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HOUSE JOINT RESOLUTION NO. 681

Offered January 12, 2005

Prefiled January 11, 2005

Continuing the Commission on Growth and Economic Development for the purpose of studying the feasibility of authorizing user fees for new single and multifamily residential construction. Report.

Patron—Marshall, R.G.

Referred to Committee on Rules

WHEREAS, House Joint Resolution 671 (2001) established the Commission on Growth and Economic Development, and the Commission was subsequently continued by House Joint Resolution 156 (2002) and House Joint Resolution 170 (2004); and

WHEREAS, House Joint Resolution No. 170 continued the study to, among other things the review of ordinances including provisions for the voluntary proffers; and

WHEREAS, although the Commission was successful in bringing together interested parties to participate in meaningful dialogue, the commission was ultimately unable to agree on legislative action related to the proffer system; and

WHEREAS, many areas of the Commonwealth continue to experience rapid growth creating increased demand for residential housing; and

WHEREAS, the building boom created in these areas to meet the housing demand has in turn created pressure on local governments to provide adequate infrastructure and support services; and

WHEREAS, increasingly, developers are being asked to pay more of the costs associated with growth, including roads, schools, parks and other infrastructure; and

WHEREAS, one method used by localities to secure assistance from developers when property is being rezoned for residential use is the proffer system; and

WHEREAS, while proffers are routinely used in residential development projects that involve rezoning as a method for localities to secure assistance from developers, it does not resolve all problems associated with growth, including the fact that proffers do not apply to areas already zoned residential; and

WHEREAS, alternative methods for localities to secure assistance in meeting the demands associated with rapid growth and mitigate the impact of individual developments on local services and infrastructure should be considered; and

WHEREAS, user fees for new single and multifamily residential construction projects may provide a viable alternative for localities to secure the needed assistance and at the same time regulate growth and the costs associated with it; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commission on Growth and Economic Development be continued to study the feasibility of authorizing user fees for new single and multifamily residential construction. The joint subcommittee shall have a total membership of eight members that shall consist of four members of the House of Delegates and one nonlegislative citizen member appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate and one nonlegislative citizen member appointed by the Senate Committee on Rules; Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. The current members appointed by the Speaker of the House of Delegates shall be subject to reappointment. The current members appointed by the Senate Committee on Rules shall continue to serve until replaced. Vacancies shall be filled by the original appointing authority. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

Administrative staff support shall continue to be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall continue to be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2005 interim, and the direct costs of this study shall not exceed \$ 6,800.00 without approval as set out in this resolution. Approval for

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59 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the
60 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is
61 agreed to, written authorization of both Clerks shall be required.

62 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
63 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
64 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
65 joint subcommittee.

66 The joint subcommittee shall complete its meetings by November 30, 2005, and the chairman shall
67 submit to the Division of Legislative Automated Systems an executive summary of its findings and
68 recommendations no later than the first day of the 2006 Regular Session of the General Assembly. The
69 executive summary shall state whether the joint subcommittee intends to submit to the General
70 Assembly and the Governor a report of its findings and recommendations for publication as a House or
71 Senate document. The executive summary and report shall be submitted as provided in the procedures of
72 the Division of Legislative Automated Systems for the processing of legislative documents and reports
73 and shall be posted on the General Assembly's website.

74 Implementation of this resolution is subject to subsequent approval and certification by the Joint
75 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
76 delay the period for the conduct of the study, or authorize additional meetings during the 2005 interim.