

# VIRGINIA ACTS OF ASSEMBLY -- 2006 SESSION

## CHAPTER 861

*An Act to amend and reenact §§ 2.2-2609, 15.2-6202, 15.2-6203, 15.2-6209, 15.2-6210, 15.2-6214, 16.1-69.6, 17.1-500, 17.1-506, 22.1-354.1, and 55-288.1 of the Code of Virginia, relating to the former cities of Clifton Forge and South Boston.*

[H 1010]

Approved April 19, 2006

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

#### **1. That §§ 2.2-2609, 15.2-6202, 15.2-6203, 15.2-6209, 15.2-6210, 15.2-6214, 16.1-69.6, 17.1-500, 17.1-506, 22.1-354.1, and 55-288.1 of the Code of Virginia are amended and reenacted as follows:**

§ 2.2-2609. Blue Ridge Regional Tourism Council; membership; meetings; Blue Ridge defined.

A. The Blue Ridge Regional Tourism Council (the Council) is established as an advisory council, within the meaning of § 2.2-2100, in the executive branch of state government. The Council shall be composed of one representative of each of the destination marketing organizations (DMOs) located in the Blue Ridge region and the President of the Virginia Tourism Authority.

B. The Council shall elect a chairman and a vice-chairman from among its members. The Council shall meet at least four times a year at such dates and times as they determine.

C. For the purposes of this article, the "Blue Ridge" region shall include the Counties of Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Campbell, Craig, Floyd, Franklin, Giles, Highland, Montgomery, Nelson, Pulaski, Roanoke, Rockbridge, and Wythe and the Cities of Bedford, Buena Vista, ~~Clifton Forge~~, Covington, Lexington, Lynchburg, Radford, Roanoke, Salem, Staunton, and Waynesboro.

§ 15.2-6202. Duties of Authority; governmental functions.

A. The Authority shall provide financial support (i) for the purchase of real estate, construction of buildings for sale or lease, installation of utilities and any other support improvements it deems necessary, including flood control dams, and (ii) for direct loans and grants to private for-profit basic employers. The Authority shall also apply for matching funds from the state or federal government, or the private sector. All such loans and grants may be managed by the Fifth Planning District Commission.

B. The exercise of the powers granted by this chapter shall be in all respects for the benefit of the inhabitants of the Commonwealth, particularly the County of Alleghany and the ~~City~~ Town of Clifton Forge; for the increase of their commerce; and for the promotion of their safety, health, welfare, convenience and prosperity.

C. For purposes of this chapter, "Alleghany-Highlands Region" includes the County of Alleghany and the ~~City~~ Town of Clifton Forge.

§ 15.2-6203. Board of Authority; members and officers; staff; annual report.

A. All powers, rights and duties conferred by this chapter, or other provisions of law, upon the Authority shall be exercised by the Board of the Alleghany-Highlands Economic Development Authority, hereinafter referred to as the Board or the Board of the Authority. Initial appointments shall begin July 1, 1993. The Board shall consist of seven members as follows: one representative of each of the region's governing bodies, or their designees, who shall be appointed by the respective governing bodies and shall be residents of the region; four at-large members, who shall be appointed by the Governor and shall be residents of the region; and one member to be appointed by the Executive Director of the Virginia Economic Development Partnership. However, all appointments made after July 1, 2005, shall be made solely by the participating governing bodies, in a manner agreed to by the governing bodies. All members shall serve for a term of four years and may be reappointed for one additional term. For the initial appointments only, two of the four at-large members shall be appointed for two-year terms and such initial terms shall not be counted toward the term limitation.

B. Each member of the Board shall, before entering upon the discharge of the duties of his office, take and subscribe to the oath prescribed in § 49-1. Members shall be reimbursed for actual expenses incurred in the performance of their duties.

C. Four members of the Board shall constitute a quorum, and the affirmative vote of four members of the Board shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Board.

D. The Board shall elect from its membership a chairman and a secretary-treasurer for each calendar year. The secretary-treasurer shall keep the minutes of the Board and affix the seal of the Authority.

The Board may also appoint an executive director and staff who shall discharge such functions as may be directed by the Board.

E. The Board, promptly following the close of the fiscal year, shall submit an annual report of the Authority's activities for the preceding year to the Governor, the General Assembly, and the board of supervisors and ~~city councils~~ *town council* of the Region. Each such report shall set forth a complete operating and financial statement covering the operation of the Authority during such year.

§ 15.2-6209. Capitalization of Authority.

On or before January 1, 1994, and on or before the first day of each year thereafter, each county and ~~city~~ *town* that is a member of the Authority may remit to the Authority an amount it deems appropriate for Authority purposes.

§ 15.2-6210. Proceeds held.

The secretary-treasurer may invest and reinvest funds of the Authority pending their need. All moneys received by the Authority pursuant to § 15.2-6208, together with any matching funds received from state or federal sources, shall be applied and used only in the county or ~~city~~ *town* from which the funds were received, unless the governing body of the county or ~~city~~ *town* consents to their use in another county, ~~or city, or town~~.

§ 15.2-6214. Revenue sharing agreements.

Notwithstanding the requirements of Chapter 34 (§ 15.2-3400 et seq.) of Title 15.2, the County of Alleghany and the ~~City Town~~ of Clifton Forge may agree to a revenue and economic growth sharing arrangement with respect to tax revenues generated by any industry, business or other for-profit employment generating enterprise locating in any of the localities. The obligations of the parties to any such agreement shall not be construed to be debt within the meaning of Article VII, Section 10 of the Constitution of Virginia. Any such agreement shall be approved by a majority vote of the governing bodies of the localities reaching agreement but shall not require any other approval.

§ 16.1-69.6. Establishment of districts.

On and after July 1, 1973, the Commonwealth shall be divided into districts encompassing all counties and cities in the Commonwealth to provide a basis for the sound and efficient administration of the courts not of record, as follows:

- (1) The City of Chesapeake shall constitute the first district.
- (2) The City of Virginia Beach shall constitute the second district.
- (2-A) The Counties of Accomack and Northampton shall constitute district two-A.
- (3) The City of Portsmouth shall constitute the third district.
- (4) The City of Norfolk shall constitute the fourth district.
- (5) The Cities of Franklin and Suffolk and the Counties of Isle of Wight and Southampton shall constitute the fifth district.
- (6) The Cities of Emporia and Hopewell and the Counties of Prince George, Surry, Sussex, Greensville and Brunswick shall constitute the sixth district.
- (7) The City of Newport News shall constitute the seventh district.
- (8) The City of Hampton shall constitute the eighth district.
- (9) The Cities of Williamsburg and Poquoson and the Counties of York, James City, Charles City, New Kent, Gloucester, Mathews, Middlesex, King William and King and Queen shall constitute the ninth district.
- (10) The ~~City of South Boston~~ and the Counties of Cumberland, Buckingham, Appomattox, Prince Edward, Charlotte, Lunenburg, Mecklenburg and Halifax shall constitute the tenth district.
- (11) The City of Petersburg and the Counties of Dinwiddie, Nottoway, Amelia and Powhatan shall constitute the eleventh district.
- (12) The City of Colonial Heights and the County of Chesterfield shall constitute the twelfth district.
- (13) The City of Richmond shall constitute the thirteenth district.
- (14) The County of Henrico shall constitute the fourteenth district.
- (15) The City of Fredericksburg and the Counties of King George, Stafford, Spotsylvania, Caroline, Hanover, Lancaster, Northumberland, Westmoreland, Richmond and Essex shall constitute the fifteenth district.
- (16) The City of Charlottesville and the Counties of Madison, Greene, Albemarle, Fluvanna, Goochland, Louisa, Orange and Culpeper shall constitute the sixteenth district.
- (17) The County of Arlington and the City of Falls Church shall constitute the seventeenth district.
- (18) The City of Alexandria shall constitute the eighteenth district.
- (19) The City of Fairfax and the County of Fairfax shall constitute the nineteenth district.
- (20) The Counties of Loudoun, Fauquier and Rappahannock shall constitute the twentieth district.
- (21) The City of Martinsville and the Counties of Patrick and Henry shall constitute the twenty-first district.
- (22) The City of Danville and the Counties of Pittsylvania and Franklin shall constitute the twenty-second district.
- (23) The Cities of Roanoke and Salem and the County of Roanoke shall constitute the twenty-third district.
- (24) The Cities of Lynchburg and Bedford and the Counties of Nelson, Amherst, Campbell and Bedford shall constitute the twenty-fourth district.

(25) The Cities of Covington, Lexington, Staunton, Buena Vista, ~~Clifton Forge~~ and Waynesboro and the Counties of Highland, Augusta, Rockbridge, Bath, Alleghany, Botetourt and Craig shall constitute the twenty-fifth district.

(26) The Cities of Harrisonburg and Winchester and the Counties of Frederick, Clarke, Warren, Shenandoah, Page and Rockingham shall constitute the twenty-sixth district.

(27) The Cities of Galax and Radford and the Counties of Pulaski, Wythe, Carroll, Montgomery, Floyd, Giles, Bland and Grayson shall constitute the twenty-seventh district.

(28) The City of Bristol and the Counties of Smyth and Washington shall constitute the twenty-eighth district.

(29) The Counties of Tazewell, Buchanan, Russell and Dickenson shall constitute the twenty-ninth district.

(30) The City of Norton and the Counties of Wise, Scott and Lee shall constitute the thirtieth district.

(31) The Cities of Manassas and Manassas Park, and the County of Prince William shall constitute the thirty-first district.

#### § 17.1-500. Establishment of circuit courts.

For the City of Williamsburg and James City County, and every other county in the Commonwealth, and the Cities of Alexandria, Bristol, Buena Vista, Charlottesville, Chesapeake, ~~Clifton Forge~~, Colonial Heights, Danville, Fredericksburg, Hampton, Hopewell, Lynchburg, Martinsville, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, Salem, Staunton, Suffolk, Virginia Beach, Waynesboro and Winchester, there shall be a circuit court, which shall be called the circuit court of such county or city, or county and city, as the case may be. Each city circuit court shall be the sole court of record for the city and have jurisdiction over each suit, motion, prosecution or thing now or heretofore properly pending in the former courts of record of the city and over the records of such courts;. Any reference in this Code or in any act of the General Assembly to a corporation, hustings, law and chancery, law and equity, chancery or other court of record of a city shall apply to the circuit court thereof, mutatis mutandis.

#### § 17.1-506. Judicial circuits.

1. The City of Chesapeake shall constitute the first circuit.
2. The City of Virginia Beach and the Counties of Accomack and Northampton shall constitute the second circuit.
3. The City of Portsmouth shall constitute the third circuit.
4. The City of Norfolk shall constitute the fourth circuit.
5. The Cities of Franklin and Suffolk and the Counties of Isle of Wight and Southampton shall constitute the fifth circuit.
6. The Cities of Emporia and Hopewell and the Counties of Brunswick, Greensville, Prince George, Surry and Sussex shall constitute the sixth circuit.
7. The City of Newport News shall constitute the seventh circuit.
8. The City of Hampton shall constitute the eighth circuit.
9. The Cities of Poquoson and Williamsburg and the Counties of Charles City, Gloucester, James City, King and Queen, King William, Mathews, Middlesex, New Kent and York shall constitute the ninth circuit.
10. The City of ~~South Boston~~ and the Counties of Appomattox, Buckingham, Charlotte, Cumberland, Halifax, Lunenburg, Mecklenburg and Prince Edward shall constitute the tenth circuit.
11. The City of Petersburg and the Counties of Amelia, Dinwiddie, Nottoway and Powhatan shall constitute the eleventh circuit.
12. The City of Colonial Heights and the County of Chesterfield shall constitute the twelfth circuit.
13. The City of Richmond shall constitute the thirteenth circuit.
14. The County of Henrico shall constitute the fourteenth circuit.
15. The City of Fredericksburg and the Counties of Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford and Westmoreland shall constitute the fifteenth circuit.
16. The City of Charlottesville and the Counties of Albemarle, Culpeper, Fluvanna, Goochland, Greene, Louisa, Madison and Orange shall constitute the sixteenth circuit.
17. The County of Arlington and the City of Falls Church shall constitute the seventeenth circuit.
18. The City of Alexandria shall constitute the eighteenth circuit.
19. The City of Fairfax and the County of Fairfax shall constitute the nineteenth circuit.
20. The Counties of Fauquier, Loudoun and Rappahannock shall constitute the twentieth circuit.
21. The City of Martinsville and the Counties of Henry and Patrick shall constitute the twenty-first circuit.
22. The City of Danville and the Counties of Franklin and Pittsylvania shall constitute the twenty-second circuit.
23. The Cities of Roanoke and Salem and the County of Roanoke shall constitute the twenty-third circuit.
24. The Cities of Bedford and Lynchburg and the Counties of Amherst, Bedford, Campbell and

Nelson shall constitute the twenty-fourth circuit.

25. The Cities of Buena Vista, ~~Clifton Forge~~, Covington, Lexington, Staunton and Waynesboro and the Counties of Alleghany, Augusta, Bath, Botetourt, Craig, Highland and Rockbridge shall constitute the twenty-fifth circuit.

26. The Cities of Harrisonburg and Winchester and the Counties of Clarke, Frederick, Page, Rockingham, Shenandoah and Warren shall constitute the twenty-sixth circuit.

27. The Cities of Galax and Radford and the Counties of Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski and Wythe shall constitute the twenty-seventh circuit.

28. The City of Bristol and the Counties of Smyth and Washington shall constitute the twenty-eighth circuit.

29. The Counties of Buchanan, Dickenson, Russell and Tazewell shall constitute the twenty-ninth circuit.

30. The City of Norton and the Counties of Lee, Scott and Wise shall constitute the thirtieth circuit.

31. The Cities of Manassas and Manassas Park and the County of Prince William shall constitute the thirty-first circuit.

§ 22.1-354.1. Western Virginia Public Education Consortium and board created; region defined; governing board; chairman's executive summary.

A. The Western Virginia Public Education Consortium is hereby established and shall be referred to as the Consortium. For the purposes of this chapter and the work of the Consortium, "Western Virginia" shall include the Counties of Alleghany, Bath, Bland, Botetourt, Craig, Floyd, Franklin, Giles, Henry, Montgomery, Patrick, Pulaski, Roanoke, and Wythe, and the Cities of Covington, ~~Clifton Forge~~, Martinsville, Radford, Roanoke, and Salem. The governing board of the Consortium shall consist of 34 members that include 15 legislative members and the 19 school superintendents of the named localities as follows: 11 members of the House of Delegates representing the Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Sixteenth, Seventeenth, and Nineteenth House Districts; four members of the Senate representing the Twentieth, Twenty-first, Twenty-second, and Twenty-fifth Senatorial Districts, all serving as ex officio nonvoting members; and the school superintendents of Alleghany and ~~Clifton Forge~~, Bath, Bland, Botetourt, Craig, Floyd, Franklin, Giles, Henry, Montgomery, Patrick, Pulaski, Roanoke County, Wythe, Covington, Martinsville, Radford, Roanoke City, and Salem.

B. Legislative members and school superintendents shall serve terms coincident with their terms of office. The board shall elect a chairman and a vice-chairman from among its members.

C. Members of the board shall serve without compensation. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in the work of the Consortium as provided in §§ 2.2-2813 and 2.2-2825. All such expenses shall be paid from existing appropriations to or received by the Consortium or, if unfunded, shall be approved by the Joint Rules Committee.

D. A majority of the members of the board shall constitute a quorum. The board shall meet at the call of the chairman or whenever a majority of the members so request.

E. The chairman of the board shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the board no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 55-288.1. North and South Zones.

For the purpose of the use of these systems, the Commonwealth is divided into a "North Zone" and a "South Zone."

The area now included in the following counties and cities shall constitute the North Zone: the Counties of Arlington, Augusta, Bath, Caroline, Clarke, Culpeper, Fairfax, Fauquier, Frederick, Greene, Highland, King George, Loudoun, Madison, Orange, Page, Prince William, Rappahannock, Rockingham, Shenandoah, Spotsylvania, Stafford, Warren and Westmoreland; and the Cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Harrisonburg, Manassas, Manassas Park, Staunton, Waynesboro, and Winchester.

The area now included in the following counties and cities shall constitute the South Zone: the Counties of Accomack, Albemarle, Alleghany, Amelia, Amherst, Appomattox, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Carroll, Charles City, Charlotte, Chesterfield, Craig, Cumberland, Dickenson, Dinwiddie, Essex, Floyd, Fluvanna, Franklin, Giles, Gloucester, Goochland, Grayson, Greenville, Halifax, Hanover, Henrico, Henry, Isle of Wight, James City, King and Queen, King William, Lancaster, Lee, Louisa, Lunenburg, Mathews, Mecklenburg, Middlesex, Montgomery, Nelson, New Kent, Northampton, Northumberland, Nottoway, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Pulaski, Richmond, Roanoke, Rockbridge, Russell, Scott, Smyth, Southampton, Surry, Sussex, Tazewell, Washington, Wise, Wythe, and York; and the Cities of Bedford, Bristol, Buena Vista, Charlottesville, Chesapeake, ~~Clifton Forge~~, Colonial Heights, Covington, Danville, Emporia, Franklin, Galax, Hampton, Hopewell, Lexington, Lynchburg, Martinsville, Newport News, Norfolk, Norton, Petersburg, Poquoson, Portsmouth, Radford, Richmond, Roanoke, Salem, South

~~Boston~~, Suffolk, Virginia Beach, and Williamsburg.