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SENATE BILL NO. 54

Offered January 12, 2022

Prefiled December 30, 2021

A BILL to amend and reenact § 3 of Chapter 133 of the Acts of Assembly of 1966, as amended by the second enactment of Chapter 541 and the second enactment of Chapter 557 of the Acts of Assembly of 2017, relating to Chesapeake Airport Authority.

Patron—Cosgrove

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 3 of Chapter 133 of the Acts of Assembly of 1966, as amended by the second enactment of Chapter 541 and the second enactment of Chapter 557 of the Acts of Assembly of 2017, is amended and reenacted as follows:

§ 3. "Chesapeake Airport Authority."

There is hereby created and constituted a political subdivision of the Commonwealth to be known as the "Chesapeake Airport Authority". The exercise by the Authority of the powers conferred by this act in the construction, operation and maintenance of the project authorized by this act shall be deemed and held to be the performance of an essential governmental function.

The Authority shall consist of seven members, all of whom shall be appointed by the council of the city of Chesapeake. Four of the members of the Authority first appointed shall continue in office for terms expiring on June thirty, nineteen hundred sixty-nine, and three for terms expiring on June thirty, nineteen hundred sixty-eight the term of each such member to be designated by said council and to continue until his successor shall be duly appointed and qualified. On and after July one, nineteen hundred seventy-five, the membership of the Authority shall increase to nine members and there shall be appointed by the city council two additional members, one of whom shall serve until June thirty, nineteen hundred seventy-nine and the other to serve until June thirty, nineteen hundred seventy-eight. The successor of each such member shall be appointed for a term of five years and until his successor shall be duly appointed and qualified, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority shall be eligible for reappointment; however, after July 1, 2017, no member shall serve more than two consecutive terms. Any person who has served more than one and one-half terms as a member of the Authority as of July 1, 2017, shall not be eligible for reappointment for another consecutive term. A member of the Authority shall serve at the pleasure of the city council of the City of Chesapeake. No Authority member shall work for the Authority within one year after serving as a member. ~~Members of the Authority shall be subject to removal from office in like manner as are State, county, town and district officers under the provisions of §§ 15.1-63 to 15.1-66, inclusive, of the Code of Virginia.~~ The Authority shall annually elect one of its members as chairman and another as vice-chairman and shall also elect annually a secretary-treasurer, who may or may not be a member of the Authority.

The secretary-treasurer shall keep a record of the proceedings of the Authority and shall be custodian of all books, documents and papers filed with the Authority and of the minute book or journal of the Authority and of its official seal. He shall have authority to cause copies to be made of all minutes and other records and documents of the Authority and to give certificates under the official seal of the Authority to the effect that such copies are true copies, and all persons dealing with the Authority may rely upon such certificates.

Five members of the Authority shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority.

Before the issuance of any revenue bonds under the provisions of this act the secretary-treasurer of the Authority shall execute a surety bond in the penal sum of fifty thousand dollars, such surety bond to be conditioned upon the faithful performance of the duties of his office, to be executed by a surety company authorized to transact business in the Commonwealth as surety and to be approved by the Attorney General and filed in the office of the Secretary of the Commonwealth.

The members of the Authority shall be entitled to reimbursement for their expenses incurred in attendance upon the meetings of the Authority or while otherwise engaged in the discharge of their duties. Each member shall also be paid the sum of twenty dollars per day for each day or portion thereof during which he is engaged in the performance of his duties, with the maximum payable to any

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59 one member in any one calendar year of fifteen hundred dollars.