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~~CHAPTER 14.~~

~~VIRGINIA COALFIELD COALITION AUTHORITY.~~

Drafting note: Existing Chapter 14 (§ 33.1-426 et seq.) of Title 33.1 is recommended for repeal because it is obsolete. No appointment has been made to this Authority, nor is there any evidence of its existence with the Secretary of the Commonwealth or otherwise.

~~§ 33.1-426. Virginia Coalfield Coalition Authority created.~~

~~The Virginia Coalfield Coalition Authority, hereinafter referred to as "the Authority," is created as a body corporate and as a political subdivision of the Commonwealth. The Authority is hereby constituted a public instrumentality exercising public and essential governmental functions, and the exercise by the Authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential governmental function of the Commonwealth.~~

~~§ 33.1-427. Board of Commissioners; membership; terms; compensation and expenses; chairman and vice chairman; quorum; employees, agents, etc.~~

~~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 Coalfield Coalition Authority. The Board of Commissioners, hereafter referred to as "the Board," shall consist of eleven members as follows: the State Treasurer; the Chairman of the Commonwealth Transportation Board; two members each of the local governing bodies of the Counties of Wise, Buchanan, and Dickenson, appointed by the Governor and subject to confirmation by the General Assembly, who shall serve for terms of four years each; and three additional members, appointed by the Governor and subject to confirmation by the General Assembly, who shall serve at the pleasure of the Governor for terms of four years each. Appointments to fill vacancies other than by expiration of term shall be made for the unexpired terms. No member appointed by the Governor shall be eligible to serve more than two successive terms.~~

~~Of the initial appointments to be made by the Governor, three shall be appointed for two-year terms, three shall be appointed for three-year terms, and three shall be appointed for~~

~~four year terms. The State Treasurer and the Chairman of the Commonwealth Transportation Board shall serve terms on the Board coincident with their terms in office.~~

~~The Governor shall designate the chairman of the Commonwealth Transportation Board, or his designee, as chairman of the Authority. The chairman shall be the chief executive officer of the Authority and shall receive such compensation as the Governor shall fix. The remaining members of the Board shall receive such compensation as provided for by law.~~

~~The chairman shall sign and execute all vouchers for the disbursement of funds belonging to the Authority upon authorization by the Board. The Board shall elect one of its members as vice chairman who shall exercise the powers of the chairman when so directed by the chairman. Six members of the Board shall constitute a quorum for the transaction of all business of the Authority. The Board may also elect from its membership a secretary and prescribe his powers and duties.~~

~~The Board may employ or retain such employees, agents, financial advisers and attorneys as it may deem necessary and fix their compensation.~~

~~§ 33.1-428. Limited purpose of authority; Virginia Coalfield Expressway Corridor.~~

~~The General Assembly declares it to be in the public interest that the economic development needs and economic growth potential of Southwestern Virginia be addressed by the construction of an adequate, modern, safe, and efficient highway system, the Virginia Coalfield Expressway Corridor, generally along Virginia's Southwestern boundary, from at or near the Kentucky border in the County of Wise to at or near the West Virginia border in the County of Buchanan. The Authority is created and shall be vested with powers solely to provide for the construction of this highway system, hereafter referred to as "the Program," with the approval of the Commonwealth Transportation Board.~~

~~§ 33.1-429. General powers.~~

~~The Authority is vested with the powers of a body corporate, including, without limitation, the power to:~~

~~1. Sue and be sued;~~

- 55 ~~2. Make contracts;~~
- 56 ~~3. Adopt and use a common seal, and alter such seal at its pleasure;~~
- 57 ~~4. Procure insurance, participate in insurance plans, and provide self insurance. The~~
58 ~~purchase of insurance, participation in an insurance plan, or the creation of a self insurance plan~~
59 ~~by the Authority shall not be deemed a waiver or relinquishment of any sovereign immunity to~~
60 ~~which the Authority or its officers, directors, employees, or agents are otherwise entitled;~~
- 61 ~~5. Develop policies and procedures generally applicable to the procurement of goods,~~
62 ~~services and construction based on competitive principles; and~~
- 63 ~~6. Use any legal means to carry out its limited purpose.~~

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