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SENATE JOINT RESOLUTION NO. 94
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on March 1, 2006)

(Patron Prior to Substitute—Senator Hanger)

Establishing a joint subcommittee to study long-term funding sources for the purchase of development rights to preserve open-space land and farmlands. Report.

WHEREAS, Article XI of the Constitution of Virginia states: "to the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites"; and

WHEREAS, the Commonwealth lost 490,000 acres of forestland between 1992 and 2000, lost 480,000 acres of cropland between 1982 and 1997, and lost 343,500 acres to development between 1992 and 1997; and

WHEREAS, sixty-one percent of the Commonwealth's environmentally sensitive natural areas are unprotected, and 50% of the State's wetlands have been converted to other uses; and

WHEREAS, the benefits of land preservation include cleaner air and water, recreation opportunities for citizens, preservation of working farms, protection of threatened species, and economic benefits to related businesses such as farming, the timber industry, and the fishing industry, as well as the economic benefits of increased tourism; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study long-term funding sources for the purchase of development rights to preserve open-space land and farmlands. The joint subcommittee shall have a total membership of nine legislative members appointed as follows: three members of the Senate to be appointed by the Senate Committee on Rules, and six 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. The joint subcommittee shall elect a chairman and vice chairman from among its membership.

In conducting its study, the joint subcommittee shall review recent funding for the preservation of open-space land, the future needs of the Commonwealth for open-space land, the cost of such needs, and long-term funding sources to pay the costs. The joint subcommittee shall also 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.

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. Technical assistance shall be provided by the Department of Conservation and Recreation, and the Department of Agriculture and Consumer 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 \$9,000, 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.

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

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or

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60 delay the period for the conduct of the study, or authorize additional meetings during the 2006 interim.