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HOUSE JOINT RESOLUTION NO. 377

Offered January 26, 2000

Establishing a joint subcommittee to study the provisions of the act creating the Metropolitan Washington Airport Authority.

Patron—Marshall

Consent to introduce

Referred to Committee on Rules

WHEREAS, Metropolitan Washington Airports Authority (MWAA) was created by the 1985 Session of the General Assembly; and

WHEREAS, pursuant to Chapter 598 of the 1985 Acts of Assembly, MWAA was created as a regional airport authority, with the District of Columbia, to acquire, by lease or otherwise, the former Washington National Airport and Washington Dulles International Airport from the federal government; and

WHEREAS, MWAA consists of eleven members, five members appointed by the Governor of the Commonwealth; two members appointed by the State of Maryland; and one member appointed by the President of the United States; and

WHEREAS, under the terms of its enabling legislation, the courts of the Commonwealth have original jurisdiction of all actions brought by or against MWAA, which courts shall in all cases apply Virginia law; and

WHEREAS, §§ 6 and 19 of the enabling legislation, respectively, provide for public inspection of the Authority's rules and regulations as well as public inspection of the annual audit of all of the Authority's financial transactions; and

WHEREAS, § 24 further provides, "This act, being necessary for the welfare of the Commonwealth of Virginia and its inhabitants, shall be liberally construed to effect the purposes..." for which the Authority was created; and

WHEREAS, although the Authority is specifically exempted from the provisions of the Virginia Public Procurement Act, it is unclear whether the Authority is subject to the provisions of the Virginia Freedom of Information Act or whether the provisions of §§ 6 and 9, referenced above represent the totality of the treatment of records of the Authority; and

WHEREAS, because the Authority serves an important public purpose served by the Authority, a careful reexamination of the Authority's charter is necessary to clearly identify the application of Virginia public access laws; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the provisions of the act creating the Metropolitan Washington Airport Authority. The joint subcommittee shall be composed of five members, which shall include three members of the House of Delegates, to be appointed by the Speaker; and two members of the Senate, to be appointed by the Senate Committee on Privileges and Elections. In conducting its study, the joint subcommittee shall evaluate whether (i) there exists any internal inconsistencies in the act that created MWAA that require resolution; (ii) MWAA should be subject to the Virginia Public Procurement Act for purchases over \$1 million; and (iii) current public access and procurement procedures adopted by the Authority are sufficient to protect the interests of the citizens of the Commonwealth.

The direct costs of this study shall not exceed \$5,000.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee 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.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

INTRODUCED

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