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SENATE JOINT RESOLUTION NO. 94

Senate Amendments in [] — February 7, 2006

Establishing a joint subcommittee to study the financing and programmatic options for preserving Virginia's farmlands. Report.

Patrons Prior to Engrossment—Senators Hanger and Hawkins

Referred to Committee on Rules

WHEREAS, nearly two-thirds of the land in the Commonwealth is farm and forest lands; and
 WHEREAS, the Commonwealth is losing 46,000 acres of rural land each year and has experienced a 76 percent increase in the loss rate for prime agricultural soils in the last decade, according to the U.S. Department of Agriculture. Between 2001 and 2005, more than 300,000 acres of cropland was lost to other land uses and 1,760 farms went out of existence; and

WHEREAS, the Virginia Department of Agriculture and Consumer Services estimates that more than two-thirds of the farm and forest land in the Commonwealth will change hands in the next decade; and

WHEREAS, as farm income has dropped significantly in the past decade, 80 percent of farmers now work off the farm to supplement their income; and

WHEREAS, agriculture faces an additional challenge as the family business is also the family home and, in many cases, the land serves as the retirement account for the farmer; and

WHEREAS, many Virginia localities do not have plans or programs in place to preserve a viable agricultural sector in the future of their communities; and

WHEREAS, typical agricultural zoning allows a variety of nonagricultural uses, including densities of nonfarm residential development that are incompatible with farming. In this context, agricultural land has become a speculative commodity with a cost that far exceeds agricultural value, making land unaffordable to farmers who need it; and

WHEREAS, efforts to retain the rural landscape in the Commonwealth must compete for scarce local government funds as growing localities search for solutions to their infrastructure and school funding shortfalls and inevitable property tax increases; and

WHEREAS, the Virginia General Assembly has approved two initiatives to address the challenges of farmland preservation, the Virginia Agricultural Vitality Program of 2001 and the Agricultural Enterprise Act of 2005; however, none of the programs within these farmland initiatives have received state funding; and

WHEREAS, the Virginia Agricultural Vitality Program called for the creation of an Office of Farmland Preservation within the Virginia Department of Agriculture and Consumer Services, under the Secretary of Agriculture and Forestry; and

WHEREAS, the Office of Farmland Preservation is charged with addressing the challenging issues of farmland loss, farm profitability, and farm business transition, but has yet to receive any funding; and

WHEREAS, the Virginia Agricultural Vitality Program has recommended the funding and developed guidelines for operating purchase of development rights programs at the county level; and

WHEREAS, nine Virginia localities have adopted such programs, including Virginia Beach (1995), Albemarle (2000), Loudoun (2000), James City County (2001), Clarke County (2002), Fauquier County (2002), Chesapeake (2003), Rockbridge (2003), and Rappahannock (2004). Only two of these programs have dedicated funding, while four counties rely on annual appropriations and three programs are unfunded, and another dozen Virginia counties are in the process of developing purchase of development rights programs and all have requested financial assistance from the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the financing and programmatic options for preserving Virginia's farmlands. The study shall examine (i) the funding needs of the Virginia Agricultural Vitality Program and the Office of Farmland Preservation, (ii) the implementation of the Agricultural Enterprise Act and the costs of such implementation, and (iii) other strategies to enhance Virginians' ability to preserve their farmlands, including but not limited to, technical and financial assistance for the promotion of purchase of development rights programs. The joint subcommittee shall have a total membership of six members to be appointed as follows: [~~two~~ four] members of the Senate to be appointed by the Senate Committee on Rules and [~~four~~ two] 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. [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

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59 and vice chairman from among its membership, who shall be members of the General Assembly.

60 Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal,
61 research, policy analysis, and other services as requested by the joint subcommittee shall be provided by
62 the Division of Legislative Services. Technical assistance shall [~~continue to~~] be provided by [the]
63 Department of Agriculture and Consumer Services. All agencies of the Commonwealth shall provide
64 assistance to the joint subcommittee for this study, upon request.

65 The joint subcommittee shall be limited to four meetings for the 2006 interim, and the direct costs of
66 this study shall not exceed \$6,000 without approval as set out in this resolution. Approval for
67 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the
68 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is
69 agreed to, written authorization of both Clerks shall be required.

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

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

82 Implementation of this resolution is subject to subsequent approval and certification by the Joint
83 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
84 delay the period for the conduct of the study, or authorize additional meetings during the 2006 interim.