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SENATE JOINT RESOLUTION NO. 25

Offered January 11, 2006

Prefiled December 28, 2005

Establishing a joint subcommittee to study the feasibility and costs relative to requiring the placement of certain overhead utility lines underground. Report.

Patron—Locke

Referred to Committee on Rules

WHEREAS, cities and towns seeking to rehabilitate and revitalize downtown areas and address blight have found that undergrounding existing utility lines is a significant asset in improving the aesthetics of these areas and encourages private investment and redevelopment; and

WHEREAS, the potential benefits to the utilities and to the economy resulting from such redevelopment and revitalization can be significant; and

WHEREAS, the benefits of undergrounding new and existing utility lines may outweigh the costs in certain designated conservation, redevelopment, revitalization, and historic areas; and

WHEREAS, there is no current codified procedure or requirement for the undergrounding of utility lines in the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the feasibility and costs relative to requiring the placement of certain overhead utility lines underground. The joint subcommittee shall have a total of 11 members: six legislative members, three nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: two members of the Senate to be appointed by the Senate Committee on Rules; four 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; three nonlegislative citizen members, two of whom shall represent local government in the Commonwealth, one to be appointed by the Senate Committee on Rules and one to be appointed by the Speaker of the House of Delegates; and one nonlegislative citizen member representing Dominion Virginia Power to be appointed by the Speaker of the House of Delegates upon consideration of the recommendation of Dominion Virginia Power, if any. The Commissioner of the State Corporation Commission and the Director of the Department of Historic Resources or their designees shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of Virginia. 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 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.

In conducting its study, the joint subcommittee shall examine: (i) the costs associated with undergrounding both new and existing utility lines; (ii) the experiences of localities that have placed utility lines underground and the effects on the economic development and revitalization of the surrounding areas; (iii) an appropriate limit on the annual linear footage that each locality may request for undergrounding utility lines; (iv) the types of designated areas that would receive the greatest benefit from undergrounding utility lines; and (v) the types of overhead utility lines that would qualify for undergrounding in certain designated areas.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall 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 2006 interim, and the direct costs of this study shall not exceed \$7,200 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

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

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59 The joint subcommittee shall complete its meetings by November 30, 2006, and the chairman shall
60 submit to the Division of Legislative Automated Systems an executive summary of its findings and
61 recommendations no later than the first day of the 2007 Regular Session of the General Assembly. The
62 executive summary shall state whether the joint subcommittee intends to submit to the General
63 Assembly and the Governor a report of its findings and recommendations for publication as a House or
64 Senate document. The executive summary and report shall be submitted as provided in the procedures of
65 the Division of Legislative Automated Systems for the processing of legislative documents and reports
66 and shall be posted on the General Assembly's website.

67 Implementation of this resolution is subject to subsequent approval and certification by the Joint
68 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
69 delay the period for the conduct of the study, or authorize additional meetings during the 2007 interim.