

# VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

## CHAPTER 548

*An Act to amend and reenact § 6, as amended, of Chapter 693 of the Acts of Assembly of 1954, relating to the appointment and removal of members of the Chesapeake Bay Bridge and Tunnel Commission.*

[S 335]

Approved April 15, 1998

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

**1. That § 6, as amended, of Chapter 693 of the Acts of Assembly of 1954 is amended and reenacted as follows:**

§ 6. Chesapeake Bay Bridge and Tunnel Commission.—A Commission, to be known as the "Chesapeake Bay Bridge and Tunnel Commission," is hereby created as the governing board of the Chesapeake Bay Bridge and Tunnel District created by this act. The Commission shall consist of *the following* eleven members; including a member of the State Highway Commission appointed by the Governor for a term of five years and ten members who shall be appointed as follows: One member from each of the counties of Accomack and Northampton and one additional member from either the county of Accomack or the county of Northampton, who shall be appointed by the Judge of the Circuit Courts for the aforesaid counties; one member from the county of Princess Anne or the city of Virginia Beach, who shall be appointed by the Judge of the Circuit Court of the county of Princess Anne; one member from the county of Norfolk or the city of South Norfolk who shall be appointed by the Judge of the Circuit Court of the county of Norfolk; one member from the city of Hampton to be appointed by the Senior Judge in time of service of the Courts of Records of the city of Hampton; and one member from that portion of the consolidated city of Newport News which formerly constituted the city of Warwick; and one member from that portion of the consolidated city of Newport News which formerly constituted the city of Newport News; each of whom shall be appointed by the judges in bane of the Courts of Records of the said consolidated city of Newport News; one member from the city of Norfolk who shall be appointed by the Judge of the Corporation Court of the city of Norfolk; and one member from the city of Portsmouth who shall be appointed by the Judge of The Court of Hustings for the City of Portsmouth: (i) *one member of the Commonwealth Transportation Board*, (ii) *two members from Accomack County*, (iii) *two members from Northampton County*, (iv) *one member from the City of Portsmouth*, (v) *one member from the City of Chesapeake*, (vi) *one member from the City of Hampton*, (vii) *one member from the City of Newport News*, (viii) *one member from the City of Norfolk*, and (ix) *one member from the City of Virginia Beach*. The members of said Commission appointed under the provisions of this section shall be residents of the counties or cities from which they are appointed and may be appointed by the respective judges in term time or vacation.

The seven members of the Commission from the counties of Accomack, Northampton and Princess Anne and the cities of Hampton, Warwick, Newport News and Norfolk shall determine by lot the duration of their respective initial terms of office which shall be for one, two, three, four, five, six, and seven years, respectively, from May 14, 1954. The additional member appointed from either the county of Accomack or the county of Northampton, the member appointed from the county of Norfolk or the city of South Norfolk and the member appointed from the city of Portsmouth shall serve for terms expiring on May 14, 1957, May 14, 1958 and May 14, 1959, respectively. Thereafter the appointments shall be for a period of five years; and in the event of a vacancy occurring the court involved shall fill such vacancy for the unexpired term. Any member of the Commission shall be eligible for reappointment.

*Any member of the Commission appointed or reappointed on or after July 1, 1998, shall be appointed by the Governor, subject to confirmation by each house of the General Assembly. Commission members shall be appointed to four-year terms. Any member of the Commission shall be eligible for reappointment to a second four-year term, but, except for appointments to fill vacancies for portions of unexpired terms, shall be ineligible for appointment to any additional term. When a vacancy in the membership occurs, the Governor shall appoint a new member to complete the unexpired portion of the term, subject to confirmation by each house of the General Assembly.*

The Commission shall select a chairman annually from its membership. Within thirty days after the appointment of the original members of the Commission, the Commission shall meet on the call of any member and elect one of its members as chairman and another as vice-chairman; and. The Commission shall employ a secretary and treasurer (who may or may not be a member of the Commission) and if not a member of the Commission, fix his compensation and duties. Any member of the Commission may be removed from office for cause by the ~~court~~ *appointing him Governor*. Each member of the Commission, immediately following his appointment, shall take an oath of office, prescribed by §—34

*Article II, Section 7* of the Constitution of Virginia, before any judge of any court of record in this State. No member of the Commission shall receive any salary but shall be entitled to expenses and the per diem pay allowed members of the ~~Highway Commission~~ *Commonwealth Transportation Board*. Six members of the Commission shall constitute a quorum. The records of the Commission shall be public records. The Commission is authorized to do all things necessary or incidental to the performance of its duties and the execution of its powers under this act. The route for any bridge or tunnel or combination thereof, built by the Commission, shall be selected, subject to the approval of the ~~State Highway Commission~~ *Commonwealth Transportation Board*.

Notwithstanding any provisions of this Chapter, the present membership of the Commission, as of March 6, 1956, shall not be enlarged before and until July 1, 1957.