

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 270

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

[S 1261]

Approved March 20, 2005

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: (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.

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~~ 30 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~~ *vice chairman*. 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 Governor. Each member of the Commission, immediately following his appointment, shall take an oath of office, prescribed by Article II, Section 7 of the Constitution of Virginia, before any judge, clerk, or deputy clerk of any court of record; judge of a district court in the Commonwealth; the Secretary of the Commonwealth or his deputy; or a member of the State Corporation Commission. No member of the Commission shall receive any salary but shall be entitled to expenses and the per diem pay allowed members of the Commonwealth Transportation Board; *provided that the Commission may, in its discretion, designate one of its members to perform extraordinary duties not normally performed by members of the Commission, and, for a single period not in excess of six months, may compensate the member so designated for the performance of such extraordinary services. In no event shall such compensation exceed the salary paid to the immediately preceding executive director.* 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 Commonwealth Transportation Board.

2. That the provisions of this act shall expire on January 1, 2006.

3. That an emergency exists and this act is in force from its passage.