

SENATE JOINT RESOLUTION NO. 173

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

Agreed to by the Senate, March 9, 2000
Agreed to by the House of Delegates, March 8, 2000

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; however, it is a separate department of Virginia state government; and

WHEREAS, when it began its operations 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, there is no external assessment routinely made showing 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 fulfill its Constitutional and legislative responsibilities; 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. The joint subcommittee shall also study the impact of such policies and activities on the lives of the citizens of the Commonwealth.

The joint subcommittee shall consist of 16 members, which shall include 10 legislative members, 4 nonlegislative citizen members, and 2 ex officio members as follows: four members of the Senate to be appointed by the Senate Committee on Privileges and Elections; six members of the House of Delegates to be appointed by the Speaker of the House, in accordance with the principles of Rule 16 of the Rules of the House of Delegates; four citizens to be appointed by the Governor; and the Attorney General or his designee and the Secretary of Commerce and Trade or his designee to serve ex officio.

The direct costs of this study shall not exceed \$14,500.

The Division of Legislative Services shall provide staff support for the study. The State Corporation Commission shall provide technical assistance to the joint subcommittee, upon request. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall submit an interim report to the Governor and the 2001 Session of the General Assembly. The joint subcommittee shall complete its work in time to submit its written findings and recommendations to the Governor and the 2002 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.

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