

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 160

An Act to amend and reenact §§ 15.1-1399.18, 15.1-1399.19, 15.1-1399.20, and 15.1-1399.23 of the Code of Virginia, relating to the Tourism Development Authority.

[H 616]

Approved April 1, 1994

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.1-1399.18, 15.1-1399.19, 15.1-1399.20, and 15.1-1399.23 of the Code of Virginia are amended and reenacted as follows:

§ 15.1-1399.18. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Authority" means any political subdivision, a body politic and corporate, created, organized and operated pursuant to the provisions of this chapter, or if such Authority is abolished, the board, body, commission, department or officer succeeding to the principal functions thereof or to whom the powers given by this chapter are given by law.

"Governing body" means the board or body in which the general legislative powers of the municipality are vested.

"Municipality" means any county or incorporated city or town in the LENOWISCO or Cumberland Plateau Planning District Commissions with respect to which an authority may be organized and in which it is contemplated the Authority will function.

§ 15.1-1399.19. Tourism Development Authority established.

A. There is hereby established a Tourism Development Authority for the LENOWISCO and Cumberland Plateau Planning District Commissions. The Authority shall promote, expand and develop the tourism industries of these coal-producing localities municipalities as a whole.

B. On the local level, each of the localities municipalities in these two planning district commissions shall establish a local Tourism Development Committee to promote tourism in the locality municipality, participate and assist in the planning of the regional Tourism Development Authority, and develop a tourism development plan for its locality municipality. The local governing body of each locality municipality shall appoint five members to serve on its local Tourism Development Committee. The Committee shall elect a chairman from its membership, and such chairman shall represent his locality municipality by serving as a member of the regional Tourism Development Authority.

§ 15.1-1399.20. Directors; qualifications; terms; vacancies; compensation and expenses; quorum; records; certification and distribution of report concerning bond issuance.

The Authority shall be governed by a board of directors in which all powers of the Authority shall be vested and which board shall be composed of the eight chairmen of the local Tourism Development Committees established in § 15.1-1399.19. The eight directors shall be appointed initially for terms of one, two, three and four years: the representatives of Buchanan and Dickenson Counties being appointed for one-year terms; the representatives of Lee County and the City of Norton being appointed for two-year terms; the representatives of Russell and Scott Counties being appointed for three-year terms; and the representatives of Tazewell and Wise Counties being appointed for four-year terms. Subsequent appointments shall be for terms of four years, except appointments to fill vacancies shall be for the unexpired terms. All terms of office shall be deemed to commence upon the date of the initial appointment to the Authority, and thereafter, in accordance with the provisions of the preceding sentence. If, at the end of any term of office of any director a successor thereto has not been appointed, then the director whose term of office has expired shall continue to hold office until his successor is appointed and qualified. Each director shall, upon appointment or reappointment, before entering upon his duties take and subscribe the oath prescribed by § 49-1.

The directors shall elect from their membership a chairman, a vice-chairman, and from their membership or not, as they desire, a secretary and a treasurer, or a secretary-treasurer, who shall continue to hold such office until their respective successors are elected. The directors shall receive no salary but the directors may be compensated such amount per regular, special, or committee meeting as may be approved by the appointing authority, not to exceed fifty dollars per meeting, and shall be reimbursed for necessary traveling and other expenses incurred in the performance of their duties. Five members of the board of directors shall constitute a quorum of the board for the purposes of conducting its business and exercising its powers and for all other purposes. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the powers and perform all the duties of the board. The board shall keep detailed minutes of its proceedings, which shall be open to public inspection at all times. It shall keep suitable records of its financial transactions and, unless exempted by § 2.1-164, it shall arrange to have the same audited annually. Copies of each such audit shall be furnished to the governing bodies of the municipalities and shall be open to public inspection.

§ 15.1-1399.23. Responsibilities and duties; local Tourism Development Committees.

Each of the local Tourism Development Committees established in § 15.1-1399.19 shall:

1. Promote and assist tourism development in their individual ~~localities~~ *municipalities*;
2. Develop and assist in the implementation of a tourism development plan to increase tourism revenue in their respective ~~localities~~ *municipalities*;
3. Encourage individuals, businesses and their local government to invest in tourism development as an integral part of overall economic development; and
4. Assist the regional Tourism Development Authority in planning and implementing a regional tourism development plan.