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HOUSE JOINT RESOLUTION NO. 75

Offered January 9, 2002

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Establishing a joint subcommittee to study circuit courts' powers of appointment.

Patrons—Janis, Albo, Black, Byron, Carrico, Cosgrove, Cox, Devolites, Kilgore, Landes, McDonnell, Nixon, O'Bannon, Phillips, Reese, Rollison, Sears, Weatherholtz and Welch

Referred to Committee on Rules

WHEREAS, the circuit courts, and the judges thereof, of the Commonwealth have wide-ranging powers of appointment from appointing commissioners of accounts to pro tempore district court judges; and

WHEREAS, many of these powers include the authority to fill local constitutional offices for extended periods of time in-between election cycles; and

WHEREAS, these appointees have powers and duties that under normal circumstances are reserved for officials elected by the citizenry, appointed by local governing bodies, or elected by the state legislature; and

WHEREAS, the responsibility of determining the best appointee may better rest with other state and local officials who are elected themselves, or who are, by virtue of their office, more responsive to the needs of a particular community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study circuit courts' powers of appointment. The joint subcommittee shall be composed of nine members, which shall include eight legislative members and one ex officio member as follows: five members of the House of Delegates, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; and the Attorney General of the Commonwealth of Virginia or his designee to serve ex officio with full voting privileges.

The direct costs of this study shall not exceed \$6,000.

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

The joint subcommittee shall complete its work by November 30, 2002, and shall submit its written findings and recommendations to the Governor and the 2003 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

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