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HOUSE BILL NO. 344

Offered January 13, 2010

Prefiled January 11, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 33.1-23.03:11 and by adding in Title 30 a chapter numbered 49, consisting of sections numbered 30-319, 30-320, and 30-321, relating to Efficiency in Government Advisory Councils.*

Patron—Marshall, R.G.

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 33.1-23.03:11 and by adding in Title 30 a chapter numbered 49, consisting of sections numbered 30-319, 30-320, and 30-321, as follows:

CHAPTER 49.**EFFICIENCY IN GOVERNMENT ADVISORY COUNCILS.**

§ 30-319. Efficiency in Government Advisory Councils established; membership; terms; compensation; staff; quorum.

A. There is hereby established in the legislative branch of state government an Efficiency in Government Advisory Council for each secretariat of state government. Each council shall review the operations of the agencies within the assigned secretariat to identify efficiencies and determine specific operational areas where savings may be realized through, among other things, the elimination, realignment, reduction, or consolidation of programs or activities.

As used in this chapter "secretariat" means the Governor's secretaries as defined in § 2.2-200 and the agencies for which each secretary is responsible pursuant to Chapter 2 (§ 2.2-200 et seq.) of Title 2.2.

B. Each council shall consist of 23 members, including 14 legislative members, as follows: (i) 10 members of the House of Delegates appointed by the Speaker of the House of Delegates; (ii) four nonlegislative citizen members appointed by the Speaker of the House of Delegates; (iii) four members of the Senate appointed by the Senate Committee on Rules; (iv) two nonlegislative citizen members appointed by the Senate Committee on Rules; and (v) the Secretary over the assigned area of the respective council and two heads of agencies for which the Secretary is responsible to the Governor. Legislative members shall serve on their respective council until the expiration of their terms of office or until their successors shall qualify. Executive branch agency members shall serve only as long as they retain their positions. Nonlegislative citizen members shall be appointed for terms of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed for successive terms. Vacancies shall be filled in the same manner as the original appointments.

C. The members of each council shall elect from among the legislative membership a chairman and a vice-chairman who shall serve for two-year terms. Each council shall hold at least two meetings per year or upon the call of the chairman. A majority of the council shall constitute a quorum.

D. Members of the councils shall receive no compensation for their services but shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813, 2.2-2825, and 30-19.12, as appropriate.

E. Administrative staff support for the councils shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of each council serves.

§ 30-320. Powers and duties.

Each council shall have the following powers and duties:

1. To undertake studies, gather information and data, and pursue such other activities as may be necessary to identify efficiencies and determine specific operational areas where savings may be realized among the agencies within the assigned secretariat;

2. To recommend to the Governor and the General Assembly actions that will result in (i) identifiable monetary savings among agencies within the assigned secretariat, (ii) changes in management practices among agencies within the assigned secretariat, and (iii) elimination, realignment, or consolidation of programs or activities within the assigned secretariat; and

3. To report annually on its activities during the preceding year and include a discussion of studies made and recommendations for administrative or legislative action. The chairman shall submit to the

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59 General Assembly and the Governor an annual executive summary of the interim activity and work of
60 the council no later than the first day of each regular session of the General Assembly. The executive
61 summary shall be submitted as provided in the procedures of the Division of Legislative Automated
62 Systems for the processing of legislative documents and reports and shall be posted on the General
63 Assembly's website.

64 § 30-321. Legislative review of council recommendations required; recorded vote required; savings
65 applied to transportation.

66 A. Recommendations of a council shall be presented to the Governor and the General Assembly in
67 the form of one or more bills, which shall be introduced in both the House of Delegates and the Senate
68 of Virginia. A council may also, when appropriate, present its recommendations in the form of one or
69 more budget amendments.

70 B. Notwithstanding any rule of the House of Delegates or the Senate of Virginia, every bill
71 introduced by a council pursuant to subsection A shall be assigned to the standing committee with the
72 appropriate subject matter jurisdiction over the secretariat. Any action taken by such committee on the
73 bill shall be taken by a recorded vote.

74 C. All monetary savings realized as a result of the implementation by the General Assembly of
75 recommendations of the Efficiency in Government Advisory Councils shall be applied to the
76 Transportation Efficiency Fund established pursuant to § 33.1-23.03:11.

77 § 33.1-23.03:11. Transportation Efficiency Fund established.

78 A. There is hereby created in the state treasury a special nonreverting fund to be known as the
79 Transportation Efficiency Fund, hereafter referred to as "the Fund." The Fund shall be established on
80 the books of the Comptroller. The fund shall consist of all monetary savings realized as a result of the
81 implementation by the General Assembly of recommendations by Efficiency in Government Advisory
82 Councils established pursuant to § 30-319. All moneys shall be paid into the state treasury and credited
83 to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any
84 moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert
85 to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the
86 purposes enumerated in subsection B. Expenditures and disbursements from the Fund shall be made by
87 the State Treasurer on warrants issued by the Comptroller.

88 B. The Commonwealth Transportation Board shall use the Fund in the following manner: (i) 75
89 percent shall be used to supplement transportation projects that are aimed at reducing congestion,
90 increasing the efficiency of mass transit, or reducing harmful emissions associated with vehicle traffic,
91 and (ii) 25 percent shall be used to facilitate economic development associated with transportation
92 projects.