

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

6 [S 661]
7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

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

12 § 2.1-1.5. Entities not subject to standard nomenclature.

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

15 Authorities

- 16 Assistive Technology Loan Fund Authority.
- 17 Medical College of Virginia Hospitals Authority.
- 18 Richmond Eye and Ear Hospital Authority.
- 19 Small Business Financing Authority.
- 20 Virginia Agriculture Development Authority.
- 21 *Virginia Coalfield Coalition Authority.*
- 22 Virginia College Building Authority.
- 23 Virginia Economic Development Partnership.
- 24 Virginia Housing Development Authority.
- 25 Virginia Information Providers Network Authority.
- 26 Virginia Innovative Technology Authority.
- 27 Virginia Port Authority.
- 28 Virginia Public Building Authority.
- 29 Virginia Public School Authority.
- 30 Virginia Resources Authority.

31 Boards

- 32 Board of Commissioners, Virginia Agriculture Development Authority.
- 33 *Board of Commissioners, Virginia Coalfield Coalition Authority.*
- 34 Board of Commissioners, Virginia Port Authority.
- 35 Board of Directors, Assistive Technology Loan Fund Authority.
- 36 Board of Directors, Medical College of Virginia Hospitals Authority.
- 37 Board of Directors, Richmond Eye and Ear Hospital Authority.
- 38 Board of Directors, Small Business Financing Authority.
- 39 Board of Directors, Virginia Economic Development Partnership.
- 40 Board of Directors, Virginia Innovative Technology Authority.
- 41 Board of Directors, Virginia Resources Authority.
- 42 Board of Regents, Gunston Hall Plantation.
- 43 Board of Regents, James Monroe Memorial Law Office and Library.
- 44 Board of Trustees, Family and Children's Trust Fund.
- 45 Board of Trustees, Frontier Culture Museum of Virginia.
- 46 Board of Trustees, Jamestown-Yorktown Foundation.
- 47 Board of Trustees, Miller School of Albemarle.
- 48 Board of Trustees, Rural Virginia Development Foundation.
- 49 Board of Trustees, The Science Museum of Virginia.
- 50 Board of Trustees, Virginia Museum of Fine Arts.
- 51 Board of Trustees, Virginia Museum of Natural History.
- 52 Board of Trustees, Virginia Outdoor Foundation.
- 53 Board of Visitors, Christopher Newport University.
- 54 Board of Visitors, George Mason University.
- 55 Board of Visitors, Gunston Hall Plantation.
- 56 Board of Visitors, James Madison University.

- 57 Board of Visitors, Longwood College.
- 58 Board of Visitors, Mary Washington College.
- 59 Board of Visitors, Norfolk State University.
- 60 Board of Visitors, Old Dominion University.
- 61 Board of Visitors, Radford University.
- 62 Board of Visitors, The College of William and Mary in Virginia.
- 63 Board of Visitors to Mount Vernon.
- 64 Board of Visitors, University of Virginia.
- 65 Board of Visitors, Virginia Commonwealth University.
- 66 Board of Visitors, Virginia Military Institute.
- 67 Board of Visitors, Virginia Polytechnic Institute and State University.
- 68 Board of Visitors, Virginia State University.
- 69 Commonwealth Health Research Board.
- 70 Governing Board, Virginia College Building Authority.
- 71 Governing Board, Virginia Public School Authority.
- 72 Library Board, The Library of Virginia.
- 73 Motor Vehicle Dealer Board.
- 74 State Board for Community Colleges, Virginia Community College System.
- 75 Virginia-Israel Advisory Board.
- 76 (Effective until July 1, 2002) Wireless E-911 Service Board.
- 77 Commissions
- 78 Advisory Commission on the Virginia Schools for the Deaf and the Blind.
- 79 Alexandria Historical Restoration and Preservation Commission.
- 80 Charitable Gaming Commission.
- 81 Chesapeake Bay Bridge and Tunnel Commission.
- 82 Hampton Roads Sanitation District Commission.
- 83 Tobacco Indemnification and Community Revitalization Commission.
- 84 Districts
- 85 Chesapeake Bay Bridge and Tunnel District.
- 86 Hampton Roads Sanitation District.
- 87 Educational Institutions
- 88 Christopher Newport University.
- 89 Frontier Culture Museum of Virginia.
- 90 George Mason University.
- 91 James Madison University.
- 92 Jamestown-Yorktown Foundation.
- 93 Longwood College.
- 94 Mary Washington College.
- 95 Miller School of Albemarle.
- 96 Norfolk State University.
- 97 Old Dominion University.
- 98 Radford University.
- 99 The College of William and Mary in Virginia.
- 100 The Library of Virginia.
- 101 The Science Museum of Virginia.
- 102 University of Virginia.
- 103 Virginia Commonwealth University.
- 104 Virginia Community College System.
- 105 Virginia Military Institute.
- 106 Virginia Museum of Fine Arts.
- 107 Virginia Polytechnic Institute and State University.
- 108 Virginia State University.
- 109 Foundations
- 110 Chippokes Plantation Farm Foundation.
- 111 Rural Virginia Development Foundation.
- 112 Virginia Arts Foundation.
- 113 Virginia Land Conservation Foundation.
- 114 Virginia Historic Preservation Foundation.
- 115 Virginia Outdoor Foundation.
- 116 Virginia Tobacco Settlement Foundation.
- 117 Museum

- 118 Virginia Museum of Natural History.
- 119 Partnership
- 120 A. L. Philpott Manufacturing Extension Partnership.
- 121 Plantation
- 122 Gunston Hall Plantation.
- 123 § 2.1-1.5. (Delayed effective date) Entities not subject to standard nomenclature.
- 124 The following entities are not subject to the provisions of § 2.1-1.2 due to the unique characteristics
- 125 or the enabling legislation of the entities:
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- 170 Board of Visitors, Norfolk State University.
- 171 Board of Visitors, Old Dominion University.
- 172 Board of Visitors, Radford University.
- 173 Board of Visitors, The College of William and Mary in Virginia.
- 174 Board of Visitors to Mount Vernon.
- 175 Board of Visitors, University of Virginia.
- 176 Board of Visitors, Virginia Commonwealth University.
- 177 Board of Visitors, Virginia Military Institute.
- 178 Board of Visitors, Virginia Polytechnic Institute and State University.

- 179 Board of Visitors, Virginia State University.
- 180 Commonwealth Health Research Board.
- 181 Governing Board, Virginia College Building Authority.
- 182 Governing Board, Virginia Public School Authority.
- 183 Library Board, The Library of Virginia.
- 184 Motor Vehicle Dealer Board.
- 185 State Board for Community Colleges, Virginia Community College System.
- 186 Virginia-Israel Advisory Board.
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- 191 Charitable Gaming Commission.
- 192 Chesapeake Bay Bridge and Tunnel Commission.
- 193 Hampton Roads Sanitation District Commission.

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- 196 Hampton Roads Sanitation District.

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- 206 Norfolk State University.
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- 208 Radford University.
- 209 The College of William and Mary in Virginia.
- 210 The Library of Virginia.
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- 213 Virginia Commonwealth University.
- 214 Virginia Community College System.
- 215 Virginia Military Institute.
- 216 Virginia Museum of Fine Arts.
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- 218 Virginia State University.

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- 220 Chippokes Plantation Farm Foundation.
- 221 Rural Virginia Development Foundation.
- 222 Virginia Arts Foundation.
- 223 Virginia Conservation and Recreation Foundation.
- 224 Virginia Outdoor Foundation.

225 Museum

- 226 Virginia Museum of Natural History.

227 Partnership

- 228 A. L. Philpott Manufacturing Extension Partnership.

229 Plantation

- 230 Gunston Hall Plantation.

231 CHAPTER 14.

232 VIRGINIA COALFIELD COALITION AUTHORITY.

- 233 § 33.1-426. *Virginia Coalfield Coalition Authority created.*

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

- 239 § 33.1-427. *Board of Commissioners; membership; terms; compensation and expenses; chairman and*

240 vice-chairman; quorum; employees, agents, etc.

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

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

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

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

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

266 § 33.1-428. Limited purpose of authority; Virginia Coalfield Expressway Corridor.

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

274 § 33.1-429. General powers.

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

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