

# Virginia state and local government

Law



The General assembly passed a bill stating the delegation of the functions of imposing and collecting taxes, to the Northern Virginia Transportation Authority. In other words, an unelected body would be in charge of imposing a series of taxes and fees in the Northern Virginia localities, to raise funds for the construction of transportation infrastructure.

The Supreme Court, in February 2008, nullified this bill passed by the General assembly in 2007. This was because the bill did not adhere to the provisions of the constitution that forbids the imposition of such taxes by non-elected bodies.

By virtue of the power of judicial review, the Judiciary exercised its power to curtail the implementation of an illegal bill, by the Legislature of Virginia. It was felt by the Judiciary, that the imposition and collection of taxes is a prime function of the General Assembly. The delegation of this task, to a body that is not responsible to the voters, is not legally plausible.

In response to this decision, Lieutenant Governor Bill Bolling issued the following statement: " The Supreme Court of Virginia has concluded that it was not proper for the General Assembly to delegate its taxing authority to the Northern Virginia Transportation Authority, an unelected body. I agree with the Supreme Court's finding."

Evidently, the General assembly bears the responsibility for coming up with this delegation and not looking into the constitutionality of the proposed law. Thus, it is to blame for the failure of this legislation.

Thus, the transportation bill of Northern Virginia turned out to be an unconstitutional one, declared null and void by the Supreme Court.