

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 33.2-289 of the Code of Virginia, relating to Virginia Passenger Rail*
 3 *Authority; membership.*

4
 5 Approved

[S 725]

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 33.2-289 of the Code of Virginia is amended and reenacted as follows:**8 **§ 33.2-289. Board of Directors.**

9 A. The Authority shall be governed by the Board of Directors of the Authority consisting of 15
 10 members as follows: (i) 12 nonlegislative citizen members, appointed by the Governor, who shall serve
 11 with voting privileges; (ii) a designee of the President and Chief Executive Officer of the National
 12 Passenger Rail Corporation, who shall serve without voting privileges; (iii) the chief executive officer of
 13 a commuter rail service jointly operated by the Northern Virginia Transportation District established
 14 pursuant to § 33.2-1904 and the Potomac and Rappahannock Transportation District established pursuant
 15 to the Transportation District Act (§ 33.2-1900 et seq.), who shall serve ex officio without voting
 16 privileges; and (iv) the Director of the Department, who shall serve ex officio and shall have voting
 17 privileges only in the event of a tie. Of the 12 nonlegislative citizen members with voting privileges:

18 1. Three members shall reside within the boundaries of the Northern Virginia Transportation District
 19 established pursuant to § 33.2-1904. Such members may be selected from a list recommended by the
 20 Northern Virginia Transportation Commission, after due consideration of such list by the Governor;

21 2. Three members shall reside within the boundaries of the Potomac-Rappahannock Transportation
 22 District established pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.). Such
 23 members may be selected from a list recommended by the Potomac and Rappahannock Transportation
 24 Commission, after due consideration of such list by the Governor;

25 3. Two members shall reside within the boundaries of the Richmond Metropolitan Transportation
 26 Authority established pursuant to Chapter 29 (§ 33.2-2900 et seq.);

27 4. Two members shall reside within the boundaries of the Hampton Roads Transportation
 28 Accountability Commission established pursuant to Chapter 26 (§ 33.2-2600 et seq.); and

29 5. ~~Two members~~ *One member* shall reside within the boundaries of Planning District 5, 9, 10, or 11;
 30 and

31 6. *One member shall reside within the boundaries of Planning District 3 or 4.*

32 B. The nonlegislative citizen members appointed by the Governor shall be subject to confirmation by
 33 the General Assembly. Vacancies shall be filled by appointment by the Governor for the unexpired term
 34 and shall be effective until 30 days after the next meeting of the ensuing General Assembly and, if
 35 confirmed, thereafter for the remainder of the term. No member shall be eligible to serve more than two
 36 consecutive four-year terms. The remainder of any term for which a member is appointed to fill a
 37 vacancy shall not constitute a term in determining that member's eligibility for reappointment. No
 38 member of a governing body of a locality shall be eligible, during the term of office for which he was
 39 elected or appointed, to serve as an appointed member of the Board. The Director shall serve terms
 40 coincident with his term of office.

41 C. The Director of the Department shall serve as chairman of the Board. The Board shall annually
 42 elect from among its members a vice-chairman and a secretary. The Board shall also annually elect a
 43 treasurer, who need not be a member of the Board, and may also elect other subordinate officers who
 44 need not be a member of the Board, as it deems proper. The chairman or, in his absence, the
 45 vice-chairman shall preside at all meetings of the Board. In the absence of both the chairman and
 46 vice-chairman, the Board shall appoint a chairman pro tempore, who shall preside at such meetings.

47 D. Seven members shall constitute a quorum for the transaction of the Authority's business, and no
 48 vacancy in the membership shall impair the right of a quorum to exercise all the rights and perform all
 49 the duties of the Authority. All actions of the Board shall require the affirmative vote of a majority of
 50 the members present and voting, except that the sale of land or issuance of bonds shall require an
 51 affirmative vote of nine members present and voting.

52 E. The Board shall meet at least once quarterly. The Board shall determine the times and places of
 53 its regular meetings. Special meetings of the Board shall be held when requested by three or more
 54 members of the Board. Any such request for a special meeting shall be in writing, and the request shall
 55 specify the time and place of the meeting and the matters to be considered at the meeting. A reasonable
 56 effort shall be made to provide each member with notice of any special meeting. No matter not

57 specified in the notice shall be considered at such special meeting unless all members of the Board are
58 present.

59 F. The members of the Board shall be entitled to reimbursement for their reasonable travel, meal,
60 and lodging expenses incurred in attending the meetings of the Board or while otherwise engaged in the
61 discharge of their duties. Such expenses shall be paid out of the treasury of the Authority upon vouchers
62 signed by the chairman of the Board or by such other person or persons as may be designated by the
63 Board for this purpose.