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HOUSE BILL NO. 2055

Offered January 11, 2017

Prefiled January 10, 2017

A *BILL to amend the Code of Virginia by adding in Title 15.2 a chapter numbered 76, consisting of sections numbered 15.2-7600 through 15.2-7607, relating to Rural Coastal Virginia Economic Development Authority.*

Patrons—Hodges, Bloxom, Peace and Ransone

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 15.2 a chapter numbered 76, consisting of sections numbered 15.2-7600 through 15.2-7607, as follows:

CHAPTER 76.**RURAL COASTAL VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY.****§ 15.2-7600. Authority created; name.**

The Rural Coastal Virginia Economic Development Authority, hereinafter referred to as the Authority, is created as a body politic and corporate, a political subdivision of the Commonwealth. As such it shall have, and is hereby vested with, the powers and duties hereinafter conferred in this chapter. The Authority shall consist of the 12 counties within the Northern Neck, Middle Peninsula, and Accomack-Northampton planning districts as follows: Accomack, Essex, Gloucester, King and Queen, King William, Lancaster, Mathews, Middlesex, Northampton, Northumberland, Richmond, and Westmoreland.

§ 15.2-7601. Purpose.

The Authority is created for the purpose of serving as a regional economic development body and represents a partnership of the Commonwealth, the planning districts, and the 12 counties of the coastal region.

§ 15.2-7602. Board of Authority; members and officers; staff; annual report.

A. All powers, rights, and duties conferred by this chapter, or other provisions of law, upon the Authority shall be exercised by the Board of the Rural Coastal Virginia Economic Development Authority, hereinafter referred to as the Board or the Board of the Authority. Initial appointments shall begin July 1, 2017. The Board shall consist of 17 members as follows: one member of each of the 12 counties' governing bodies, or their designees, who shall be appointed by the respective governing bodies; two members of the House of Delegates to be appointed by the Speaker of the House; one member of the Senate to be appointed by the Senate Rules Committee; and two at-large members, who shall be appointed by the Governor and who shall be residents of the coastal region. In addition, the Secretary of Commerce or his designee shall serve as a nonvoting ex officio member of the Board. All members shall serve for a term of four years and may be reappointed for one additional term. A position shall be considered vacant if a member's term of office has ended. Vacancies shall be filled for the unexpired term in the same manner as the original appointee. For the initial appointments only, six of the 12 members appointed by the governing bodies shall be appointed for two-year terms, and such initial terms shall not be counted toward the term limitation.

B. Each member of the Board shall, before entering upon the discharge of the duties of his office, take and subscribe to the oath prescribed in § 49-1. Members shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties.

C. Nine members of the Board shall constitute a quorum, and the affirmative vote of at least nine members of the Board shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Board.

D. The Board shall elect from its membership a chairman and a vice-chairman for each calendar year.

E. Staffing and support for the Authority shall be provided by the counties and the planning district commissions that make up the Authority. Additional staff support may be hired or contracted for by the Authority through funds raised by or provided to it. The Authority is authorized to determine the duties of such staff and fix staff compensation within available resources.

F. All agencies of the Commonwealth shall cooperate with the Authority and, upon request, shall assist the Authority in fulfilling its purposes and mission. The Secretary of Commerce or his designee shall act as the chief liaison between the administrative agencies and the Authority.

59 G. The Board, promptly following the close of the fiscal year, shall submit an annual report of the
60 Authority's activities for the preceding year to the Governor, the General Assembly, and the board of
61 supervisors of each member county. Each such report shall set forth a complete operating and financial
62 statement covering the operation of the Authority during such year.

63 **§ 15.2-7603. Powers of Authority.**

64 The Authority acting through its Board:

65 1. Is vested with the powers of a body corporate, including the power to sue and be sued, plead and
66 be impleaded, make contracts, and adopt and use a common seal and alter the same as may be deemed
67 expedient;

68 2. May retain legal counsel to represent the Authority in hearings, controversies, or matters
69 involving the interests of the Authority and the furtherance of its purposes; and

70 3. May adopt, alter, or repeal its own bylaws and regulations that govern the manner in which its
71 business may be transacted and may provide for the appointment of such committees, and the functions
72 thereof, as the Authority deems necessary to facilitate its business. Each committee shall consist of the
73 number of persons as the Authority deems advisable.

74 **§ 15.2-7604. Further powers.**

75 The Authority may seek and approve loans and solicit donations, grants, and any other funding from
76 the Commonwealth, the federal government, and regional, local government, and private entities, and
77 distribute such money for projects to:

78 1. Assist the region in obtaining necessary job training or employment-related education, leadership
79 and civic development, and business development, especially entrepreneurship for the coastal region;

80 2. Provide special assistance to distressed and underdeveloped counties within the coastal region;
81 and

82 3. Fund demonstration projects, and conduct research, evaluations, and assessments of the coastal
83 region's assets and needs.

84 Agencies of the Commonwealth shall review grant program eligibility requirements, and amend such
85 requirements as appropriate, for purposes of recognizing the unique socioeconomic and demographic
86 challenges faced by rural coastal localities and the inability to qualify for financial assistance.

87 **§ 15.2-7605. Duties of Authority; governmental functions.**

88 A. The Authority shall (i) develop comprehensive and coordinated plans and programs, establish
89 priorities, and approve grants for the economic development of the coastal region; (ii) provide for
90 research, demonstration, investigation, assessment, and evaluation of the region's assets and needs; (iii)
91 encourage the formation and capacity of local government and private investment in compatible
92 industries, including natural resources, commercial, industrial, and other economic development
93 projects; and (iv) provide a forum for the consideration of problems and possible solutions of the
94 coastal region.

95 B. The Authority shall (i) develop a definition for what constitutes "distressed" and annually
96 designate distressed, moderately distressed, and economically strong counties within the region and (ii)
97 allocate at least 50 percent of the grants, loans, and donations made available to the Authority for
98 programs and projects for the distressed counties. Such funds shall not be used within economically
99 strong counties without a two-thirds vote of approval by the Board. Nothing herein shall prevent the
100 Authority from applying for and receiving federal, state or private funds to advance the purpose of the
101 Authority regardless of distressed county status.

102 **§ 15.2-7606. Duties of planning districts within the coastal region.**

103 Each member planning district commission of the Authority shall approve annually a development
104 plan for its area within the coastal region. Comprehensive Economic Development Strategy (CEDS)
105 plans shall satisfy this requirement if updated and reaffirmed annually by the planning district
106 commission.

107 The development plan shall outline factors to be considered by the Authority in considering
108 programs and projects for assistance under this chapter and in establishing priorities among assistance
109 requests.

110 The Authority shall use the plans developed by the planning district commissions to guide the
111 development of a work program for the Authority.

112 **§ 15.2-7607. Dissolution of Authority.**

113 Each member locality of the Authority may withdraw from the Authority only upon dissolution of the
114 Authority as set forth herein. Whenever the Board determines that the purpose for which the Authority
115 was created has been substantially fulfilled or is impractical or impossible to accomplish and that all
116 obligations incurred by the Authority have been paid or that cash or a sufficient amount of United
117 States government securities has been deposited for their payment, or provisions satisfactory for the
118 timely payment of all its outstanding obligations have been arranged, the Board may adopt resolutions
119 declaring and finding that the Authority shall be dissolved. Appropriate attested copies of such
120 resolutions shall be delivered to the Governor so that legislation dissolving the Authority may be

121 *introduced in the General Assembly. The dissolution of the Authority shall become effective according to*
122 *the terms of such legislation. The title to all funds and other property owned by the Authority at the*
123 *time of such dissolution shall vest in the counties that have contributed to the fund in proportion to their*
124 *respective contributions.*

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