

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 215

An Act to amend and reenact § 2.2-2338 of the Code of Virginia, relating to Fort Monroe Authority; Board of Trustees membership.

[S 1001]

Approved February 23, 2017

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2338 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2338. Board of Trustees; membership.

There is hereby created a political subdivision and public body corporate and politic of the Commonwealth of Virginia to be known as the Fort Monroe Authority, to be governed by a Board of Trustees (Board) consisting of ~~12 voting~~ 14 members appointed as follows: the Secretary of Natural Resources and the Secretary of Commerce and Trade, or their successor positions if those positions no longer exist, from the Governor's cabinet; the Lieutenant Governor; the member of the Senate of Virginia and the member of the House of Delegates representing the district in which Fort Monroe lies; two members appointed by the Hampton City Council; and five *eight* nonlegislative citizen members appointed by the Governor, ~~four~~ *seven* of whom shall have expertise relevant to the implementation of the Fort Monroe Reuse Plan, including but not limited to the fields of historic preservation, tourism, environment, real estate, finance, and education, and one of whom shall be a citizen representative from the Hampton Roads region. *The Secretary of Natural Resources and the Secretary of Commerce and Trade shall serve ex officio without voting privileges and may send their deputies or another cabinet member to meetings in the event that official duties require their presence elsewhere.* Cabinet members, the Lieutenant Governor, and elected representatives shall serve terms commensurate with their terms of office. Citizen appointees shall initially be appointed for staggered terms of either one, two, or three years, and thereafter shall serve for four-year terms. Cabinet members shall be entitled to send their deputies or another cabinet member, and legislative *Legislative* members may send another legislator, to meetings as full voting members in the event that official duties require their presence elsewhere.

The Board so appointed shall enter upon the performance of its duties and shall initially and annually thereafter elect one of its members as chairman and another as vice-chairman. The Board shall also elect annually a secretary, who shall be a member of the Board, and a treasurer, who need not be a member of the Board, or a secretary-treasurer, who need not be a member of the Board. The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board, and in the absence of both the chairman and vice-chairman, the Board shall elect a chairman pro tempore who shall preside at such meetings. Seven Trustees shall constitute a quorum, and all action by the Board shall require the affirmative vote of a majority of the Trustees present and voting, except that any action to amend or terminate the existing Reuse Plan, or to adopt a new Reuse Plan, shall require the affirmative vote of 75 percent or more of the Trustees present and voting. The members of the Board shall be entitled to reimbursement for expenses incurred in attendance upon meetings of the Board or while otherwise engaged in the discharge of their duties. Such expenses shall be paid out of the treasury of the Authority in such manner as shall be prescribed by the Authority.

2. That the provisions of this act shall not be construed to affect existing appointments for which the terms have not expired. However, any new appointments made on and after July 1, 2017, shall be made in accordance with this act.

3. That the initial appointments of the three nonlegislative citizen members appointed by the Governor in accordance with this act shall be staggered as follows: two nonlegislative citizen members shall be appointed for a term of five years, and one nonlegislative citizen member shall be appointed for a term of two years. Thereafter, all nonlegislative citizen members appointed by the Governor shall serve four-year terms.