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SENATE JOINT RESOLUTION NO. 38

Offered January 12, 2000

*Directing the Senate Committee on Finance and the House Committee on Appropriations to examine the feasibility of transferring the responsibility for acquiring property for highway purposes from the Department of Transportation to the Department of General Services.*

Patrons—Watkins, Colgan, Marye and Norment; Delegates: Bryant, Griffith, Ingram, Moran and Shuler

Referred to Committee on Rules

WHEREAS, the joint subcommittee studying the current means and adequacy of compensation to Virginia citizens whose properties are taken through the exercise of eminent domain, established by Senate Joint Resolution 271 and House Joint Resolution 491 (1999), has received a great deal of testimony from citizens during the course of its work relating to the practices of the Virginia Department of Transportation in acquiring land for highway projects; and

WHEREAS, one of the complaints voiced by citizenry was that the Department of Transportation had a vested interest in paying as little as possible to landowners for the land it must acquire for highway projects; and

WHEREAS, it was suggested that making another agency responsible for acquiring land for highway projects would alleviate the perception that the Commonwealth is trying to pay less to some landowners than the amount that provides just compensation for the taking of or damage to their properties; and

WHEREAS, transferring the source of expenditures for land acquisition from the Transportation Trust Fund to the Commonwealth's general fund may have the benefit of allowing the allocation of additional revenue for highway construction expenditures; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Senate Committee on Finance and the House Committee on Appropriations be directed to examine the feasibility of transferring the responsibility for acquiring property for highway purposes from the Department of Transportation to the Department of General Services. The Committees shall also examine the potential benefits and drawbacks of providing that costs of land acquisition for highway purposes be paid for by general fund appropriations, rather than from revenues currently dedicated to highway construction purposes.

The Committees shall complete their work in time to submit their 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.

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