ~~To do~~ Do all things necessary or convenient for the proper administration of this
1718 article.

1719 **Drafting note: Technical changes.**

1720 § ~~23-135.7:7~~ 23.1-2627. ~~Advisory Committee continued as~~ Virginia Coal Research and
1721 Development Advisory Board.

1722 The ~~Virginia Coal Research and Development Advisory Committee is continued and~~
1723 ~~shall hereafter be known as the~~ Virginia Coal Research and Development Advisory Board. ~~The~~
1724 ~~(the~~ Advisory Board) shall serve in an advisory capacity to the ~~Executive Director~~ executive
1725 director of the ~~Virginia~~ Center ~~for Coal and Energy Research~~.

1726 ~~1. The Advisory Board shall be authorized to advise on those matters set forth in § 23-~~
1727 ~~135.7:2.~~

1728 ~~2. Representatives to the Advisory Board shall be appointed by the~~ ~~Board of Visitors of~~
1729 ~~Virginia Polytechnic Institute and State University~~ board.

1730 ~~3. The Board of Visitors of Virginia Polytechnic Institute and State University board~~
1731 shall ~~also~~ appoint such other individuals as ~~they deem it deems~~ necessary to the work of the
1732 Advisory Board.

1733 ~~4. Representatives~~ Members shall include representatives from the Department of
1734 Conservation and ~~Historic Resources~~ Recreation; the Department of Small Business and
1735 Supplier Diversity; the Department of Mines, Minerals and Energy; the Department of Labor
1736 and Industry; the Virginia Port Authority, ~~the institutions~~; and each public institution of higher

1737 education, excluding ~~Virginia Polytechnic Institute and State~~ the University, ~~and the~~
1738 ~~Community College System shall serve as the Advisory Board.~~

1739 **Drafting note: Technical changes are made, including correcting the name of the**
1740 **Department of Conservation and Recreation.**

1741 Article ~~2.02~~ 4.

1742 Virginia Water Resources Research Center.

1743 **Drafting note: Technical changes.**

1744 § ~~23-135.7:8.~~ 23.1-2628. ~~Established~~ Virginia Water Resources Research Center
1745 established.

1746 The Virginia Water Resources Research Center, ~~which came into existence as the result~~
1747 ~~of the Water Resources Research Act of 1964 (P.L. 88-379), (the Water Center)~~ is hereby
1748 established ~~as the Virginia Water Resources Research Center, hereinafter referred to as the~~
1749 ~~Water Center, to be located at Virginia Polytechnic Institute and State University, for the~~
1750 ~~purposes of developing, implementing and coordinating to develop, implement, and coordinate~~
1751 water and related land research programs in the Commonwealth and ~~transferring~~ transfer the
1752 results of research and new technology to potential users. The Water Center shall be located at
1753 the University.

1754 **Drafting note: Technical changes.**

1755 § ~~23-135.7:10~~ 23.1-2629. Control and supervision.

1756 The Water Center ~~shall be~~ is a unit of ~~Virginia Polytechnic Institute and State~~ the
1757 University under the supervision and control of the ~~University's Board of Visitors~~ board.

1758 **Drafting note: Technical changes.**

1759 § ~~23-135.7:9~~ 23.1-2630. Functions, powers, and duties ~~of the Water Center.~~

1760 A. The Water Center shall: (i) consult with the General Assembly; federal, state, and
1761 local agencies; water user groups; private industry; and other potential users of research; (ii)
1762 establish and administer agreements with other ~~universities of~~ institutions of higher education in
1763 the Commonwealth ~~for the~~ to conduct ~~of~~ research projects; (iii) ~~[Repealed.]~~ ~~(iv)~~ disseminate

1764 new information and facilitate the transfer and application of new technology; ~~(v)~~ (iv) be a
1765 liaison between ~~Virginia~~ the Commonwealth and the federal research funding agencies ~~as an~~
1766 and advocate for ~~Virginia's~~ the Commonwealth's water research needs; ~~(vi)~~ and (v) encourage
1767 the development of academic programs in water resources management in conjunction with the
1768 State Council on Higher Education.

1769 B. ~~In addition, the~~ The Water Center shall facilitate and stimulate research that: (i) deals
1770 with policy issues facing the General Assembly; (ii) supports the state water resource agencies;
1771 and (iii) provides water planning and management organizations with tools to increase
1772 efficiency and effectiveness of water planning and management.

1773 **Drafting note: Technical changes.**

1774 § ~~23-135.7:11~~ 23.1-2631. ~~Appointment of an executive~~ Executive director.

1775 A. The principal administrative officer of the Water Center shall be an executive
1776 director, who shall be appointed by the ~~President~~ president of ~~Virginia Polytechnic Institute and~~
1777 State ~~the~~ University ~~with, subject to~~ the approval of the ~~Board of Visitors, and who~~ board. ~~The~~
1778 executive director shall be under the supervision of the ~~President~~ president of ~~Virginia~~
1779 ~~Polytechnic Institute and State~~ the University.

1780 § ~~23-135.7:12~~. ~~Powers and duties of the Executive Director~~.

1781 B. ~~The Executive Director~~ executive director shall exercise all powers imposed upon
1782 him by law, carry out the specific duties imposed upon him by the ~~President~~ president of
1783 ~~Virginia Polytechnic Institute and State~~ the University, and develop appropriate policies and
1784 procedures, with the advice of the Virginia Water Resources Research Center Statewide
1785 Advisory Board, for (i) identifying priority research problems; (ii) collaborating with the
1786 General Assembly; federal, state, and local governmental agencies; and water user groups in the
1787 formulation of its research programs; (iii) selecting projects to be funded; and (iv) disseminating
1788 information and transferring technology designed to help resolve water and related land
1789 problems of the Commonwealth. He shall employ such personnel and secure such services as

1790 may be required to carry out the purposes of this article and expend appropriated funds and
1791 accept moneys for cost-sharing on projects funded with federal and private funds.

1792 **Drafting note: Existing §§ 23-135.7:11 and 23-135.7:12 are combined in proposed §**
1793 **23.1-2631. Technical changes are made.**

1794 § ~~23-135.7:13~~ 23.1-2632. ~~Statewide Advisory Committee continued as~~ Virginia Water
1795 Resources Research Center Statewide Advisory Board.

1796 The ~~Virginia Water Resources Research Center Statewide Advisory Committee is~~
1797 ~~continued and shall hereafter be known as the~~ Virginia Water Resources Research Center
1798 Statewide Advisory Board. ~~The~~ (the Statewide Advisory Board) shall serve in an advisory
1799 capacity to the ~~Executive Director~~ executive director of the Water Center. Representatives of the
1800 Statewide Advisory Board shall be appointed by the Governor, subject to confirmation by the
1801 General Assembly, and shall include balanced representation from industries; federal, state, and
1802 local agencies; water user groups; and concerned citizens. The Statewide Advisory Board shall
1803 (i) recommend policy guidelines for implementing the functions of the Water Center ~~and,~~ (ii)
1804 evaluate the programs of the Water Center; ~~and~~ (ii) (iii) ~~advise and counsel with the~~ Executive
1805 Director executive director of the Water Center and make recommendations to assist him in
1806 carrying out the purposes of this article.

1807 **Drafting note: Technical changes.**

1808 Article ~~2.03~~ 5.

1809 Virginia Center for Housing Research.

1810 **Drafting note: Technical changes.**

1811 § ~~23-135.7:14~~ 23.1-2633. Virginia Center for Housing Research established.

1812 The Virginia Center for Housing Research, ~~hereinafter referred to as~~ (the Housing
1813 Center;) is ~~hereby created to~~ established and shall be located at ~~Virginia Polytechnic Institute~~
1814 and State the University.

1815 **Drafting note: Technical changes.**

1816 § ~~23-135.7:15~~ 23.1-2634. Functions, powers, and duties ~~of the Housing Center~~.

1817 ~~A.~~ The Housing Center shall serve as an interdisciplinary study, research, and
1818 information resource on housing for the Commonwealth ~~of Virginia~~. The Housing Center shall:
1819 (i) consult with the General Assembly; federal, state, and local agencies; nonprofit
1820 organizations; private industry; and other potential users of research; (ii) establish and
1821 administer agreements with other ~~universities of institutions of higher education in~~ the
1822 Commonwealth to carry out research projects; (iii) disseminate new information and research
1823 results; ~~and~~ (iv) facilitate the application and transfer of new technologies to housing.

1824 ~~B. In addition, the Housing Center shall; and (v)~~ stimulate and perform research that ~~(i)~~
1825 deals with housing policy issues facing the General Assembly and ~~(ii)~~ aids the Commonwealth's
1826 housing and housing finance agencies.

1827 **Drafting note: Technical changes.**

1828 § ~~23-135.7:16~~ 23.1-2635. Control and supervision.

1829 The Housing Center ~~shall be is~~ a unit of ~~Virginia Polytechnic Institute and State the~~
1830 University under the supervision and control of the ~~University's Board of Visitors board~~.

1831 **Drafting note: Technical changes.**

1832 § ~~23-135.7:17~~ 23.1-2636. ~~Appointment of a~~ Director.

1833 ~~A.~~ The ~~President~~ president of the ~~Virginia Polytechnic Institute and State~~ University,
1834 with the approval of the ~~Board of Visitors board~~, shall appoint a director to serve as the
1835 principal administrative officer of the Housing Center. The ~~Director~~ director shall be under the
1836 supervision of the ~~President~~ president of the ~~Virginia Polytechnic Institute and State~~ University
1837 or his designee.

1838 § ~~23-135.7:18. Powers and duties of the Director.~~

1839 ~~B.~~ The ~~Director~~ director shall exercise all powers imposed upon him by law, carry out
1840 the specific duties imposed on him by the ~~President~~ president of ~~Virginia Polytechnic Institute~~
1841 ~~and State the~~ University, and develop appropriate policies and procedures, with the advice of the
1842 ~~Research Advisory Board of Housing and Community Development~~, for (i) identifying priority
1843 research problems; (ii) cooperating with the General Assembly; federal, state, and local

1844 agencies; nonprofit organizations; and private industry in formulating its research programs; (iii)
1845 selecting research projects to be funded; and (iv) disseminating information and transferring
1846 technology related to housing and housing problems within the Commonwealth. The ~~Director~~
1847 director shall employ such personnel and secure such services as may be required to carry out
1848 the purposes of this article, expend appropriated funds, and accept moneys from federal or
1849 private sources for cost-sharing on projects.

1850 **Drafting note: Existing §§ 23-135.7:17 and 23-135.7:18 are combined as proposed §**
1851 **23.1-2636. Technical changes are made.**

1852 ~~§ 23-135.7:19.~~

1853 **Drafting note: Repealed by Acts 1992, c. 754.**

1854 ~~§ 23-135.7:20 23.1-2637. Board of Housing and Community Development to serve as~~
1855 ~~advisory~~ Advisory board.

1856 The Board of Housing and Community Development ~~established in § 36-135~~ shall ~~serve~~
1857 ~~in an advisory capacity to advise~~ the ~~Director~~ director of the Housing Center ~~for Housing~~
1858 ~~Research. The Board of Housing and Community Development shall be~~ and is authorized to
1859 advise the director on all matters set forth in ~~§ 23-135.7:15~~ 23.1-2634.

1860 **Drafting note: Technical changes.**

1861 ~~Article 2.1.~~

1862 ~~Roanoke Technical Institute.~~

1863 **Drafting note: Existing Article 2.1 (§ 23-135.8 et seq.) of Chapter 11 is**
1864 **recommended for repeal as obsolete.**

1865 ~~§ 23-135.8. Establishment and accreditation.~~

1866 ~~There is hereby established within the Virginia Polytechnic Institute and State University~~
1867 ~~a division to be known as the "Roanoke Technical Institute," hereinafter referred to as the~~
1868 ~~Institute. Such Institute shall be in all respects subject to the judgment, control and supervision~~
1869 ~~of the governing board of the Virginia Polytechnic Institute and State University in cooperation~~

1870 ~~with the State Board of Education, which said Institute shall offer courses appropriate to~~
1871 ~~establish accreditation practices in its field.~~

1872 **Drafting note: Existing § 23-135.8 is recommended for repeal as obsolete.**

1873 ~~§ 23-135.9. Purpose.~~

1874 ~~The purpose of the Institute shall be to train technicians in the industrial, scientific,~~
1875 ~~electrical and the mechanical arts and sciences in order to increase the economic efficiency and~~
1876 ~~safety of the manufacturing, engineering, and industrial enterprises of the Commonwealth and~~
1877 ~~to promote the economic utilization of its natural and human resources.~~

1878 **Drafting note: Existing § 23-135.9 is recommended for repeal as obsolete.**

1879 ~~§ 23-135.10. Administration.~~

1880 ~~The board of visitors of the Virginia Polytechnic Institute and State University in~~
1881 ~~cooperation with the State Board of Education shall provide for the administration of such~~
1882 ~~Institute through such persons as they determine proper and shall make such appointments to the~~
1883 ~~administrative and technical staff of the Institute as in their judgment appear best.~~

1884 **Drafting note: Existing § 23-135.10 is recommended for repeal as obsolete.**

1885 ~~§ 23-135.11. Contribution by City of Roanoke; gifts and donations.~~

1886 ~~The City of Roanoke shall provide a suitable site without cost to the Commonwealth and~~
1887 ~~assume an appropriate share of the cost of operation. For such purpose the city may accept and~~
1888 ~~expend gifts and donations from private individuals, firms, corporations and organizations,~~
1889 ~~which shall be considered for the purpose of this section as a contribution on the part of the city.~~

1890 **Drafting note: Existing § 23-135.11 is recommended for repeal as obsolete.**

1891 ~~Article 2.2.~~

1892 ~~Clifton Forge Covington Branch.~~

1893 **Drafting note: Existing Article 2.2 (§ 23-135.12 et seq.) of Chapter 11 is**
1894 **recommended for repeal as obsolete.**

1895 ~~§ 23-135.12. Establishment.~~

1896 ~~There is hereby established within the Virginia Polytechnic Institute and State University~~
1897 ~~a division to be known as the "Clifton Forge Covington Branch of the Virginia Polytechnic~~
1898 ~~Institute and State University," hereinafter referred to as the division. Such division shall be in~~
1899 ~~all respects subject to the judgment, control and supervision of the governing board of the~~
1900 ~~Virginia Polytechnic Institute and State University.~~

1901 **Drafting note: Existing § 23-135.12 is recommended for repeal as obsolete.**

1902 ~~§ 23-135.13. Administration.~~

1903 ~~The board of visitors of the Virginia Polytechnic Institute and State University shall have~~
1904 ~~the same powers as to determining the fields of instruction to be offered; as to fixing tuition,~~
1905 ~~fees and other charges; as to the appointment and removal of administrative officers, professors,~~
1906 ~~agents and servants, and the making of rules and regulations as are now vested in said board~~
1907 ~~with respect to Virginia Polytechnic Institute and State University. The board of visitors shall~~
1908 ~~have the power of granting appropriate diplomas or certificates of successful completion of the~~
1909 ~~two-year curriculum of such division.~~

1910 **Drafting note: Existing § 23-135.13 is recommended for repeal as obsolete.**

1911 ~~§ 23-135.14. Courses of instruction.~~

1912 ~~The curriculum offered by the division shall be limited to courses of instruction which~~
1913 ~~are offered by the Virginia Polytechnic Institute and State University to resident students during~~
1914 ~~their first two years of enrollment and to such other terminal courses of no more than two years'~~
1915 ~~duration as may be authorized by the board of visitors to meet the post-high school educational~~
1916 ~~needs of the community.~~

1917 **Drafting note: Existing § 23-135.14 is recommended for repeal as obsolete.**

1918 ~~§ 23-135.15. Expenditure of appropriations.~~

1919 ~~Appropriations, directly or indirectly, from the Commonwealth to the division shall be~~
1920 ~~expended as directed by the board of visitors of the Virginia Polytechnic Institute and State~~
1921 ~~University.~~

1922 **Drafting note: Existing § 23-135.15 is recommended for repeal as obsolete.**

1923 ~~§ 23-135.16. Care and preservation of property; acquisition of site; gifts and donations.~~
1924 ~~The board of visitors of the Virginia Polytechnic Institute and State University shall be~~
1925 ~~charged with the care and preservation of all property, real and personal, belonging to the~~
1926 ~~division. To this end, the board is authorized to acquire, by gift or purchase, a suitable site for~~
1927 ~~the division, and may accept and expend gifts and donations of any kind from individuals, firms,~~
1928 ~~corporations and organizations.~~

1929 **Drafting note: Existing § 23-135.16 is recommended for repeal as obsolete.**

1930 ~~Article 2.3.~~

1931 ~~Wytheville Branch.~~

1932 **Drafting note: Existing Article 2.3 (§ 23-135.17 et seq.) of Chapter 11 of Title 23 is**
1933 **recommended for repeal as obsolete.**

1934 ~~§ 23-135.17. Establishment.~~

1935 ~~There is hereby established within the Virginia Polytechnic Institute and State University~~
1936 ~~a division to be known as the "Wytheville Branch of the Virginia Polytechnic Institute and State~~
1937 ~~University," hereinafter referred to as the division. Such division shall be in all respects subject~~
1938 ~~to the judgment, control and supervision of the governing board of the Virginia Polytechnic~~
1939 ~~Institute and State University.~~

1940 **Drafting note: Existing § 23-135.17 is recommended for repeal as obsolete.**

1941 ~~§ 23-135.18. Administration.~~

1942 ~~The board of visitors of the Virginia Polytechnic Institute and State University shall have~~
1943 ~~the same powers as to determining the fields of instruction to be offered; as to fixing tuition,~~
1944 ~~fees and other charges; as to the appointment and removal of administrative officers, professors,~~
1945 ~~agents and servants, and the making of rules and regulations as are now vested in said board~~
1946 ~~with respect to Virginia Polytechnic Institute and State University. The board of visitors shall~~
1947 ~~have the power of granting appropriate diplomas or certificates of successful completion of the~~
1948 ~~two-year curriculum of such division.~~

1949 **Drafting note: Existing § 23-135.18 is recommended for repeal as obsolete.**

1950 ~~§ 23-135.19. Courses of instruction.~~

1951 ~~The curriculum offered by the division shall be limited to courses of instruction which~~
1952 ~~are offered by the Virginia Polytechnic Institute and State University to resident students during~~
1953 ~~their first two years of enrollment and to such other terminal courses of no more than two years'~~
1954 ~~duration as may be authorized by the board of visitors to meet the post-high school educational~~
1955 ~~needs of the community.~~

1956 **Drafting note: Existing § 23-135.19 is recommended for repeal as obsolete.**

1957 ~~§ 23-135.20. Expenditure of appropriations.~~

1958 ~~Appropriations, directly or indirectly, from the Commonwealth to the college shall be~~
1959 ~~expended as directed by the board of visitors of the Virginia Polytechnic Institute and State~~
1960 ~~University.~~

1961 **Drafting note: Existing § 23-135.20 is recommended for repeal as obsolete.**

1962 ~~§ 23-135.21. Care and preservation of property; acquisition of site; gifts and donations.~~

1963 ~~The board of visitors of the Virginia Polytechnic Institute and State University shall be~~
1964 ~~charged with the care and preservation of all property real and personal, belonging to the~~
1965 ~~college. To this end, the board is authorized to acquire, by gift or purchase, a suitable site for the~~
1966 ~~college, and may accept and expend gifts and donations of any kind from individuals, firms,~~
1967 ~~corporations and organizations.~~

1968 **Drafting note: Existing § 23-135.21 is recommended for repeal as obsolete.**

1969 ~~Article 3 6.~~

1970 ~~Governmental and Individual Donations.~~

1971 **Drafting note: Technical changes.**

1972 ~~§ 23-136 23.1-2638. Institutions receiving interest accruing on proceeds of land scrip.~~

1973 ~~The General Assembly having accepted the donation of lands proffered to Virginia by~~
1974 ~~the act of Congress of July 2, 1862; and,~~

1975 ~~The authorities of the Commonwealth having received the land scrip it was entitled to~~
1976 ~~under such act of Congress; and,~~

1977 ~~The Board of Education having, in conformity with the acts of February seventh, and~~
1978 ~~March 19, 1872, made sale of the scrip and invested the proceeds in state bonds, which were~~
1979 ~~directed to be set apart and to constitute an education fund:~~

1980 The annual accruing interest from ~~such fund~~ the education fund resulting from the
1981 donation of lands by act of Congress on July 2, 1862, and the sale of such lands and the
1982 investment of the proceeds from such sale in state bonds by the Board of Education on February
1983 7 and March 19, 1872, shall ~~henceforth until otherwise provided by law~~ be paid one-third
1984 ~~thereof to the~~ Virginia State University, and two-thirds to the ~~board of visitors of the Virginia~~
1985 ~~Polytechnic Institute and State~~ University.

1986 **Drafting note: Technical changes.**

1987 § ~~23-137~~ 23.1-2639. Institutions receiving money allotted to Commonwealth under act
1988 of Congress.

1989 The Comptroller shall receive from the U.S. Secretary of the Interior ~~of the United States~~
1990 such sums of money as shall be allotted to ~~Virginia~~ the Commonwealth under and in accordance
1991 with the act of Congress approved August 30, 1890, and shall pay ~~over the same as follows:~~
1992 one-third to the treasurer of ~~the~~ Virginia State University, and two-thirds to the treasurer of the
1993 ~~Virginia Polytechnic Institute and State~~ University, who shall receive and disburse the ~~same~~
1994 sums as required by section two of ~~the such~~ act of Congress ~~aforsaid~~.

1995 **Drafting note: Technical changes.**

1996 § ~~23-138~~ 23.1-2640. Experimental farms.

1997 A. A portion of the fund, not exceeding ~~ten per centum~~ 10 percent of ~~the proportion each~~
1998 sum assigned to Virginia State University and ~~Virginia Polytechnic Institute and State~~ the
1999 University, may be expended, in the discretion of the ~~governing boards~~ board of visitors of ~~the~~
2000 institutions, respectively each institution, in the purchase of lands for experimental farms ~~for~~
2001 ~~each of them.~~

2002 B. The respective governing boards may use a portion of the accruing interest from such
2003 fund to purchase suitable and appropriate laboratories.

2031 ~~Program on Food and Nutrition.~~

2032 ~~§§ 23-141.1 through 23-141.5. Expired.~~

2033 **Drafting note: Expired pursuant to Acts 1982, c. 283, cl. 2, effective June 30, 1986.**

2034 ~~Article 4.~~

2035 ~~Nautical School.~~

2036 **Drafting note: Existing Article 4 (§ 23-142 et seq.) of Chapter 11 is recommended**
2037 **for repeal as obsolete.**

2038 ~~§ 23-142. Establishment, management, etc.~~

2039 ~~There shall be established and maintained under the management, direction and control~~
2040 ~~of the board of visitors and faculty of the Virginia Polytechnic Institute and State University, a~~
2041 ~~nautical school for instruction in the science and practice of navigation, seamanship and~~
2042 ~~engineering and any such other subjects, to be prescribed by the proper authorities of the~~
2043 ~~University, as may be necessary for proper training for the position of deck or engine room~~
2044 ~~officers of the merchant marine. Such school shall be open to residents of the several counties~~
2045 ~~and cities of this Commonwealth, but the authorities of the University shall have the right to~~
2046 ~~limit the number of students attending the nautical school and to prescribe the necessary~~
2047 ~~physical and educational entrance requirements and standards of admission therefor, and the~~
2048 ~~government and discipline thereof, and to fix the terms and conditions upon which students shall~~
2049 ~~be received and instructed in the school and be graduated, discharged and suspended therefrom,~~
2050 ~~and to make all necessary requirements for its management.~~

2051 **Drafting note: Existing § 23-142 is recommended for repeal as obsolete.**

2052 ~~§ 23-143. Cost to students.~~

2053 ~~The students admitted to the nautical school shall have the privilege of attending the~~
2054 ~~same without charge for tuition, or for use of laboratories or public buildings, but the cost of~~
2055 ~~such students in the school for board, room, medical care and other necessary expenses shall be~~
2056 ~~the same as the cost to students in the engineering departments of the Institute.~~

2057 **Drafting note: Existing § 23-143 is recommended for repeal as obsolete.**

2058 ~~§ 23-144. Books and equipment; commander and instructors.~~

2059 ~~The authorities of the Institute shall provide the necessary books, charts, instruments,~~
2060 ~~apparatus and supplies required in the work of the nautical school or they may accept gifts or~~
2061 ~~loans of the same, and shall appoint and may remove a commander and all necessary instructors~~
2062 ~~and fix their duties and compensation, or they may appoint as commander or as instructors~~
2063 ~~therein such officers of the United States Navy as may be designated or detailed for that~~
2064 ~~purpose.~~

2065 **Drafting note: Existing § 23-144 is recommended for repeal as obsolete.**

2066 ~~§ 23-145. Governmental aid; donations, endowments, etc.~~

2067 ~~The authorities of the Institute shall likewise accept from the Commonwealth and from~~
2068 ~~the federal government, or either, such aid in the maintenance and conduct of the nautical school~~
2069 ~~as may be offered and which may be for the best interest of the school, including a suitable~~
2070 ~~vessel with her apparel, charts, books and instruments of navigation, and may receive from other~~
2071 ~~proper sources such funds, properties, donations and endowments as may be given, subscribed,~~
2072 ~~loaned or bequeathed for the support and maintenance of the nautical school, and all moneys so~~
2073 ~~appropriated or donated, subscribed or bequeathed shall be used or expended in accordance with~~
2074 ~~the provisions governing the same, provided such use or expenditures shall further the purpose~~
2075 ~~of the school and promote its usefulness and service.~~

2076 **Drafting note: Existing § 23-145 is recommended for repeal as obsolete.**

2077 ~~§ 23-146. Practical training aboard ship.~~

2078 ~~The authorities of the Institute shall, moreover, make provision for the necessary~~
2079 ~~practical training aboard ship or ships of students attending the nautical school in the science of~~
2080 ~~navigation, seamanship and engineering and such other subjects as may be prescribed, and no~~
2081 ~~student shall be received in the school until such provision has been made, nor shall any student~~
2082 ~~be graduated from the school who has not had such practical training in these and in such other~~
2083 ~~subjects as may be prescribed.~~

2084 **Drafting note: Existing § 23-146 is recommended for repeal as obsolete.**

2085 ~~Article 5.~~

2086 ~~Radford College, Woman's Division of the Virginia Polytechnic Institute.~~

2087 ~~§§ 23-147 through 23-155.~~

2088 **Drafting note: Repealed by Acts 1964, c. 50.**

2089 ~~Article 7.~~

2090 ~~Purchase of Electric Power and Energy.~~

2091 **Drafting note: Existing Article 7 (§ 23-155.05) of Chapter 11 is stricken. Its single**
2092 **section is relocated to proposed § 23.1-2607 in Article 1 with technical changes.**

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