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## HOUSE JOINT RESOLUTION NO. 299

Offered January 24, 2000

*Directing the Joint Legislative Audit and Review Commission to study state compliance with the Implementation of the Federal Mandates Act.*

Patrons—Katzen, Black, Davis, Drake, Dudley, Landes, McQuigg and Reid

Referred to Committee on Rules

WHEREAS, the Implementation of the Federal Mandates Act was enacted by the 1995 General Assembly; and

WHEREAS, by enacting this Act, the General Assembly asserted its legislative authority to establish that the people of Virginia, acting through their elected officials in Virginia government, have the responsibility and authority to establish policy in and for Virginia pertaining to federal programs mandated in federal statutes; and

WHEREAS, the intent of the General Assembly is to assure the primacy of the Commonwealth of Virginia's legal and political authority to implement in and for Virginia the policy mandated by federal statutes and to vigorously challenge and scrutinize the extent and scope of authority asserted by federal executive branch agencies when federal agency actions and interpretations are inconsistent with Virginia policy and exceed the lawful authority of the federal government or are not required by federal law; and

WHEREAS, the Act required state officials charged with the duty of implementing any federal statute to implement the law as required by the federal statute in good faith and exercising a critical view toward the provisions of any federal regulation, guideline, or policy in order to identify those provisions of any federal regulation, guideline, or policy that are inconsistent with Virginia policy or do not advance Virginia policy in a cost-effective manner; and

WHEREAS, the Governor is required under the Act to report to the General Assembly regarding the proposed implementation of this Act; and

WHEREAS, Joint Legislative Audit and Review Commission, empowered to "make such special studies and reports of the operations and functions of state agencies...as may be requested by the General Assembly" might assist the Governor in determining the Commonwealth's compliance with this Act; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission (JLARC) be directed to study state compliance with the Implementation of the Federal Mandates Act. All agencies of the Commonwealth shall provide assistance to JLARC for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

INTRODUCED

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