

064604376

HOUSE BILL NO. 1184

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact §§ 33.1-1 and 33.1-2 of the Code of Virginia, relating to composition of the Commonwealth Transportation Board; election of certain members by the General Assembly.

Patrons—Purkey, Griffith, Joannou and Landes; Senators: Devolites Davis and Locke

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 33.1-1 and 33.1-2 of the Code of Virginia are amended and reenacted as follows:

§ 33.1-1. State Highway and Transportation Board continued as Commonwealth Transportation Board; number and terms of members; removal from office; vacancies.

The State Highway and Transportation Board, formerly known as the State Highway and Transportation Commission, is continued and shall hereafter be known as the Commonwealth Transportation Board. Wherever either "Commission" or "Board" is used in this title referring to the State Highway and Transportation Board or the State Highway and Transportation Commission, it shall mean the Commonwealth Transportation Board.

The Board shall consist of seventeen members: the Secretary of Transportation, the Commonwealth Transportation Commissioner, the Director of the Department of Rail and Public Transportation, and fourteen citizen members. The citizen members shall be (i) appointed by the Governor as provided in § 33.1-2; (ii) subject to confirmation by the General Assembly, and (iii) removable from office during their respective terms by the Governor at his pleasure. Appointments of citizen members shall be for terms of four years commencing upon July 1, upon the expiration of the terms of the existing members, respectively. *Citizen members shall be removable from office during their respective terms at the pleasure of their respective appointing authorities.* The initial terms of the members appointed in January, 1987, shall commence when appointed and shall be for terms ending June 30, 1988, June 30, 1989, and June 30, 1990, respectively. Vacancies shall be filled by appointment by the Governor for the unexpired term and shall be effective until thirty days after the next meeting of the ensuing General Assembly and, if confirmed, thereafter for the remainder of the term. No person shall be eligible to serve more than two successive terms of four years, other than the Secretary of Transportation, the Commonwealth Transportation Commissioner, and the Director of the Department of Rail and Public Transportation. A person heretofore or hereafter appointed to fill a vacancy may serve two additional successive terms.

The Secretary of Transportation shall serve as Chairman of the Board. The Secretary shall have voting privileges only in the event of a tie. The Commonwealth Transportation Commissioner shall serve as Vice-Chairman of the Board. The Commissioner shall have voting privileges only in the event of a tie when he is presiding during the absence of the Chairman. The Director of the Department of Rail and Public Transportation shall serve without a vote.

Whenever in this title and in the Code of Virginia "State Highway Commission" or "State Highway and Transportation Board" is used, it shall mean "Commonwealth Transportation Board"; "State Highway Commissioner" or "State Highway and Transportation Commissioner" shall mean "Commonwealth Transportation Commissioner"; and all references to "Department of Highways and Transportation" shall refer to the Department of Transportation.

§ 33.1-2. Citizen appointments; residence requirements; statewide interest.

~~Of such Board, one member shall be a resident of the 14 nonlegislative citizen members, nine members shall be appointed by the Governor subject to confirmation by the General Assembly and reside in the following construction districts: the territory now included in the Bristol construction district, one in the Salem construction district, one in the Lynchburg construction district, one in the Staunton construction district, one in the Culpeper construction district, one in the Fredericksburg construction district, one in the Richmond construction district, one in the Hampton Roads construction district, and one in the Northern Virginia construction district. The remaining five members shall be appointed from the Commonwealth at large, but at least as follows: two members who shall reside in standard metropolitan statistical areas and be designated as urban at-large members, and at least, one appointed by the Speaker of the House of Delegates and one appointed by the Senate Committee on Rules; two members who shall reside outside standard metropolitan statistical areas and be designated as rural at-large members, one appointed by the Speaker of the House of Delegates and one appointed by the Senate Committee on Rules; and the additional member at-large to be appointed by the Speaker of~~

INTRODUCED

HB1184

59 *the House of Delegates.* The at-large members shall be appointed to represent rural and urban
60 transportation needs and be mindful of the concerns of seaports and seaport users, airports and airport
61 users, railways and railway users, and mass transit and mass transit users. ~~Each member so appointed~~
62 *members of the Board* shall be mindful of the best interest of the Commonwealth at large primarily
63 instead of those of the district from which chosen or of the transportation interest represented.
64 **2. That this act shall not be construed to affect existing appointments, made by the Governor, for**
65 **which the terms have not expired. However, any appointments that begin a new term made after**
66 **July 1, 2006, shall be made in accordance with the provisions of this act.**
67 **3. That the provisions of this act shall take effect only upon the approval by the voters of a**
68 **constitutional amendment that provides for a six-year term for the Governor.**