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SENATE BILL NO. 261

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules
on February 3, 2006)

(Patrons Prior to Substitute—Senators Wagner and Whipple [SJR 80])

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 40, consisting of sections numbered 30-266, 30-267, and 30-268, relating to the Manufacturing Development Commission. Report.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 40, consisting of sections numbered 30-266, 30-267, and 30-268 as follows:

CHAPTER 40.

MANUFACTURING DEVELOPMENT COMMISSION.

§ 30-266. *Manufacturing Development Commission; purpose; membership; terms; compensation and expenses; staff; voting on recommendations.*

A. *The Manufacturing Development Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission shall be to assess manufacturing needs and formulate legislative and regulatory remedies to ensure the future of the manufacturing sector in Virginia.*

B. *The Commission shall have a total membership of 13 that shall consist of eight legislative members, four nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: five members of the Senate, to be appointed by the Senate Committee on Rules; three members of the House of Delegates, to be 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; and four nonlegislative citizen members of whom one shall be a representative of a public institution of higher education, one shall be a representative of an entity or organization active in economic development efforts in the Commonwealth, one shall be a representative of a Virginia manufacturer, and one shall be the president of the Virginia Manufacturers Association, to be appointed by the Governor. The Secretary of Commerce and Trade or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members shall be citizens of the Commonwealth.*

Nonlegislative citizen members shall be appointed for terms of four years. Legislative members and ex officio members shall serve terms coincident with their terms of office. All members may be reappointed for successive terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

C. *The members of the Commission shall elect a chairman and a vice-chairman annually, who shall be members of the General Assembly. A majority of the members of the Commission shall constitute a quorum. The Commission shall meet at the call of the chairman or whenever a majority of the members so request.*

D. *Legislative members of the Commission shall receive such compensation as is set forth in § 30-19.12. Nonlegislative citizen members shall serve without compensation. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for compensation and reimbursement of expenses of the members shall be provided from existing appropriations to the Commission. Costs of this Commission shall not exceed \$12,000 per year.*

E. *Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. Technical assistance shall be provided by the Department of Mines, Minerals and Energy. All agencies of the Commonwealth shall assist the Commission, upon request.*

F. *No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) votes against the recommendation and (ii) votes for the recommendation to fail notwithstanding the majority vote of the Commission.*

§ 30-267. *Powers and duties of the Commission.*

The Commission shall have the power and duty to:

1. *Assess the direct and indirect economic impact of the manufacturing sector on Virginia's economy.*
2. *Determine the needs of the manufacturing sector and the most efficient, and cost-effective manner in which such needs may be addressed.*

60 3. Consider the effect of local and state tax policies; regulatory compliance costs; research and
61 development investment, energy, transportation, and workforce training policies and costs on the
62 manufacturing sector; and recommend the appropriate role for state and local governments in ensuring
63 the future of the manufacturing sector in the Commonwealth.

64 4. Develop a comprehensive energy plan for the Commonwealth, which evaluates the
65 Commonwealth's current and future energy supply and demand. In developing the plan, the Commission
66 shall solicit and analyze suggestions and information from the following sectors: utility providers,
67 petroleum companies, automobile manufacturers, fuel suppliers, technology companies, environmental
68 organizations, and consumers.

69 5. Evaluate the effectiveness of state and local economic development programs and incentives on the
70 research and development of technology-intensive manufacturing.

71 6. Consult and coordinate with the Joint Commission on Technology and Science, the Joint
72 Legislative Audit and Review Commission, the Joint Commission on Administrative Rules, and other
73 legislative commissions, committees, and councils to minimize fragmentation and duplication relative to
74 the respective powers and duties of such groups.

75 7. Provide manufacturers and advocates with a forum to address their concerns.

76 8. Report annually its findings and recommendations to the General Assembly and the Governor as
77 provided in the procedures of the Division of Legislative Automated Systems. The chairman of the
78 Commission shall submit to the General Assembly and the Governor an annual executive summary of
79 the interim activity and work of the Commission no later than the first day of each regular session of
80 the General Assembly. The executive summary shall be submitted as provided in the procedures of the
81 Division of Legislative Automated Systems for the processing of legislative documents and reports and
82 shall be posted on the General Assembly's website.

83 § 30-268. Sunset.

84 This chapter shall expire on July 1, 2009.

85 **2. For its first year of existence, if the Commission is not funded by a separate appropriation in**
86 **the Appropriation Act, the Commission may be funded from the operating budgets of the Clerk of**
87 **the House of Delegates and the Clerk of the Senate upon the approval of the Joint Rules**
88 **Committee. If the Commission is not funded by a separate appropriation in the Appropriation Act**
89 **for any year thereafter, this chapter shall expire on July 1 of the fiscal year that the Commission**
90 **fails to receive such funding.**