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HOUSE BILL NO. 2309

Offered January 22, 2015

A *BILL to amend and reenact §§ 33.2-200 and 33.2-201 of the Code of Virginia, relating to composition of the Commonwealth Transportation Board.*

Patron—Hugo

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 33.2-200 and 33.2-201 of the Code of Virginia are amended and reenacted as follows:

§ 33.2-200. Commonwealth Transportation Board; membership; terms; vacancies.

The Board shall have a total membership of 48 24 members that shall consist of 44 20 nonlegislative citizen members and four ex officio members as follows: the Secretary of Transportation, the Commissioner of Highways, the Director of the Department of Rail and Public Transportation, and the Executive Director of the Virginia Port Authority. The nonlegislative citizen members shall be appointed *as follows: (i) 14 shall be appointed* by the Governor as provided in § 33.2-201, subject to confirmation by the General Assembly, *and shall serve at the pleasure of the Governor (ii) three shall be appointed by the Speaker of the House of Delegates upon the recommendation of the Chair of the House Committee on Transportation, and (iii) three shall be appointed by the Senate Committee on Rules upon the recommendation of the Chair of the Senate Committee on Transportation.* Appointments of nonlegislative citizen members shall be for terms of four years commencing on July 1, upon the expiration of the terms of the existing members, respectively. Vacancies *for members appointed by the Governor* shall be filled by appointment by the Governor for the unexpired term and shall be effective until 30 days after the next meeting of the ensuing General Assembly and, if confirmed, thereafter for the remainder of the term. *Other vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.* No nonlegislative citizen member shall be eligible to serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining that member's eligibility for reappointment. Ex officio members of the Board shall serve terms coincident with their terms of office.

The Secretary shall serve as chairman of the Board and shall have voting privileges only in the event of a tie. The Commissioner of Highways shall serve as vice-chairman of the Board and shall have voting privileges only in the event of a tie when he is presiding during the absence of the chairman. The Director of the Department of Rail and Public Transportation and the Executive Director of the Virginia Port Authority shall not have voting privileges.

§ 33.2-201. Appointment requirements; statewide interest.

Of the members appointed to the Board *by the Governor*, one member shall be a resident of the territory now included in the Bristol highway construction district, one in the Salem highway construction district, one in the Lynchburg highway construction district, one in the Staunton highway construction district, one in the Culpeper highway construction district, one in the Fredericksburg highway construction district, one in the Richmond highway construction district, one in the Hampton Roads highway construction district, and one in the Northern Virginia highway construction district. The remaining five members shall be appointed from the Commonwealth at large, provided that at least two reside in metropolitan statistical areas and are designated as urban at-large members and at least two reside outside metropolitan statistical areas and are designated as rural at-large members. The at-large members shall be appointed to represent rural and urban transportation needs and to be mindful of the concerns of seaports and seaport users, airports and airport users, railways and railway users, and mass transit and mass transit users. Each appointed member of the Board shall be primarily mindful of the best interest of the Commonwealth at large instead of the interests of the highway construction district from which chosen or of the transportation interest represented.

2. That the initial appointments of the six nonlegislative citizen members to be appointed pursuant to this act shall be staggered as follows: of the members appointed by the Speaker of the House of Delegates, one member shall be appointed for a term of four years, one for a term of three years, and one for a term of two years and of the members appointed by the Senate Committee on Rules, one member shall be appointed for a term of three years, one for a term of two years, and one for a term of one year.

INTRODUCED

HB2309