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HOUSE BILL NO. 2013

Offered January 11, 2017

Prefiled January 10, 2017

A *BILL to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership Authority; board of directors; qualifications of appointees.*

Patron—Yancey

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2235 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2235. Board of directors; members and officers; Chief Executive Officer.

A. The Authority shall be governed by a board of directors consisting of the Lieutenant Governor, the Secretary of Agriculture and Forestry, the Secretary of Commerce and Trade, the Secretary of Finance, the Secretary of Technology, and the Chancellor of the Virginia Community College System, the Executive Director of the Virginia Port Authority, and the Vice President of Economic Development for the Virginia Port Authority, or their designees, serving as ex officio, voting members, and 18 16 members to be appointed as follows: (i) ~~one from each congressional district in the Commonwealth and one citizen at large,~~ 10 nonlegislative citizen members appointed by the Governor, subject to confirmation by the General Assembly; (ii) four ~~citizens at large~~ nonlegislative citizen members appointed by the Speaker of the House of Delegates; and (iii) two ~~citizens at large~~ nonlegislative citizen members appointed by the Senate Committee on Rules. The six ~~citizens~~ nonlegislative citizen members appointed by the General Assembly shall reside in regions of the Commonwealth that have a higher unemployment rate than that of the statewide average unemployment rate as reported by the Virginia Employment Commission for the preceding four years from the date of appointment. *The 16 appointed nonlegislative citizen members shall possess minimum qualifications and competencies, including marketing expertise, international commerce expertise, finance or grant administration expertise, state, regional, or local economic development expertise, expertise in the field of law, information technology, transportation, or workforce development, and expertise in measuring the effectiveness of incentive programs, as follows:*

1. *Of the 10 nonlegislative citizen members appointed by the Governor, three members shall possess marketing expertise; three members shall possess international commerce expertise; one member shall possess finance or grant administration expertise; one member shall possess state, regional, or local economic development expertise; one member shall be from an institution of higher education and possess a background in the evaluation of economic incentive programs; and one member shall possess expertise in measuring the effectiveness of incentive programs;*

2. *Of the four nonlegislative citizen members appointed by the Speaker of the House of Delegates, one member shall possess finance or grant administration expertise; two members shall possess state, regional, or local economic development expertise; and one member shall possess expertise in the field of law, information technology, transportation, or workforce development; and*

3. *Of the two nonlegislative citizen members appointed by the Senate Committee on Rules, one member shall possess state, regional, or local economic development expertise and one member shall possess expertise in the field of law, information technology, transportation, or workforce development.*

Ex officio members of the Board shall serve terms coincident with their terms of office. ~~Four of the 12 directors initially appointed by the Governor shall be appointed for terms of two and one-half years, three for terms of four and one-half years, and for terms of six and one-half years, from the effective date of their appointment; and thereafter the~~ The terms of the appointed members of the Board shall be six years. No member shall be eligible to serve more than two terms; however, after the expiration of the term of a member appointed to serve three years or less, two additional terms may be served if appointed thereto. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms. Members of the Board shall receive their expenses and shall be compensated at the rate provided in § 2.2-2104 for each day spent on the business of the Board.

B. The Board shall elect from its membership a chairman and a vice-chairman, and shall also elect a secretary and a treasurer, who need not be members of the Board, and may also elect other subordinate officers, who need not be members of the Board. The Board may also form committees and advisory councils, which may include representatives who are not members of the Board, to undertake more extensive study and discussion of the issues before the Board.

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59 A majority of the Board shall constitute a quorum for the transaction of the Authority's business, and
60 no vacancy in the membership shall impair the right of a quorum to exercise the rights and perform all
61 duties of the Authority.

62 C. The Board shall appoint the chief executive officer of the Authority, who shall not be a member
63 of the Board, whose title shall be President and Chief Executive Officer and may be referred to as the
64 President or as the Chief Executive Officer, and who shall serve at the pleasure of the Board and carry
65 out such of the powers and duties conferred upon him by the Board.

66 **2. That the provisions of this act shall apply to appointments to the board of directors of the**
67 **Virginia Economic Development Partnership Authority made on and after July 1, 2017, and shall**
68 **not apply to members of the board of directors appointed prior to July 1, 2017, whose terms have**
69 **not expired.**