

ENROLLED
HB167ER

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 15.2-6003 and 45.1-161.98 of the Code of Virginia, relating to the*
3 *Virginia Coal and Energy Alliance.*

4 [H 1167]
5 Approved

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

7 **1. That §§ 15.2-6003 and 45.1-161.98 of the Code of Virginia are amended and reenacted as**
8 **follows:**

9 **§ 15.2-6003. Board of Authority; members and officers; staff; annual report.**

10 All powers, rights and duties conferred by this chapter, or other provisions of law, upon the
11 Authority shall be exercised by the Board of the Virginia Coalfield Economic Development Authority,
12 hereinafter referred to as the Board or the Board of the Authority. Board members shall serve for terms
13 of four years except that all vacancies shall be filled for the unexpired term. All terms shall commence
14 July 1 of the year of appointment. Initial appointments shall begin July 1, 1988. The Board shall consist
15 of sixteen members, residents of the Commonwealth, as follows:

16 Three initial members shall be the sitting chairmen of the county boards of supervisors of the three
17 counties which are the three largest contributors to the gas road improvement fund for the fiscal year
18 immediately preceding July 1, 1988, as reported by the treasurers of the affected counties and city.
19 Every four years thereafter, the three members shall be supervisors from the county boards of
20 supervisors of the three counties which are the three largest contributors to the Virginia Coalfield
21 Economic Development Fund for the fiscal year immediately preceding July 1 of the year in which new
22 terms of members are to begin. Such supervisors shall be selected by their respective county boards of
23 supervisors.

24 Five members shall be appointed by the Governor at large; however, if there is any participating
25 county or city in which there resides no member of the Board appointed by the other methods herein
26 specified, the Governor shall include at least one member who is a resident of each such county or city
27 among his appointees. For the first four-year terms these five members shall be selected to the extent
28 possible from former members of the Southwest Virginia Economic Development Commission who
29 reside in Planning District 1 or 2.

30 One member shall be a representative of the Virginia Economic Development Partnership, as
31 designated by the Chief Executive Officer of the Partnership.

32 One member shall be a representative named by the *Virginia Coal Association and Energy Alliance*.

33 Two members shall be the Executive Directors of the LENOWISCO and Cumberland Plateau
34 Planning District Commissions.

35 Three initial members shall be representatives named by the three largest coal producers determined
36 by the dollar value of their contribution to the respective county gas road improvement funds for the
37 fiscal year immediately preceding July 1, 1988, as reported by the treasurers of the affected counties and
38 city. Every four years thereafter, the three members shall be representatives named by the three largest
39 coal producers determined by the dollar value of their contributions to the Virginia Coalfield Economic
40 Development Fund for the fiscal year immediately preceding July 1 of the year in which new terms of
41 members are to begin.

42 One member shall be a representative named by the largest oil and gas producer determined by the
43 dollar value of its contributions to the Virginia Coalfield Economic Development Fund for the fiscal
44 year immediately preceding July 1 of the year in which new terms of members are to begin.

45 Should a member who is a member solely by virtue of his office as member of a board of
46 supervisors or executive director of a planning district commission cease to hold such office, then an
47 immediate vacancy shall occur, and the vacancy shall be filled for the remainder of the term by his
48 successor selected by the board of supervisors of his county or as executive director.

49 Each member of the Board shall, before entering upon the discharge of the duties of this office, take
50 and subscribe the oath prescribed in § 49-1. They shall receive their expenses spent on business of the
51 Authority.

52 Ten members of the Authority shall constitute a quorum and the affirmative vote of a majority of the
53 quorum present shall be necessary for any action taken by the Authority. No vacancy in the membership
54 of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties
55 of the Authority.

56 The Board shall elect from its membership a chairman, a vice-chairman, a treasurer and a secretary

57 for each calendar year. The secretary shall keep the minutes of the Board and affix the seal of the
58 Authority.

59 The Board may also appoint an executive director, an assistant treasurer and an assistant secretary,
60 and staff to assist same, who shall discharge such functions as may be directed by the Board.

61 Staff functions of the Authority may be undertaken by the LENOWISCO and Cumberland Plateau
62 Planning District Commissions, as agreed by the Board and participating Commissions.

63 The Board, promptly following the close of the calendar year, shall submit an annual report of the
64 Authority's activities for the preceding year to the Governor, the General Assembly, the boards of
65 supervisors of the seven coalfield counties and the Norton City Council. Each such report shall set forth
66 a complete operating and financial statement covering the operation of the Authority during such year.
67 The Authority shall cause an audit of its books and accounts to be made at least once each year by a
68 certified public accountant and the cost thereof may be treated as part of the expense of operation.

69 **§ 45.1-161.98. Virginia Coal Mine Safety Board continued; membership; appointments;**
70 **expenses.**

71 A. The Virginia Mine Safety Board is continued as the Virginia Coal Mine Safety Board. The Board
72 shall be composed of nine members appointed by the Governor, subject to the confirmation of the
73 General Assembly, as follows: three shall be appointed from a list of individuals nominated by the
74 Virginia Coal Association and Energy Alliance, three shall be appointed from a list of individuals
75 nominated by the United Mine Workers of America, and three shall be appointed from the
76 Commonwealth at large. All members of the Board shall serve at the pleasure of the Governor and shall
77 be residents of the Commonwealth.

78 B. The members of the Board shall elect its chairman. Members shall serve for terms of four years
79 and their successors shall be appointed for terms of the same length, but vacancies occurring other than
80 by expiration of a term shall be filled for the unexpired term. Any member may be reappointed for
81 successive terms. Members shall receive no compensation for their services but shall receive
82 reimbursement for actual expenses.