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HOUSE BILL NO. 2017

House Amendments in [] —February 1, 1999

A BILL to amend and reenact § 62.1-129 of the Code of Virginia, relating to membership of the Board of Commissioners of the Virginia Port Authority.

Patrons—Diamonstein, Barlow, Crittenden, Hamilton, Joannou, Jones, J.C., Melvin, Moss, Robinson and Williams; Senators: Maxwell, Miller, Y.B., Norment, Quayle, Schrock, Walker and Williams

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 62.1-129 of the Code of Virginia is amended and reenacted as follows:**

§ 62.1-129. Board of Commissioners; members and officers; Executive Director; agents and employees.

All powers, rights and duties conferred by this chapter, or other provisions of law, upon the Authority shall be exercised by the Board of Commissioners of the Virginia Port Authority, hereinafter referred to as Board or Board of Commissioners. The Board shall consist of the State Treasurer, *one resident of the City of Newport News appointed by the Newport News City Council, one resident of the City of Norfolk appointed by the Norfolk City Council, one resident of the City of Portsmouth appointed by the Portsmouth City Council*, and eleven members appointed by the Governor. *Gubernatorial appointees shall be* subject to confirmation by the General Assembly, ~~who shall~~ and serve at the pleasure of the Governor. The terms of members of the Board of Commissioners appointed or reappointed by *a city council or by the Governor* on or after January 1, 1981, shall be for five years. Any *city council or gubernatorial* appointment to fill a vacancy shall be for the unexpired term. Members of the Board shall receive their expenses and shall be compensated at the rate provided in § 2.1-20.3 for each day spent on business of the Board. No member appointed by *a city council or the Governor* shall be eligible to serve more than two successive terms. A person heretofore or hereafter appointed by *a city council or the Governor* to fill a vacancy may be appointed to serve two additional terms. Beginning with those members of the Board of Commissioners appointed or reappointed by the Governor on or after January 1, 1981: (i) appointments shall be made by the Governor in such a manner as to ensure the widest possible geographical representation of all parts of the Commonwealth, and (ii) no resident of the Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, or Virginia Beach shall be eligible for appointment or reappointment to the Board of Commissioners *by the Governor* if his appointment or reappointment would increase or maintain the number of *gubernatorially appointed* members of the Board of Commissioners residing in such cities above the number of three. One of the members appointed or reappointed *by the Governor* from the cities previously mentioned in this section shall be a resident of the City of Portsmouth or the City of Chesapeake, one of the members appointed or reappointed shall be a resident of the City of Norfolk or the City of Virginia Beach, and one of the members appointed or reappointed shall be a resident of the City of Newport News or the City of Hampton.

The Board shall elect from its membership a chairman and vice-chairman and may also elect from its membership, or appoint from its staff, a secretary and treasurer and prescribe their powers and duties.

The Board of Commissioners shall appoint the chief executive officer of the Authority, who shall not be a member of the Board, who shall be known as the Executive Director and who shall serve at the pleasure of the Board. The Executive Director's compensation from the Commonwealth shall be fixed by the Board in accordance with law. This compensation shall be established at a level which will enable the Authority to attract and retain a capable Executive Director.

The Board may also appoint from the staff an assistant secretary and an assistant treasurer, who shall, in addition to other duties, discharge such functions of the secretary and treasurer, respectively, as may be directed by the Board.

[2. That the provisions of this act shall not affect members of the Board of Commissioners of the Virginia Port Authority whose terms have not expired on July 1, 1999.]

ENGROSSED

HB2017E