

002723508

SENATE JOINT RESOLUTION NO. 173

Offered January 24, 2000

Establishing a joint subcommittee to study the regulatory responsibilities, policies, and activities of the State Corporation Commission.

Patron—Norment

Referred to Committee on Rules

WHEREAS, the 1902 Constitution of Virginia created the State Corporation Commission (the Commission), enumerating in detail its duties and procedures and vesting the Commission with legislative, judicial, and executive powers; and

WHEREAS, the Commission exercises legislative authority when it makes rules or sets rates, judicial authority when it acts as a court of record and holds formal hearings, and executive authority in its day-to-day administration, and

WHEREAS, despite the exercise of these powers, the Commission is not part of the legislative, judicial, and executive branches of government and; therefore, is in effect a fourth branch of Virginia state government; and

WHEREAS, when it was created in 1903, the Commission had two primary functions, the regulation of rates and services of railroads and the issuance of corporate charters with a budget of \$24,000 and five employees; and

WHEREAS, since that time the Commission's jurisdiction has expanded significantly as a result of legislative amendments and constitutional amendments to include the regulation of energy, insurance, securities, corporate filings, communications, financial institutions, and railroads; and

WHEREAS, the Commission has a current staff of 560 and an annual operating budget of approximately \$51 million; and

WHEREAS, despite the growth of the Commission over the years and the ever increasing impact its policies have on the economy and lives of the citizens of the Commonwealth, it remains the only department of government for which no external assessment is routinely made showing the the impact its actions have had or will have on the economy and the lives of citizens of the Commonwealth, or whether alternative approaches would allow the Commission to achieve its legitimate goals while having less impact; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the regulatory responsibilities, policies, and activities of the State Corporation Commission and the impact of such policies and activities on the lives of the citizens of the Commonwealth. The joint subcommittee shall be composed of nine members, which shall include five legislative members and four nonlegislative citizen as follows: two members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; three members of the House of Delegates, to be appointed by the Speaker; two citizens to be appointed by the Senate Committee on Privileges and Elections; and two citizens to be appointed by the Speaker.

The direct costs of this study shall not exceed \$9,900.

The Division of Legislative Services shall provide staff support for the study. The State Corporation Commission shall provide such assistance and information as is needed for the work of the joint subcommittee. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

INTRODUCED

SJ173