

VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

CHAPTER 869

An Act to amend and reenact § 2.1-1.5 as it is currently effective and as it may become effective of the Code of Virginia and to amend the Code of Virginia by adding in Title 33.1 a chapter numbered 14, consisting of sections numbered 33.1-426 through 33.1-429, relating to creation and financing for the Virginia Coalfield Expressway Corridor Program.

[H 918]

Approved April 9, 2000

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-1.5 as it is currently effective and as it may become effective of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 33.1 a chapter numbered 14, consisting of sections numbered 33.1-426 through 33.1-429, as follows:

§ 2.1-1.5. Entities not subject to standard nomenclature.

The following entities are not subject to the provisions of § 2.1-1.2 due to the unique characteristics or the enabling legislation of the entities:

Authorities

Assistive Technology Loan Fund Authority.
Medical College of Virginia Hospitals Authority.
Richmond Eye and Ear Hospital Authority.
Small Business Financing Authority.
Virginia Agriculture Development Authority.
Virginia Coalfield Coalition Authority.
Virginia College Building Authority.
Virginia Economic Development Partnership.
Virginia Housing Development Authority.
Virginia Information Providers Network Authority.
Virginia Innovative Technology Authority.
Virginia Port Authority.
Virginia Public Building Authority.
Virginia Public School Authority.
Virginia Resources Authority.

Boards

Board of Commissioners, Virginia Agriculture Development Authority.
Board of Commissioners, Virginia Coalfield Coalition Authority.
Board of Commissioners, Virginia Port Authority.
Board of Directors, Assistive Technology Loan Fund Authority.
Board of Directors, Medical College of Virginia Hospitals Authority.
Board of Directors, Richmond Eye and Ear Hospital Authority.
Board of Directors, Small Business Financing Authority.
Board of Directors, Virginia Economic Development Partnership.
Board of Directors, Virginia Innovative Technology Authority.
Board of Directors, Virginia Resources Authority.
Board of Regents, Gunston Hall Plantation.
Board of Regents, James Monroe Memorial Law Office and Library.
Board of Trustees, Family and Children's Trust Fund.
Board of Trustees, Frontier Culture Museum of Virginia.
Board of Trustees, Jamestown-Yorktown Foundation.
Board of Trustees, Miller School of Albemarle.
Board of Trustees, Rural Virginia Development Foundation.
Board of Trustees, The Science Museum of Virginia.
Board of Trustees, Virginia Museum of Fine Arts.
Board of Trustees, Virginia Museum of Natural History.
Board of Trustees, Virginia Outdoor Foundation.
Board of Visitors, Christopher Newport University.
Board of Visitors, George Mason University.
Board of Visitors, Gunston Hall Plantation.
Board of Visitors, James Madison University.
Board of Visitors, Longwood College.
Board of Visitors, Mary Washington College.

Board of Visitors, Norfolk State University.
 Board of Visitors, Old Dominion University.
 Board of Visitors, Radford University.
 Board of Visitors, The College of William and Mary in Virginia.
 Board of Visitors to Mount Vernon.
 Board of Visitors, University of Virginia.
 Board of Visitors, Virginia Commonwealth University.
 Board of Visitors, Virginia Military Institute.
 Board of Visitors, Virginia Polytechnic Institute and State University.
 Board of Visitors, Virginia State University.
 Commonwealth Health Research Board.
 Governing Board, Virginia College Building Authority.
 Governing Board, Virginia Public School Authority.
 Library Board, The Library of Virginia.
 Motor Vehicle Dealer Board.
 State Board for Community Colleges, Virginia Community College System.
 Virginia-Israel Advisory Board.
 (Effective until July 1, 2002) Wireless E-911 Service Board.

Commissions

Advisory Commission on the Virginia Schools for the Deaf and the Blind.
 Alexandria Historical Restoration and Preservation Commission.
 Charitable Gaming Commission.
 Chesapeake Bay Bridge and Tunnel Commission.
 Hampton Roads Sanitation District Commission.
 Tobacco Indemnification and Community Revitalization Commission.

Districts

Chesapeake Bay Bridge and Tunnel District.
 Hampton Roads Sanitation District.

Educational Institutions

Christopher Newport University.
 Frontier Culture Museum of Virginia.
 George Mason University.
 James Madison University.
 Jamestown-Yorktown Foundation.
 Longwood College.
 Mary Washington College.
 Miller School of Albemarle.
 Norfolk State University.
 Old Dominion University.
 Radford University.
 The College of William and Mary in Virginia.
 The Library of Virginia.
 The Science Museum of Virginia.
 University of Virginia.
 Virginia Commonwealth University.
 Virginia Community College System.
 Virginia Military Institute.
 Virginia Museum of Fine Arts.
 Virginia Polytechnic Institute and State University.
 Virginia State University.

Foundations

Chippokes Plantation Farm Foundation.
 Rural Virginia Development Foundation.
 Virginia Arts Foundation.
 Virginia Land Conservation Foundation.
 Virginia Historic Preservation Foundation.
 Virginia Outdoor Foundation.
 Virginia Tobacco Settlement Foundation.

Museum

Virginia Museum of Natural History.

Partnership

A. L. Philpott Manufacturing Extension Partnership.

Plantation

Gunston Hall Plantation.

§ 2.1-1.5. (Delayed effective date) Entities not subject to standard nomenclature.

The following entities are not subject to the provisions of § 2.1-1.2 due to the unique characteristics or the enabling legislation of the entities:

Authorities

Assistive Technology Loan Fund Authority.
Medical College of Virginia Hospitals Authority.
Richmond Eye and Ear Hospital Authority.
Small Business Financing Authority.
Virginia Agriculture Development Authority.
Virginia Coalfield Coalition Authority.
Virginia College Building Authority.
Virginia Economic Development Partnership.
Virginia Housing Development Authority.
Virginia Information Providers Network Authority.
Virginia Innovative Technology Authority.
Virginia Port Authority.
Virginia Public Building Authority.
Virginia Public School Authority.
Virginia Resources Authority.

Boards

Board of Commissioners, Virginia Agriculture Development Authority.
Board of Commissioners, Virginia Coalfield Coalition Authority.
Board of Commissioners, Virginia Port Authority.
Board of Directors, Assistive Technology Loan Fund Authority.
Board of Directors, Medical College of Virginia Hospitals Authority.
Board of Directors, Richmond Eye and Ear Hospital Authority.
Board of Directors, Small Business Financing Authority.
Board of Directors, Virginia Economic Development Partnership.
Board of Directors, Virginia Innovative Technology Authority.
Board of Directors, Virginia Resources Authority.
Board of Regents, Gunston Hall Plantation.
Board of Regents, James Monroe Memorial Law Office and Library.
Board of Trustees, Family and Children's Trust Fund.
Board of Trustees, Frontier Culture Museum of Virginia.
Board of Trustees, Jamestown-Yorktown Foundation.
Board of Trustees, Miller School of Albemarle.
Board of Trustees, Rural Virginia Development Foundation.
Board of Trustees, The Science Museum of Virginia.
Board of Trustees, Virginia Museum of Fine Arts.
Board of Trustees, Virginia Museum of Natural History.
Board of Trustees, Virginia Outdoor Foundation.
Board of Visitors, Christopher Newport University.
Board of Visitors, George Mason University.
Board of Visitors, Gunston Hall Plantation.
Board of Visitors, James Madison University.
Board of Visitors, Longwood College.
Board of Visitors, Mary Washington College.
Board of Visitors, Norfolk State University.
Board of Visitors, Old Dominion University.
Board of Visitors, Radford University.
Board of Visitors, The College of William and Mary in Virginia.
Board of Visitors to Mount Vernon.
Board of Visitors, University of Virginia.
Board of Visitors, Virginia Commonwealth University.
Board of Visitors, Virginia Military Institute.
Board of Visitors, Virginia Polytechnic Institute and State University.
Board of Visitors, Virginia State University.
Commonwealth Health Research Board.
Governing Board, Virginia College Building Authority.
Governing Board, Virginia Public School Authority.
Library Board, The Library of Virginia.
Motor Vehicle Dealer Board.
State Board for Community Colleges, Virginia Community College System.
Virginia-Israel Advisory Board.

(Effective until July 1, 2002) Wireless E-911 Service Board.

Commissions

Advisory Commission on the Virginia Schools for the Deaf and the Blind.

Alexandria Historical Restoration and Preservation Commission.

Charitable Gaming Commission.

Chesapeake Bay Bridge and Tunnel Commission.

Hampton Roads Sanitation District Commission.

Districts

Chesapeake Bay Bridge and Tunnel District.

Hampton Roads Sanitation District.

Educational Institutions

Christopher Newport University.

Frontier Culture Museum of Virginia.

George Mason University.

James Madison University.

Jamestown-Yorktown Foundation.

Longwood College.

Mary Washington College.

Miller School of Albemarle.

Norfolk State University.

Old Dominion University.

Radford University.

The College of William and Mary in Virginia.

The Library of Virginia.

The Science Museum of Virginia.

University of Virginia.

Virginia Commonwealth University.

Virginia Community College System.

Virginia Military Institute.

Virginia Museum of Fine Arts.

Virginia Polytechnic Institute and State University.

Virginia State University.

Foundations

Chippokes Plantation Farm Foundation.

Rural Virginia Development Foundation.

Virginia Arts Foundation.

Virginia Conservation and Recreation Foundation.

Virginia Outdoor Foundation.

Museum

Virginia Museum of Natural History.

Partnership

A. L. Philpott Manufacturing Extension Partnership.

Plantation

Gunston Hall Plantation.

CHAPTER 14.

VIRGINIA COALFIELD COALITION AUTHORITY.

§ 33.1-426. *Virginia Coalfield Coalition Authority created.*

The Virginia Coalfield Coalition Authority, hereinafter referred to as "the Authority," is created as a body corporate and as a political subdivision of the Commonwealth. The Authority is hereby constituted a public instrumentality exercising public and essential governmental functions, and the exercise by the Authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential governmental function of the Commonwealth.

§ 33.1-427. *Board of Commissioners; membership; terms; compensation and expenses; chairman and vice-chairman; quorum; employees, agents, etc.*

All powers, rights and duties conferred by this chapter or other provisions of law upon the Authority shall be exercised by the Board of Commissioners of the Virginia Coalfield Coalition Authority. The Board of Commissioners, hereafter referred to as "the Board," shall consist of eleven members as follows: the State Treasurer; the Chairman of the Commonwealth Transportation Board; two members each of the local governing bodies of the Counties of Wise, Buchanan, and Dickenson, appointed by the Governor and subject to confirmation by the General Assembly, who shall serve for terms of four years each; and three additional members, appointed by the Governor and subject to confirmation by the General Assembly, who shall serve at the pleasure of the Governor for terms of four years each. Appointments to fill vacancies other than by expiration of term shall be made for the unexpired terms. No member appointed by the Governor shall be eligible to serve more than two successive terms.

Of the initial appointments to be made by the Governor, three shall be appointed for two-year terms, three shall be appointed for three-year terms, and three shall be appointed for four-year terms. The State Treasurer and the Chairman of the Commonwealth Transportation Board shall serve terms on the Board coincident with their terms in office.

The Governor shall designate the chairman of the Commonwealth Transportation Board, or his designee, as chairman of the Authority. The chairman shall be the chief executive officer of the Authority and shall receive such compensation as the Governor shall fix. The remaining members of the Board shall receive such compensation as provided for by law.

The chairman shall sign and execute all vouchers for the disbursement of funds belonging to the Authority upon authorization by the Board. The Board shall elect one of its members as vice-chairman who shall exercise the powers of the chairman when so directed by the chairman. Six members of the Board shall constitute a quorum for the transaction of all business of the Authority. The Board may also elect from its membership a secretary and prescribe his powers and duties.

The Board may employ or retain such employees, agents, financial advisers and attorneys as it may deem necessary and fix their compensation.

§ 33.1-428. Limited purpose of authority; Virginia Coalfield Expressway Corridor.

The General Assembly declares it to be in the public interest that the economic development needs and economic growth potential of Southwestern Virginia be addressed by the construction of an adequate, modern, safe, and efficient highway system, the Virginia Coalfield Expressway Corridor, generally along Virginia's Southwestern boundary, from at or near the Kentucky border in the County of Wise to at or near the West Virginia border in the County of Buchanan. The Authority is created and shall be vested with powers solely to provide for the construction of this highway system, hereafter referred to as "the Program," with the approval of the Commonwealth Transportation Board.

§ 33.1-429. General powers.

The Authority is vested with the powers of a body corporate, including, without limitation, the power to:

- 1. Sue and be sued;*
- 2. Make contracts;*
- 3. Adopt and use a common seal, and alter such seal at its pleasure;*
- 4. Procure insurance, participate in insurance plans, and provide self-insurance. The purchase of insurance, participation in an insurance plan, or the creation of a self-insurance plan by the Authority shall not be deemed a waiver or relinquishment of any sovereign immunity to which the Authority or its officers, directors, employees, or agents are otherwise entitled;*
- 5. Develop policies and procedures generally applicable to the procurement of goods, services and construction based on competitive principles;*
- 6. Use any legal means to carry out its limited purpose.*