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HOUSE JOINT RESOLUTION NO. 561

Offered January 13, 2021

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Establishing a joint subcommittee to study the efficacy of the Commonwealth's occupational licensing laws for construction trades. Report.

Patrons—Guzman, Hope, Kory, Krizek, Plum, Samirah, Simon and Simonds

Referred to Committee on Rules

WHEREAS, occupational licensing for traditionally licensed construction trades is widely required in jurisdictions across the United States; and

WHEREAS, a well-trained and licensed construction workforce is the key to ensuring safer job sites and high-quality construction; and

WHEREAS, the Commonwealth's current occupational licensing laws do not require that all workers on a job for certain trades, such as electrical; plumbing; and heating, ventilation, and air conditioning, carry active licenses; and

WHEREAS, understanding the degree of enforcement of occupational licensing laws currently in the Code of Virginia is an important factor in determining the effectiveness of the Commonwealth's occupational licensing programs; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the efficacy of the Commonwealth's occupational licensing laws for construction trades. The joint subcommittee shall have a total membership of 17 members that shall consist of 12 legislative members, four nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: seven 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; five members of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members, one of which is a member of a contractors association and one of which is a member of a labor union, to be appointed by the Speaker of the House of Delegates; and two nonlegislative citizen members, one of which is a member of a contractors association and one of which is a member of a labor union, to be appointed by the Senate Committee on Rules. The Director of the Department of Professional and Occupational Regulation or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall study the efficacy of the Commonwealth's occupational licensing laws for construction trades to (i) determine whether more requirements are necessary to ensure all workers in relevant crafts are licensed, (ii) determine whether greater occupational licensing enforcement is necessary, (iii) determine whether the Commonwealth's occupational licensing laws should apply to a broader scope of construction trades, and (iv) make recommendations for new laws or policies that would enhance the Commonwealth's occupational licensing regulations.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Department of Professional and Occupational Regulation. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2021 interim, and the direct costs of this study shall not exceed \$27,360 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 House members or a majority of the Senate 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

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59 joint subcommittee.

60 The joint subcommittee shall complete its meetings by November 30, 2021, and the chairman shall
61 submit to the Division of Legislative Automated Systems an executive summary of its findings and
62 recommendations no later than the first day of the 2022 Regular Session of the General Assembly. The
63 executive summary shall state whether the joint subcommittee intends to submit to the General
64 Assembly and the Governor a report of its findings and recommendations for publication as a House or
65 Senate document. The executive summary and the report shall be submitted as provided in the
66 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
67 and reports and shall be posted on the General Assembly's website.

68 Implementation of this resolution is subject to subsequent approval and certification by the Joint
69 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
70 delay the period for the conduct of the study, or authorize additional meetings during the 2021 interim.