

2006 SPECIAL SESSION I

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SENATE JOINT RESOLUTION NO. 5054

Offered September 15, 2006

Establishing a joint subcommittee to study granting of greater responsibility for highway construction and maintenance to local governments. Report.

Patron—Cuccinelli

Referred to Committee on Rules

WHEREAS, current Virginia law provides for the administrative classification of Virginia's public highways into three systems of state highways: a primary system, a secondary system, and an urban system; and

WHEREAS, the assignment of various highways to these systems is based on other than a functional classification basis and may result in misallocation of scarce highway construction resources; and

WHEREAS, while Virginia's municipalities have historically borne a greater responsibility for the majority of roads and streets within their boundaries, only two Virginia counties currently are responsible for maintenance and construction of secondary system highways within their boundaries; and

WHEREAS, the placing of major responsibility for highways at the state level while major responsibility for land-use planning and growth-management remains at the local level suggests that there may be cogent reasons for devolving considerable responsibility for building and maintaining many of Virginia's highways to the local level; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study granting of greater responsibility for highway construction and maintenance to local governments. The joint subcommittee shall have a total membership of 10 members, to be appointed as follows: four members of the Senate to be appointed by the Senate Committee on Rules and six 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. The joint subcommittee shall elect a chairman and vice chairman from among its membership.

In conducting its study, the joint subcommittee shall consider whether it is both wise and prudent for the Commonwealth to vest not only municipalities but also counties with the major responsibility for the construction and maintenance of the highways of the Commonwealth, and what responsibilities for which highway system components should most appropriately and efficiently continue to be vested in the Virginia Department of Transportation.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth and Virginia's local governments shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2007 interim and four meetings for the 2008 interim, and the direct costs of this study shall not exceed \$10,000 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

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

The joint subcommittee shall complete its meetings for the first year by November 30, 2007, and for the second year by November 30, 2008, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or

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59 delay the period for the conduct of the study, or authorize additional meetings during the 2007 or 2008
60 interim.