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HOUSE BILL NO. 1306

Offered January 9, 2013

Prefiled August 15, 2012

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 53, consisting of sections numbered 30-339 through 30-345, relating to Commission on Federal Oversight; report.*

Patrons—Landes, Bell, Richard P., Cosgrove, Garrett, Head, Helsel, Hodges, Howell, W.J., Marshall, R.G., Minchew, O'Quinn, Pogge, Ramadan, Rush, Rust, Stolle, Villanueva, Ware, R.L., Watson, Webert, Wilt and Yost; Senator: Black

Referred to Committee on Rules

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 53, consisting of sections numbered 30-339 through 30-345, as follows:

CHAPTER 53.**COMMISSION ON FEDERAL OVERSIGHT.****§ 30-339. Commission on Federal Oversight; purpose.**

The Commission on Federal Oversight (the Commission) is established in the legislative branch of state government. The Tenth Amendment of the United States Constitution established a balanced system of government and provided that all nondelegated and nonprohibited powers are reserved to the states or to the people. Therefore, to advance the provisions of the Tenth Amendment, the Commission is hereby created to facilitate a formal mechanism of communication on broad bipartisan public policy matters through regular meetings with the United States Senate members of the Virginia Congressional Delegation and the Virginia General Assembly, and through communication with members of the United States House of Representatives of the Virginia Congressional Delegation, whereby state and federal legislators may address public policy matters for which both state and federal governments have responsibility.

§ 30-340. Membership; terms; vacancies; chairman and vice-chairman.

The Commission shall consist of eight legislative members. Members shall be appointed as follows: five 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 three members of the Senate, to be appointed by the Senate Committee on Rules.

Legislative members of the Commission shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members may be reappointed. However, no member of the House of Delegates shall serve more than four consecutive two-year terms, and no member of the Senate shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

§ 30-341. Quorum; meetings; voting on recommendations.

The Commission shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly. A majority of the members shall constitute a quorum. The Commission shall meet at least four times each year, of which two meetings shall be devoted to meeting with the United States Senate members of the Virginia Congressional Delegation. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

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

§ 30-342. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-343. Powers and duties of the Commission.

The Commission shall meet regularly with members of the Virginia Congressional Delegation to discuss and propose constructive remedies for the economy, social concerns, a balanced federal budget,

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57 *and restoration of the balance of power between federal and state governments. The Commission shall*
58 *also consider and address public policy issues with the Virginia Congressional Delegation relative to*
59 *resolving matters within the respective domains of federal and state governments.*

60 ***§ 30-344. Staffing.***

61 *Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates or*
62 *the Office of the Clerk of the Senate as may be appropriate for the house in which the chairman of the*
63 *Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis,*
64 *and other services as requested by the Commission.*

65 ***§ 30-345. Chairman's executive summary of activity and work of the Commission.***

66 *The chairman shall submit to the General Assembly and the Governor an annual executive summary*
67 *of the interim activity and work of the Commission no later than the first day of each regular session of*
68 *the General Assembly. The executive summary shall be submitted as provided in the procedures of the*
69 *Division of Legislative Automated Systems for the processing of legislative documents and reports and*
70 *shall be posted on the General Assembly's website.*

71 **2. That the provisions of this act shall not become effective unless an appropriation effectuating**
72 **the purposes of this act is included in the general appropriation act passed during the 2013**
73 **Regular Session of the General Assembly that becomes law.**