



County of Fairfax, Virginia

MEMORANDUM

DATE: February 9, 2009

TO: Board of Supervisors

FROM: Anthony H. Griffin *AHG*
County Executive

SUBJECT: 2009 Legislative Report No. 2 – Board Legislative Committee Meeting of January 30

The “crossover” date of the 2009 General Assembly is scheduled for tomorrow, February 10, 2009. This is one of the most significant dates for the conduct of legislative activities. The House and Senate are required to dispose of their own non-budget legislative initiatives by crossover, and thereafter consider only actions taken by the other body. In order to meet that deadline, the House and Senate committees have been meeting frequently during the past week; floor action is expected to take up a significant portion of Monday and Tuesday.

The Legislative Committee met on January 30 to consider several issues of importance to the County and offers the following report and recommendations for action to the Board:

Legislative Committee Actions of January 30, 2009:

Members Present: Legislative Chairman McKay
Supervisor Bulova
Supervisor Foust
Supervisor Gross
Supervisor Herrity
Supervisor Hudgins
Supervisor Smyth

I. Fairfax County Legislative Summary

The Committee discussed the status of legislation that was initiated by the Board and legislation for which the Board had previously taken positions.

II. Specific Issues

- **Energy Legislation:** The Committee received a briefing on the more than 70 bills relating to energy being considered by the General Assembly. Bills in this category deal with topics ranging from the reporting of greenhouse gas emissions to tax credits for clean energy-related job creation. The Committee directed staff to report on the status of these bills after crossover.

- **Smoking Legislation:** The Committee received a briefing on the various smoking-related bills under consideration by the General Assembly. Bills introduced generally approach the issue either in terms of a statewide ban on smoking in restaurants, or in terms of allowing local governments to adopt ordinances that are more restrictive than the current Virginia Indoor Clean Air Act. The Committee indicated its support for maximum flexibility for the Board to regulate smoking in restaurants.

III. Specific Legislation

HB 2019 (Rust) (HTRANS) allows the Commonwealth Transportation Board to establish transportation corridors in connection with the establishment of the Statewide Transportation Plan. Oppose unless amended. (093830708)

HB 2121 (Nichols) (HGL) requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is determined not to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification. The measure becomes effective on July 1, 2010. Oppose; there are concerns about accuracy of such a database. (090130654)

HB 2168 (Abbitt) (HACNR) authorizes permit-issuing authorities to allow stormwater permit holders to comply with nonpoint nutrient runoff water quality criteria by either (i) acquiring offsite nonpoint nutrient offsets that have been certified under the Chesapeake Bay Nutrient Exchange Program or (ii) through water quality measures contained in a regional stormwater management plan. The offsets have to be in the same tributary as the permitted activity. The bill also requires an offset broker to pay the permit-issuing authority a fee equal to six percent of the amount paid by the permittee for the offsets. Oppose unless amended to allow localities to implement their regional watershed plans, to delete the priority given to nonpoint nutrient offsets, and to retain a locality's ability to use off-site measures to address water quantity control requirements. (093962544)

HB 2354 (Landes) (HGL) requires the Governor to temporarily suspend mandates on a locality upon a finding that it faces fiscal stress and the suspension of the mandate or portion thereof would help alleviate the fiscal hardship. Currently, suspension of the mandate is discretionary with the Governor. The bill provides that its provisions will expire on July 1, 2010. Monitor; amends current statute; a more likely tool for other localities. (091793592)

HB 2422 (May) (HPE)/**SB 988** (Colgan) (SPE) deletes the provision enacted in 2007 that prohibits the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007. Support. (095593620, 095587212)

HB 2496 (Alexander) (HPE) authorizes the State Board of Elections to establish early voting pilot projects for general elections in 2010 and 2011 in counties or cities choosing to participate. Provides that any registered voter may vote in person from 17 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period. Support; staff would pursue participation in pilot project if grant funding were available. (095003408)

HB 2547 (Albo) (HAPP) provides that any federal economic stimulus funds made available to Virginia be used exclusively for transportation and education infrastructure improvements. In awarding contracts, preference is to be given to Virginia businesses and Virginia subcontractors. Oppose; additional restrictions make it more difficult to spend the stimulus funds in the required time. (093580404)

HB 2592 (Caputo) (HFIN) creates a separate class of property for personal property tax rate purposes, motor vehicles powered solely by electricity. Support; optional. (098797456)

HB 2596 (Ebbin) (HAPP) and **SB 1511** (Whipple) (SPE) amends the Washington Metropolitan Area Transit Authority Compact to comply with federal requirements; increases the number of directors on the WMATA Board; establishes an Office of the Inspector General; and requires that certain payments made to WMATA to match certain federal funds be made from a dedicated funding source. Support. (098761492, 093840828)

HB 2601 (Massie) (HFIN)/**SB 1514** (Smith) (SFIN) requires that the notice of a new assessment (i) be sent to the taxpayer at least 30 days prior to the date of a hearing to protest the assessment, and (ii) contain specific information regarding the new tax levy and the prior year's tax levy. Oppose; Board has historically opposed. (099812804, 099813804)

HB 2613 (Hall) (HCCT) requires localities to phase out the acceptance of cash proffers by July 1, 2014. Oppose. (092066524)

HB 2615 (Iaquinto) (HGL) increases the amount from \$30,000 to \$50,000 for single or term contracts for professional services not requiring competitive negotiation. Support. (098745560)

HB 2628 (Griffith) (HGL) would prohibit a local public body from purchasing construction services in excess of \$200,000 from the contract of another locality that is more than 75 miles from the locality making the purchase. Oppose; would discourage local procurement between school divisions and governing bodies. Intent of bill could be accomplished through local policy rather than restrictive statute. (098718520-as amended in subcommittee)

HB 2653 (Bulova) (HCCT) provides that localities may enforce violations of the zoning ordinance by tenants of single-family residential dwellings; however, the owner of such dwelling shall not be charged with a zoning violation unless the landlord knew or had reason to know of the tenant's conduct. Oppose. (098828444)

SB 984 (Wagner) (SACNR) requires that the Chesapeake Bay Local Assistance Board adopt regulations that treat swimming pools and any other impoundments of surface waters, including fountains and retention ponds, as permeable surfaces for the purposes of stormwater management. Oppose; contrary to Chesapeake Bay regulations. (098367340)

SB 1131 (Petersen) (SFloor) reduces from 30 days to 10 days the public notice required by localities under certain circumstances for increasing the local real property tax rate above the rate that would generate 101 percent of the prior year's real property tax revenues. Support; a Fairfax City initiative. (098233293)

SB 1436 (Howell) (SCT) provides that no law-enforcement officer or other agent of state or local government shall, when investigating a crime, inquire into the immigration status of any person who reports that he is the victim of the crime or is the parent or guardian of a minor victim, or is a cooperating witness in the criminal investigation or is the parent or guardian of a minor witness. The bill does not prohibit a law-enforcement officer from inquiring into the immigration status of a victim or witness who has been arrested or charged with a criminal violation, or when such inquiry is required by federal law or is essential to the investigation or prosecution of the crime to which the person is a witness or of which the person is a victim. Support; Board supported bill last year. (098605248)

SB 1416 (Blevins) (SLG) provides that local governing bodies may include in ordinances establishing historic districts, landmarks, and other buildings or structures within the locality having an important historic, architectural, archaeological, or cultural interest, a provision setting forth a 30-day period for archaeological excavation and preservation before the commercial or residential development of a historic district or any area within the locality that has been identified with potential archaeological or historic significance. This bill is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission. Amend to allow the locality more time to identify historic resources that should be preserved on a given site. (094175264)

SB 1482 (Hanger) (SFIN) repeals the Commonwealth Transportation Capital Projects Bond Act of 2007. Oppose. (098830232)

SB 1533 (Saslaw) (SLG) extends the expiration of special use permits that were valid and outstanding as of January 1, 2009, for a period of five years from their current expiration date. Oppose. (092061324)

SJ 332 (Petersen) (Senate Floor) authorizes the General Assembly to directly exempt from property taxes, or to enact legislation that would permit localities to exempt from property

taxes, any building constructed of materials or in a manner designed to abate or prevent pollution and to use energy and natural resources efficiently. Oppose. (092899293-S1)

SJ 356 (Smith/Barker) (SRUL) establishes a joint subcommittee to study teenage driving and ways to help teenagers become safer drivers. Support. (093845201)

Gun Show Bills

HB 2631 (Caputo) (HMP) provides that Fairfax County may by ordinance require the promoter of any show held in Fairfax County to make available to all vendors or exhibitors at a firearms show at least one location on the premises where the vendor or exhibitor shall conduct criminal history record information requests for the sale of firearms. Support.

SB 1257 (Marsh) (Senate Floor) adds a definition of "firearms show vendor" and requires that a criminal history record information check be performed on the prospective transferee before the vendor may transfer firearms at a gun show. Under current law, only licensed dealers must obtain such a check. The bill also adds a definition of "promoter" and requires that the promoter of a gun show provide vendors with access to licensed dealers who will conduct the criminal background check. Support.

IV. Legislation Provided for Discussion

The following bills were provided for discussion; the Committee took positions on the legislation as noted below.

HB 1782 (Albo) (HTRANS)/**SB 1084** (Howell) (STRANS) requires that minor applicants for a driver's license show they have successfully completed an in-person 90-minute or longer driver safety course prescribed by DMV with a parent or guardian. The bill also increases the learner's permit issuance fee from \$3 to \$8; the additional \$5 is to be retained by DMV to cover its costs associated with this new requirement. Support. (093858404, 098687248)

HB 2387 (Ebbin) (HGL)/**SB 1252** (Petersen) (SGL) requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and Environment Design green building rating standard (LEED). Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects. Support with amendments to make legislation more flexible for local governments, including certification programs that may be developed in the future. (092363802, 092362802)

HB 2590 (Ebbin) (HGL) establishes an alternative financial accounting and reporting system for postemployment benefits, other than pension benefits. Monitor. (092385492)

SB 1502 (Barker) (STRANS) extends requirement for safety belt use to all occupants of a motor vehicle, not just those in the front seat. Support. (093849201)

SB 1532 (Norment) (SFIN) changes the tax on fuels sales in Northern Virginia such that the tax would be collected by distributors at the time of making fuels sale to retail dealers located in Northern Virginia. The rate of the tax would also be changed from 2 percent to 2.1 percent. Monitor; further study necessary. (092886324)

V. Legislation Requiring Further Review

HB 2328 (Athey) (HHWI) requires local departments to take or cause to be taken photographs, video recordings, or appropriate medical imaging of a suspected victim of adult neglect, abuse, or exploitation mandatory. (096957420)

HB 2420 (Bouchard) (HTRANS)/**SB 1475** (McEachin) (STRANS) updates responsibilities of the Office of Intermodal Planning and Investment to include, among other things, a study of corridors identified in the Statewide Transportation Plan. (093842822, 093856822)

SB 1530 (Norment) (STRANS) provides that no secondary street can be taken into the state secondary highway system unless and until any and all required permits have been obtained and any outstanding fees, charges, or other financial obligations of whatsoever nature have been satisfied or provision has been made, whether by the posting of a bond or otherwise, for their satisfaction. (093565328)

VI. Legislation Provided for Information

HB 1853 (Cox) (HAPP) requires the Governor and the General Assembly to develop and implement a plan to provide funding to the Department of Medical Assistance Services to eliminate waiting lists for the Mental Retardation Waiver and the Individual and Family Developmental Disabilities Support Waiver. (093236476)

HB 1827 (Fralin) (HAPP) authorizes the Virginia Retirement System to manage and invest funds in a trust or equivalent arrangement established by a local government or other local entity to fund certain postemployment benefits. The bill would provide that the Commonwealth would not be liable for any losses suffered by a local entity, or a trust or equivalent arrangement established by the local entity, on investments of such funds made by the Virginia Retirement System. In addition, no officer, director, or member of the Board of the Virginia Retirement System or of any advisory committee thereof or any subsidiary corporation of the Virginia Retirement System whose actions are within the standard of care of a prudent person acting in a like capacity would be liable for any investment losses. (091106504)

HB 2182 (Phillips) (HCCT) allows localities to exempt veterans and the surviving spouses of veterans from local vehicle license fees and taxes. (098345680)

HB 2577 (May) (HTRANS) requires that whenever the Commonwealth Transportation Board or VDOT plan for or undertake any highway construction or improvement project and such project includes or may include the provision or construction of any noise abatement structure or technology, priority must be given to the use of low-noise asphalt pavement and plantings of American red cedar trees or other appropriate conifers in preference to construction of noise walls or sound barriers constructed of concrete, metal, wood, bricks, stone, or composite materials. (093557620)

HB 2664 (Valentine) (HTRANS) requires the Commonwealth Transportation Commissioner to take all appropriate measures to develop local corridor access management plans for U.S. Route 29 between Gainesville and North Carolina. (093556760)

HB 2667 (Hall) (HCCT)/**SB 1534** (Watkins) (SLG) creates an authority to include the County of Chesterfield and the City of Richmond. The Authority may also include other localities in the Richmond region. The Authority shall have powers related to transportation infrastructure improvements. The member localities shall also have additional revenue authority to meet the purposes of the transportation authority. (092063524, 092062348)

HJ 714 (Valentine) (HRUL) directs the Joint Legislative Audit and Review Commission (JLARC) to study the Commonwealth's passenger and freight rail funding needs. (093549760)

SB 1232 (Barker) requires that HOT lane construction contracts contain requirements for minimum average speed for vehicles using the facility. (093555201)

SB 1355 (Wagner) (SFIN) creates trusts or equivalent arrangements to fund the costs of providing postemployment benefits other than pensions for the Commonwealth and for counties, cities, towns, school divisions, and other political subdivisions of the Commonwealth. (098368340)

SB 1464 (McDougle) (STRANS) abolishes the office of Commonwealth Transportation Commissioner and replaces that position with a Chief Executive Officer for Transportation who takes over the powers, duties, and responsibilities of the Commonwealth Transportation Commissioner, the Director of the Department of Aviation, and the Director of the Department of Rail and Public Transportation. The Virginia Board of Aviation and the Rail Advisory Board are also abolished, and their functions transferred to the Commonwealth Transportation Commission. The composition of the Commonwealth Transportation Board is changed to remove the Secretary of Transportation, the Commonwealth Transportation Commissioner, and the Director of the Department of Rail and Public Transportation, and to provide for election of the at-large members of the Board by the General Assembly. (093505272)

SB 1506 (Hanger) (SRSS) provides that in cases of judicial assignment of children to the Comprehensive Services Program the court shall consider (i) the recommendations of the

family assessment and planning team and the community policy and management team and (ii) if the cost of any services ordered may exceed the average cost for that category of services, as reported on the publicly accessible website of the Office of Comprehensive Services, the recommendations of the local governing body that will be responsible for the local match portion of the cost of the services. This bill also provides that services ordered shall be limited to services approved by the community policy and management team of the locality that will be responsible for the cost of services rendered pursuant to the order. (098832232)

SJ 324 (Howell) (SRUL) creates a joint committee of members from the Senate and House Finance Committees, two and four respectively, to examine the way Virginia calculates the corporate income tax for multistate service corporations. (094436248)

SJ 357 (Barker/Colgan) (SRUL) continues the mandate of the joint subcommittee to study the feasibility of creating a regional rapid transit network for connecting existing and emerging population centers in major transportation corridors for a second year. (093522201)

SJ 387 (Barker) (SRUL) expresses the sense of the General Assembly concerning contracts for the construction and operation of high-occupancy toll lane facilities. (093584201)

SJ 396 (Obenshain) (SRUL) recognizes the need to use scientific principles in developing a plan to remedy global warming and energy problems, and requests that the General Assembly use such principles when considering energy and environmental legislation. (091271288)

VII. Other Business

The Committee directed that several pieces of legislation be brought back at subsequent meetings.

In preparation for VACo/VML Day, the Committee discussed a resolution on the state budget's effect on localities as well as the proposed ten percent cut in the Governor's December budget to directors of finance and other Constitutional officers.

Attachments: Supplementary Documents dated January 30, 2009

cc: Edward L. Long, Jr., Deputy County Executive
David J. Molchany, Deputy County Executive
Verdia L. Haywood, Deputy County Executive
Robert A. Stalzer, Deputy County Executive
David P. Bobzien, County Attorney
Katharine D. Ichter, Director, Department of Transportation
Nancy Vehrs, Clerk to the Board of Supervisors
Richmond Team
Michael Long, Senior Assistant County Attorney
Katie Boyle, Legislative Assistant

SUPPLEMENTARY DOCUMENTS
GENERAL ASSEMBLY STATUS REPORT NO. 2
February 9, 2009

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**FAIRFAX COUNTY
LEGISLATIVE SUMMARY**

2009 GENERAL ASSEMBLY

February 9, 2009

Fairfax County Legislative Summary 2009 General Assembly

Board of Supervisors Report Key

Bold = Date Position taken by full Board of Supervisors
 [] = Date position taken by BOS Legislative Committee

Bill No. – Patron, (District No.)
 Bill Title

Committee/Floor
 Actions

HB 589 - Watts (39)
 Blue Star Memorial Highway;
 designating as portion of Old
 Keene Mill Road in Fairfax
 County.

1/10/2006 House: Referred to
 Committee on Transportation

12/5/2005

Initiate (067916260)
Summary: Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."

Bold = Board Position, [] = BOS Legislative Committee Position (LD No. is version of bill on which position was taken)
Summary -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

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Bill	Subject
<i>Fairfax County Initiatives</i> <i>(Bills Introduced at Fairfax County's Pages 10-12 Request) :</i>	
HB 1933 Del. Plum(36)	Urban county executive form of government; adds sexual orientation as prohibited discrimination.
HB 2150 Del. Rust(86)	Vacant residential properties; permits localities to require mortgage lenders to provide name, etc.
HB 2384 Del. Scott(53)	Safety belt ordinances; allows local body to enact consistent with state law.
HB 2606 Del. Hugo(40)	Farm wineries; county operating under urban county executive form of government to impose limits.
SB 1053 Sen. Whipple(31)	Government facilities; local government may by ordinance, make unlawful to possess dangerous weapon.
SB 1227 Sen. Barker(39)	Driver's license, provisional; makes cell phone use while driving a primary offense.
<i>Fairfax County Positions</i> <i>(Oppose or Amend) :</i>	
<i>Pages 13-28</i>	
HB 1655 Del. Carrico, Sr.(5)	Firearms; award of court costs, etc., to entity that prevails in action challenging locality.
HB 1680 Del. Orrock, Sr.(54)	Vested rights; defines term 'act of God' to include any natural disaster or phenomena.
HB 1710 Del. Oder(94)	Contracts; certain indemnification provisions in construction contracts declared void.
HB 1724 Del. Rust(86)	Trespassing vehicle; local regulation of removal and immobilization thereof.
HB 1730 Del. Cole(88)	Tax legislation; requires a sunset date of no more than four years on all.
HB 1788 Del. Hull(38)	Alternative on-site sewage systems; no locality shall prohibit use thereof.
HB 1839 Del. Albo(42)	Commercial real estate tax; used for local projects and construct new roads.
HB 1870 Del. Janis(56)	Motorcycles; prohibits two to be operated abreast in single lane, civil penalty.
HB 2017 Del. Rust(86)	Transient occupancy tax; Fairfax County limitations.
HB 2019 Del. Rust(86)	Transportation corridors; Transportation Board to establish connection with Transportation Plan .
HB 2029 Del. Marshall, III(14)	Subdivision ordinances; bonding requirements.
HB 2077 Del. Oder(94)	Plats and site plans; increases from 5 to 10 years period of validity for certain.

HB 2084 Del. Purkey(82)	Real and personal property taxes; exempts certain pollution control equipment & facilities.
HB 2121 Del. Nichols(51)	Public Procurement Act; verification of legal presence of contractors for employment.
HB 2135 Del. Miller(50)	Recordation taxes; changes basis on which are calculated.
HB 2168 Del. Abbitt, Jr.(59)	Stormwater offsets; authorizes permit-issuing authorities to allow permit holders to comply.
HB 2169 Del. Abbitt, Jr.(59)	Towing and Recovery Operators, Board of; removes requirement advisory board include those licensed.
HB 2205 Del. Frederick(52)	BPOL taxes; repeal.
HB 2217 Del. Jones(76)	Board for Architects, Professional Engineers, etc.; required insurance for certain licensees.
HB 2294 Del. Merricks(16)	Alternative on-site sewage systems; no locality shall prohibit use thereof.
HB 2326 Del. Athey, Jr.(18)	Zoning appeals, boards of; changes standard by which variance can be granted.
HB 2472 Del. Hugo(40)	Merchants' capital tax; gives lessor and lessee right to terminate to be daily rental property.
HB 2479 Del. Hugo(40)	Real property tax rate; reduces tax imposed on commercial property in Northern Virginia.
HB 2480 Del. Hugo(40)	Real property tax; commercial property in Northern Virginia and Hampton Roads.
HB 2547 Del. Albo(42)	Federal economic stimulus funds; available for State use exclusively for transportation & education.
HB 2601 Del. Massie III(72)	Real estate tax; notice of change in assessment.
HB 2613 Del. Hall(69)	Cash proffers; requires localities to phase out acceptance thereof.
HB 2628 Del. Griffith(8)	Public Procurement Act; cooperative procurement.
HB 2635 Del. Cline(24)	Warrants, local; authorizes local governments to publish information relating thereto.
HB 2653 Del. Bulova(37)	Zoning ordinance enforcement; not to be charged therewith unless landlord knew of tenant's conduct.
HJ 709 Del. Frederick(52)	Constitutional amendment; assessments of real property and tax rates (first reference).
HJ 725 Del. Bell(58)	Constitutional amendment; taking of private property for public uses (first reference).
SB 811 Sen. Cuccinelli, II(37)	Elevator mechanics, certified; Board for Contractors shall extend time for compliance for certain.
SB 898 Sen. McDougale(4)	Elder or dependent adult abuse; emergency services personnel to report suspected abuse, etc.
SB 914 Sen. Stuart(28)	Substance abuse screening & assessment for VIEW; person ineligible to receive TANF if using drugs.
SB 982	Stormwater; requires localities to regulate.

Sen. Wagner(7)	
SB 984	Chesapeake Bay Preservation Act; stormwater regulations.
Sen. Wagner(7)	
SB 997	Trespassing vehicle; local regulation of removal and immobilization thereof.
Sen. Miller(1)	
SB 1028	Adult neglect; religious treatment exemption.
Sen. Hanger, Jr.(24)	
SB 1064	Comprehensive plan; local planning commission to post plan being considered on their website.
Sen. Puller(36)	
SB 1157	Recordation and grantor taxes; changes basis of how calculated on transfer of real estate.
Sen. Saslaw(35)	
SB 1191	Process and service fees; increases certain sheriffs' fees.
Sen. Puckett(38)	
SB 1272	Tax and fee legislation; requires sunset dates on all and on those existing that are increased.
Sen. Vogel(27)	
SB 1276	Alternative on-site sewage systems; no locality shall prohibit use thereof.
Sen. Martin(11)	
SB 1335	Conditional zoning; amendment to proffered condition is requested by profferor local body may waive.
Sen. Stuart(28)	
SB 1398	Statewide Transportation Plan; requires all plans of counties, cities, and towns be based thereon.
Sen. Norment, Jr.(3)	
SB 1416	Preservation of historical sites and architectural areas; local governing bodies may include.
Sen. Blevins(14)	
SB 1419	Merchants' capital tax; gives lessor and lessee right to terminate to be daily rental property.
Sen. Watkins(10)	
SB 1423	Subdivision ordinances; requirement that each locality provide a checklist to potential developers.
Sen. Martin(11)	
SB 1482	Transportation Capital Projects Bond Act of 2007; repeals Act.
Sen. Hanger, Jr.(24)	
SB 1514	Real property tax; notice of change in assessment.
Sen. Smith(22)	
SB 1533	Special use permits; extension of validity.
Sen. Saslaw(35)	
SJ 290	Constitutional amendment; establishes limitations on takings of private property.
Sen. Obenshain(26)	
SJ 332	Constitutional amendment; tax exemptions for buildings constructed of materials to abate pollution.
Sen. Petersen(34)	

***Fairfax County Positions
(Support or Monitor) :***

Pages 29-50

HB 1588	Autism spectrum disorder; mandated health insurance coverage therefor.
Del. Marshall(13)	
HB 1615	Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.
Del. Howell, Jr.(90)	
HB 1629	Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.
Del. Cole(88)	
HB 1694	Parking; allows certain counties and towns to prohibit parking of
Del. Albo(42)	

	certain vehicles on streets.
HB 1782 Del. Albo(42)	Driver's license; minors in planning district 8 to show completion of 90 min. driver safety course.
HB 1783 Del. Hull(38)	Government, local; equalizes municipal and county taxing authority.
HB 1876 Del. Cosgrove(78)	Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicle.
HB 1904 Del. Armstrong(11)	Virginia Child Protection Accountability System; established.
HB 1938 Del. Peace(97)	Income tax, state; increases livable home tax credit.
HB 1991 Del. Bulova(37)	Stormwater management programs; establishment by localities.
HB 1992 Del. Bulova(37)	Outdoor signs and advertising; all penalties & costs collected for violations of advertising.
HB 2011 Del. Ebbin(49)	Pedestrians; prohibits crossing of railroad grade crossings if train is present or approaching.
HB 2138 Del. Miller(50)	Graffiti abatement; permits localities to charge property owner for cost thereof.
HB 2153 Del. Rust(86)	BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.
HB 2231 Del. Marsden(41)	Parking; adds pickup and panel trucks to list of vehicles that Fairfax, etc. may prohibit therefrom.
HB 2232 Del. Marsden(41)	Crashes on HOT lanes under construction; if no apparent bodily injuries, drivers must move vehicles.
HB 2354 Del. Landes(25)	Suspension of mandates; requires Governor to temporarily suspend on locality facing fiscal stress.
HB 2380 Del. Scott(53)	Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.
HB 2385 Del. Ebbin(49)	Discrimination; prohibited in public employment based on race, color, religion, etc.
HB 2386 Del. Ebbin(49)	Pedestrians and drivers; responsibilities thereof at marked & unmarked crosswalks.
HB 2387 Del. Ebbin(49)	Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.
HB 2422 Del. May(33)	Acquisition of voting equipment; delete provision prohibiting acquisition direct recording machines.
HB 2470 Del. Hugo(40)	Northern Virginia Transportation District Fund; dedication of state matching funds.
HB 2476 Del. Hugo(40)	HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.
HB 2477 Del. Hugo(40)	Popes Head Road; designating as State byway in Fairfax County.
HB 2590 Del. Ebbin(49)	Financial accounting and reporting system; establish alternative system for postemployment benefits.
HB 2592 Del. Caputo(67)	Electric vehicles; creates separate class of property tax for rate

	purposes.
HB 2596 Del. Ebbin(49)	Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.
HB 2615 Del. Iaquinto(84)	Public Procurement Act; increases amount for single or term contracts for professional services.
HB 2631 Del. Caputo(67)	Firearms show; Fairfax County may require criminal history record information from promoter thereof.
HJ 688 Del. Cole(88)	Constitutional amendment; real property tax relief for persons 65 years old, etc. (first reference).
SB 39 Sen. Deeds(25)	Traffic accident reports; increases amount of damage threshold to be reported by law enforcement.
SB 810 Sen. Howell(32)	Absentee voting; qualified voters may vote absentee in person without providing an excuse, etc.
SB 830 Sen. Cuccinelli, II(37)	Advertising; allows local governing bodies to remove certain.
SB 834 Sen. Locke(2)	Public Procurement Act; procurement of architectural & professional engineering service for project.
SB 838 Sen. Ticer(30)	Land preservation tax credit; conveyance for public parks or public recreational facilities.
SB 845 Sen. Puller(36)	Livable home tax credit; increase limit.
SB 872 Sen. Ticer(30)	TANF; eligibility for food stamps when convicted of drug-related felonies.
SB 896 Sen. McDougale(4)	Duty to file lists of renters, etc.; provide name & address thereof to commissioner of revenue.
SB 979 Sen. Stuart(28)	Fuel fee; allows authorities to pass an ordinance to impose a fee on motor vehicle violations.
SB 988 Sen. Colgan(29)	Voting equipment; delete provision prohibiting acquisition of direct recording electronic machines.
SB 1052 Sen. Whipple(31)	Affordable housing assessments; determination of fair market value of affordable rental housing.
SB 1065 Sen. Puller(36)	Wind energy drying devices; no community association shall prohibit an owner from installing, etc.
SB 1066 Sen. Puller(36)	Trains; fine for boarding or riding with fraudulent or counterfeit ticket, etc.
SB 1074 Sen. Howell(32)	BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.
SB 1084 Sen. Howell(32)	Learner's permit; requires applicants for driver's license show they have completed safety course.
SB 1096 Sen. Herring(33)	Design-Build Construction Management Review Board; authorized to make a one-time determination.
SB 1099 Sen. Herring(33)	Incapacitated adults; financial exploitation thereof, penalty.
SB 1131 Sen. Petersen(34)	Notice for setting local real property tax rate.
SB 1134 Sen. Petersen(34)	Electronic summons system; localities to assess an additional fee

	as part of costs.
SB 1138 Sen. Petersen(34)	Parking on public highways;counties & towns to regulate transporting commercial freight externally.
SB 1148 Sen. Whipple(31)	Income tax; livable home tax credit.
SB 1161 Sen. Saslaw(35)	Safety belts; makes non-use of a primary offense.
SB 1175 Sen. Watkins(10)	Property owned by locality; service charge levied when property in boundary of another locality.
SB 1239 Sen. Barker(39)	Pedestrians and drivers; sets responsibilities thereof at marked and unmarked crosswalks.
SB 1252 Sen. Petersen(34)	Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.
SB 1257 Sen. Marsh III(16)	Firearms; criminal records check performed at a gun show before vendor may transfer.
SB 1260 Sen. Vogel(27)	Health insurance; mandated coverage for autism spectrum disorder.
SB 1369 Sen. Barker(39)	Graffiti abatement; permits localities to charge property owner for cost thereof.
SB 1408 Sen. Norment, Jr.(3)	Safety belt enforcement; allows for when violations are observed by officers at checkpoints.
SB 1436 Sen. Howell(32)	Crime victims; no law-enforcement officer shall inquire into immigration status of victim of crime.
SB 1481 Sen. Ruff(61)	Criminal cases; allows circuit court clerk to assess local fee of up to 10% of total fees charged.
SB 1502 Sen. Barker(39)	Safety belt use; extends requirement for all occupants of a motor vehicle.
SB 1511 Sen. Whipple(31)	Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.
SB 1532 Sen. Saslaw(35)	Motor fuels tax; changes percentage in Northern Virginia.
SJ 353 Sen. McEachin(9)	Local government; distribution of state and local taxes therefor.
SJ 356 Sen. Smith(22)	Teenage driving; joint subcommittee to study.

Fairfax County Positions

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Legislation No Longer Under Consideration

Pages 51-56

(Killed, Failed to Report, Tabled, Incorporated into Other Legislation, etc.) :

HB 1675 Del. Orrock, Sr.(54)	Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.
HB 1823 Del. Albo(42)	Recordation taxes; changes basis on which taxes are calculated on transfer of real estate.

HB 1932 Del. Plum(36)	HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.
HB 2117 Del. Nichols(51)	HOT lanes; prohibits on any portion of I-95 between Potomac River and City of Fredericksburg.
HB 2253 Del. Barlow(64)	Safety belts; makes non-use thereof primary offense.
HB 2299 Del. Caputo(67)	HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.
HB 2339 Del. Amundson(44)	Safety belts; makes non-use thereof primary offense.
HB 2416 Del. Bouchard(83)	Photo-monitoring systems; removes approval of VDOT of proposed intersections for system.
HB 2496 Del. Alexander(89)	Early voting pilot projects; State Board of Elections to establish for general elections in 2010.
HB 2520 Del. Shannon(35)	Pedestrians and drivers; responsibilities thereof at marked and unmarked crosswalks.
HJ 728 Del. Joannou(79)	Constitutional amendment; defines term public uses & specifies which private property may be taken.
SB 812 Sen. Cuccinelli, II(37)	Warrants, local; authorizes local governments to publish certain information relating thereto.
SB 832 Sen. Locke(2)	Firearms; possessing or carrying dangerous weapon in public buildings during official meetings.
SB 970 Sen. Blevins(14)	Safety belts; makes non-use of a primary offense.
SB 1129 Sen. Petersen(34)	Warrants, local; local governments to publish information relating thereto paid by locality.
SB 1247 Sen. Northam(6)	Virginia Human Rights Act; sexual orientation.
SB 1373 Sen. Ruff(61)	Taxation of property owned by locality.
SJ 349 Sen. Newman(23)	Constitutional amendment; localities to cap annual increase in assessed values of real estate.

Fairfax County Initiatives

Bills Introduced at Fairfax County's Request

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1933 - Plum (36) Urban county executive form of government; adds sexual orientation as prohibited discrimination.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/4/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>12/8/2008</p>
<p>Initiate (096597324) Summary: Urban county executive form of government; human rights commission. Adds "sexual orientation" as prohibited discrimination in a county with the urban county executive form of government (Fairfax County).</p>		
<p>HB 2150 - Rust (86) Vacant residential properties; permits localities to require mortgage lenders to provide name, etc.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N)</p>	<p>12/8/2008</p>
<p>Initiate (097671324) Summary: Registration of vacant residential properties. Permits localities to adopt an ordinance to require mortgage lenders or mortgage loan service providers to provide the locality with the name and contact information of a person living or working in such locality, or within 25 miles of that locality, for each vacant residential property where the mortgage loan is in default for three months. The locality may require mortgage lenders or mortgage loan service providers to pay a \$25 processing fee for each property registered, and failure to register properties in violation of the ordinance could be subject to a civil penalty not to exceed \$500. If the mortgage lender or mortgage loan service provider has registered the loan on the property with a national mortgage loan electronic registration system to which the locality may have access, then the mortgage lender or mortgage loan service provider shall not have to also register that property with the locality and shall be deemed to have complied with any such ordinance.</p>		
<p>HB 2384 - Scott (53) Safety belt ordinances; allows local body to enact consistent with state law.</p>	<p>1/14/2009 House: Referred to Committee on Militia, Police and Public Safety 1/29/2009 House: Subcommittee recommends laying on the table</p>	<p>12/8/2008</p>
<p>Initiate (096599324) Summary: Safety belt ordinances. Allows the governing body of any county, city, or town to enact a local safety belt ordinance not inconsistent with the state law on the same subject. Presently, this ability is limited to the City of Lynchburg.</p>		

Bold – Indicates BOS formal action
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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2606 - Hugo (40) Farm wineries; county operating under urban county executive form of government to impose limits.</p>	<p>1/22/2009 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/28/2009 House: Passed by indefinitely in Agriculture, Chesapeake and Natural Resources by voice vote</p>	<p>1/26/2009</p>
<p>Initiate (097678548) Summary: Farm wineries; urban county executive form of government. Allows a county operating under the urban county executive form of government to impose reasonable limitations on farm winery activities notwithstanding any other provision of law as part of any zoning approval of a farm winery that requires a license.</p>		
<p>SB 1053 - Whipple (31) Government facilities; local government may by ordinance, make unlawful to possess dangerous weapon.</p>	<p>1/13/2009 Senate: Referred to Committee on Local Government 1/27/2009 Senate: Failed to report (defeated) in Local Government (5-Y 10-N)</p>	<p>12/8/2008</p>
<p>Initiate (094341352) Summary: Dangerous weapons in government facilities. Provides that the governing body of any locality may, by ordinance, make it unlawful for any person to possess a dangerous weapon upon the property, including buildings and grounds thereof, of any facility that is owned or leased by that locality and used by it for governmental purposes.</p>		
<p>SB 1227 - Barker (39) Driver's license, provisional; makes cell phone use while driving a primary offense.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Rereferred to Courts of Justice 2/2/2009 Senate: Reported from Courts of Justice (10-Y 2-N 1-A)</p>	<p>12/8/2008</p>
<p>Initiate (093564324) Summary: Provisional driver's license holders. Makes cell phone use while driving by a provisional driver's license holder a "primary offense."</p>		

Bold – Indicates BOS formal action
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Fairfax County Positions
(Oppose or Amend)

* * *

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1655 - Carrico, Sr. (5) Firearms; award of court costs, etc., to entity that prevails in action challenging locality.</p>	<p>12/12/2008 House: Referred to Committee for Courts of Justice 1/21/2009 House: Referred to Committee on Militia, Police and Public Safety 1/29/2009 House: Subcommittee recommends reporting with amendment(s) (4-Y 0-N) 2/6/2009 House: Reported from Militia, Police and Public Safety with substitute (19-Y 3-N)</p>	<p>1/26/2009</p>
<p>Oppose (097759460) Summary: Control of firearms; award of court costs and fees. Requires a court to award reasonable attorney fees, expenses, and court costs to any entity that prevails in an action challenging an ordinance, resolution, motion, or administrative action as being in conflict with a locality's authority to control firearms pursuant to Â§ 15.2-915.</p>		
<p>HB 1680 - Orrock, Sr. (54) Vested rights; defines term 'act of God' to include any natural disaster or phenomena.</p>	<p>12/23/2008 House: Referred to Committee on Counties, Cities and Towns 1/23/2009 House: Reported from Counties, Cities and Towns with amendments (21-Y 1-N) 1/28/2009 House: VOTE: --- PASSAGE (97-Y 1-N) 1/29/2009 Senate: Referred to Committee on Local Government</p>	<p>1/26/2009</p>
<p>Oppose Unless Amended (097654672) - Oppose unless amended to address arson. Summary: Vested rights; Act of God. Defines the term "act of God" to include a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake, or fire. Specifies that a fire caused by an individual other than the property owner shall not adversely affect the rights vested in the affected property. Limits the owner's right to repair, rebuild, or replace the building to its original nonconforming condition only if such building is damaged greater than 50 percent. Additionally, the proposed amendment provides that a zoning ordinance may allow for a building or structure covered by this section to be brought in compliance with the Uniform Statewide Building Code in effect at the time of the constructio of such building or structure.</p>		
<p>HB 1710 - Oder (94) Contracts; certain indemnification provisions in construction contracts declared void.</p>	<p>1/5/2009 House: Referred to Committee on General Laws 1/27/2009 House: Subcommittee recommends referring to VA Housing Commission by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (096658668) Summary: Provides that any provision in a contract relating to the construction by which the contractor performing such work purports to indemnify or hold harmless another party to the contract against liability for damage arising out of bodily injury to persons or damage to property suffered in the course of performance of the contract, caused by or resulting in whole or in part from the negligence of such other party or his agents or employees, is against public policy. Currently, such damage or injury must result solely from the negligence of such other party for such provision to be against public policy.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1724 - Rust (86) Trespassing vehicle; local regulation of removal and immobilization thereof.</p>	<p>1/6/2009 House: Referred to Committee on Transportation 1/29/2009 House: Reported from Transportation with substitute (21-Y 1-N) 2/3/2009 House: VOTE: --- PASSAGE (93-Y 5-N) 2/4/2009 Senate: Ref. to Committee on Transportation</p>	<p>1/26/2009</p>
<p>Oppose (098151708) Summary: Provides that local ordinances requiring "second signatures" before trespassing vehicles can be towed away only apply if the tow is performed during the normal business hours of the owner of the property from which the vehicle is towed.</p>		
<p>HB 1730 - Cole (88) Tax legislation; requires a sunset date of no more than four years on all.</p>	<p>1/6/2009 House: Referred to Committee on Finance 1/28/2009 01/28/09 House: Subcommittee recommends reporting (5-Y 2-N) 2/2/2009 House: Reported from Finance (15-Y 7-N) 2/5/2009 House: VOTE: --- PASSAGE (55-Y 43-N) 2/6/2009 Senate: Referred to Committee on Rules</p>	<p>1/26/2009</p>
<p>Oppose (098002468) - Diminishes local government taxing authority. See also SB 1272. Summary: Tax legislation; sunset date. Requires a sunset date of no more than four years on all taxation bills that add or increase a state or local tax, prior to reporting of the bill by a committee of the General Assembly.</p>		
<p>HB 1788 - Hull (38) Alternative on-site sewage systems; no locality shall prohibit use thereof.</p>	<p>1/9/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (19-Y 3-N)</p>	<p>1/26/2009</p>
<p>Oppose (090842552) Summary: Limits a locality's ability to regulate septic systems by restricting localities from prohibiting the use of alternative on-site sewage systems that have been approved for use by the Virginia Department of Health and prohibiting the locality from requiring maintenance of such systems beyond the manufacturer's recommendations or regulation of the Department of Health.</p>		
<p>HB 1839 - Albo (42) Commercial real estate tax; used for local projects and construct new roads.</p>	<p>1/12/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (096628404) - Diminishes current County authority. Summary: Provides that half of the current special tax on commercial real property in Northern Virginia be used for local projects pursuant to existing law, and half be used to construct new roads or construct new transit, provided that the projects are approved by the most recent long-range plan of the Northern Virginia Transportation Authority. The bill accomplishes this by halving the rate of the special tax under current law (from \$0.25 to \$0.125) and providing for an additional tax for the new construction of roads and transit at the same rate</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1870 - Janis (56) Motorcycles; prohibits two to be operated abreast in single lane, civil penalty.</p>	<p>1/12/2009 House: Referred to Committee on Transportation 1/29/09 House: Reported from Transportation (11-Y 10-N) 2/5/2009 House: VOTE: --- PASSAGE (72-Y 25-N) 2/6/2009 Senate: Referred to Committee on Transportation</p>	<p>1/26/2009</p>
<p>Oppose (093497568) Summary: Motorcycle riding abreast. Allows two motorcycles to be operated abreast in a single lane.</p>		
<p>HB 2017 - Rust (86) Transient occupancy tax; Fairfax County limitations.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/26/2009 House: Reported from Finance (15-Y 6-N) 1/29/2009 House: VOTE: --- DEFEATED (58-Y 39-N) (Requires two-thirds vote of members elected.) 1/29/2009 House: Reconsideration of passage agreed to by House 2/2/2009 House: VOTE: --- DEFEATED (62-Y 36-N) 2/2/2009 House: Requires a two-thirds affirmative vote of members elected</p>	<p>1/26/2009</p>
<p>Oppose (091927708) - \$900,000 loss of revenue for local tourism, including Visit Fairfax. Summary: Clarifies that the additional transient occupancy tax does not apply within the limits of any town located in Fairfax County.</p>		
<p>HB 2019 - Rust (86) Transportation corridors; Transportation Board to establish connection with Transportation Plan .</p>	<p>1/13/2009 House: Referred to Committee on Transportation 2/5/2009 House: Reported from Transportation with substitute (16-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Oppose Unless Amended] (093830708) Summary: Transportation corridors. Allows the Commonwealth Transportation Board to establish transportation corridors in connection with the establishment of the Statewide Transportation Plan.</p>		
<p>HB 2029 - Marshall, III (14) Subdivision ordinances; bonding requirements.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 1/29/2009 House: Subcommittee recommends reporting with amendment(s) 1/30/2009 House: Reported from Counties, Cities and Towns with amendments (21-Y 1-N) 2/4/2009 House: Passed House (91-Y 7-N) 2/5/2009 Senate: Referred to Committee on Local Government</p>	<p>1/26/2009</p>
<p>Oppose (092022612) Summary: Reduces the bonding requirement from 25 percent to 10 percent of estimated construction costs for the administrative allowance required from a developer. This provision will sunset in 5 years.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2077 - Oder (94) Plats and site plans; increases from 5 to 10 years period of validity for certain.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N)</p>	<p>1/26/2009</p>
<p>Oppose (092029668) - Subcommittee substitute is even more detrimental to the County. Summary: Plats and site plans; period of validity. Increases from five to 10 years the period of validity for certain preliminary and recorded plats and final site plans.</p>		
<p>HB 2084 - Purkey (82) Real and personal property taxes; exempts certain pollution control equipment & facilities.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting (8-Y 0-N) 2/2/2009 House: Reported from Finance (22-Y 0-N) 2/5/2009 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance</p>	<p>1/26/2009</p>
<p>Oppose (092585692) - Oppose as unfunded mandate; rough estimate of \$150,000 impact to County. Summary: Real and personal property taxes. Exempts certain pollution control equipment and facilities from local property taxes.</p>		
<p>HB 2121 - Nichols (51) Public Procurement Act; verification of legal presence of contractors for employment.</p>	<p>1/13/2009 House: Referred to Committee on General Laws 1/29/2009 House: Referred to Committee for Courts of Justice 2/2/2009 House: Subcommittee recommends referring to Small Business Commission by voice vote</p>	<p>[1/30/2009]</p>
<p>[Oppose] (090130654) - There are concerns about the accuracy of such a database. Summary: Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is determined not to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification. The measure becomes effective on July 1, 2010.</p>		
<p>HB 2135 - Miller (50) Recordation taxes; changes basis on which are calculated.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting with amendment(s) (6-Y 1-N) 2/2/2009 House: Reported from Finance with substitute (21-Y 1-N) 2/5/2009 House: VOTE: --- PASSAGE (98-Y 1-N) 2/6/2009 Senate: Referred to Committee on Finance</p>	<p>1/26/2009</p>
<p>Oppose (096644640) - Likely loss of revenue to the County and the State; also increases chance for fraud. See</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>also HB 1823 and SB 1157. Summary: Recordation taxes; basis. Changes the basis on which recordation taxes are calculated on the transfer of real estate to the stated consideration for the real estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.</p>		
<p>HB 2168 - Abbitt, Jr. (59) Stormwater offsets; authorizes permit-issuing authorities to allow permit holders to comply.</p>	<p>1/14/2009 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/28/2009 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/4/2009 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (22-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Oppose Unless Amended] (093962544) - Oppose unless amended to allow localities to implement their regional watershed plans, to delete the priority given to nonpoint nutrient offsets, and to retain a locality's ability to use off-site measures to address water quantity control requirements. Summary: Stormwater offsets. Authorizes permit-issuing authorities to allow stormwater permit holders to comply with nonpoint nutrient runoff water quality criteria by either (i) acquiring offsite nonpoint nutrient offsets that have been certified under the Chesapeake Bay Nutrient Exchange Program or (ii) through water quality measures contained in a regional stormwater management plan. The offsets have to be in the same tributary as the permitted activity. The bill also requires an offset broker to pay the permit-issuing authority a fee equal to six percent of the amount paid by the permittee for the offsets.</p>		
<p>HB 2169 - Abbitt, Jr. (59) Towing and Recovery Operators, Board of; removes requirement advisory board include those licensed.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 2/5/2009 House: Reported from Transportation with substitute (9-Y 8-N)</p>	<p>1/26/2009</p>
<p>Oppose (093819536) Summary: Board of Towing and Recovery Operators. Repeals the chapter that established the Board of Towing and Recovery Operators. Removes the requirement that the advisory board of a local governing body include towing and recovery operators who are licensed.</p>		
<p>HB 2205 - Frederick (52) BPOL taxes; repeal.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/21/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (094509508) - Board has historically opposed; loss of \$150 million to the County. Summary: Repeals local business license (BPOL) taxes.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2217 - Jones (76) Board for Architects, Professional Engineers, etc.; required insurance for certain licensees.</p>	<p>1/14/2009 House: Referred to Committee on General Laws 2/3/2009 Subcommittee recommends no further action by voice vote</p>	<p>1/26/2009</p>
<p>Amend (090696584) - Amend to include exemption for those licensed professionals whose sole employment is with the public sector. Summary: Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects; required insurance for certain licensees. Provides that the Board shall, by regulation, require each architect or professional engineer to maintain an errors and omissions policy that is acceptable to the Board and to provide a certification or attestation that such policy is in effect as a prerequisite to license issuance or renewal.</p>		
<p>HB 2294 - Merricks (16) Alternative on-site sewage systems; no locality shall prohibit use thereof.</p>	<p>1/14/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Incorporated by Counties, Cities and Towns (HB1788-Hull) by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (091276420) Summary: Alternative on-site sewage systems. Limits a locality's ability to regulate septic systems by restricting localities from prohibiting the use of alternative on-site sewage systems that have been approved for use by the Virginia Department of Health and prohibiting the locality from requiring maintenance of such systems beyond the manufacturer's recommendations or regulation of the Department of Health.</p>		
<p>HB 2326 - Athey, Jr. (18) Zoning appeals, boards of; changes standard by which variance can be granted.</p>	<p>1/14/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (19-Y 3-N)</p>	<p>1/26/2009</p>
<p>Oppose (090840420) Summary: Boards of zoning appeals; variances. Changes the standard by which a variance can be granted by eliminating the requirement for a showing of a hardship approaching confiscation and instead requiring a clearly demonstrable hardship.</p>		
<p>HB 2472 - Hugo (40) Merchants' capital tax; gives lessor and lessee right to terminate to be daily rental property.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting (6-Y 0-N) 2/2/2009 House: Reported from Finance (22-Y 0-N) 2/5/2009 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance</p>	<p>1/26/2009</p>
<p>Oppose (091264548) - Revenue loss to County due to an expansion of definition of short-term rental. See also SB</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>1419. Summary: Merchants' capital tax. Deems rented merchants' capital under contracts giving both the lessor and the lessee the right to terminate at any time to be daily rental property. Under current law, persons engaged in the short-term rental business cannot be taxed in an amount that exceeds one percent of the gross proceeds from daily rental property.</p>		
<p>HB 2479 - Hugo (40) Real property tax rate; reduces tax imposed on commercial property in Northern Virginia.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/2/2009 House: Reported from Finance with substitute (21-Y 1-N) 2/6/2009 House: VOTE: --- PASSAGE (93-Y 5-N)</p>	<p>1/26/2009</p>
<p>Oppose (098128548) - Diminishes current County taxing authority. Summary: Real property tax rate; commercial property in Northern Virginia. Reduces the rate of the additional real property tax that may be imposed on commercial property by localities embraced by the Northern Virginia Transportation Authority from \$0.25 per \$100 to \$0.125 per \$100.</p>		
<p>HB 2480 - Hugo (40) Real property tax; commercial property in Northern Virginia and Hampton Roads.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/2/2009 House: Reported from Finance with amendment (22-Y 0-N) 2/5/2009 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance</p>	<p>1/26/2009</p>
<p>Oppose (098028548) - Amendment allows broader use of the tax, but still limits Board's flexibility. Summary: Requires localities to use the revenue from the special real property tax on commercial property in localities embraced by the Northern Virginia Transportation Authority or the Hampton Roads Transportation Authority solely for new road construction and new public transit construction. Under current law, the localities must use the revenue for transportation purposes that benefit the special regional transportation tax district to which the locality belongs.</p>		
<p>HB 2547 - Albo (42) Federal economic stimulus funds; available for State use exclusively for transportation & education.</p>	<p>1/22/2009 House: Referred to Committee on Appropriations</p>	<p>[1/30/2009]</p>
<p>[Oppose] (093580404) - Additional restrictions make it more difficult to spend the stimulus funds in the required time. Summary: Federal economic stimulus funds. Provides that any federal economic stimulus funds made available to Virginia be used exclusively for transportation and education infrastructure improvements. In awarding contracts, preference is to be given to Virginia businesses and Virginia subcontractors.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2601 - Massie III (72) Real estate tax; notice of change in assessment.</p>	<p>1/22/2009 House: Referred to Committee on Finance</p>	<p>[1/30/2009]</p>
<p>[Oppose] (099812804) - Board has historically opposed. See also SB 1514. Summary: Real property tax; notice of change in assessment. Requires that the notice of a new assessment (i) be sent to the taxpayer at least 30 days prior to the date of a hearing to protest the assessment, and (ii) contain specific information regarding the new tax levy and the prior year's tax levy.</p>		
<p>HB 2613 - Hall (69) Cash proffers; requires localities to phase out acceptance thereof.</p>	<p>1/23/2009 House: Referred to Committee on Counties, Cities and Towns 2/5/2009 House: Subcommittee recommends laying on the table by voice vote 2/6/2009 House: Tabled in Counties, Cities and Towns by voice vote</p>	<p>[1/30/2009]</p>
<p>[Oppose] (092066524) Summary: Cash proffers; phase out. Requires localities to phase out the acceptance of cash proffers by July 1, 2014.</p>		
<p>HB 2628 - Griffith (8) Public Procurement Act; cooperative procurement.</p>	<p>1/23/2009 House: Referred to Committee on General Laws 1/29/2009 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N) 2/3/2009 House: Reported from General Laws with amendment (22-Y 0-N) 2/6/2009 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Oppose] (098718520) - Would discourage local procurement between school divisions and governing bodies. Intent of bill could be accomplished through local policy rather than restrictive statute. Summary: Virginia Provides that no local public body shall purchase from another public body's contract until it makes a written determination in advance that such cooperative procurement is fiscally advantageous and (i) increases efficiency or (ii) reduces administrative expenses.</p>		
<p>HB 2635 - Cline (24) Warrants, local; authorizes local governments to publish information relating thereto.</p>	<p>1/23/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting (6-Y 1-N) 2/2/2009 House: Reported from Finance (21-Y 0-N) 2/5/2009 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance</p>	<p>[1/30/2009]</p>
<p>[Oppose] (098816464) - While Board favors transparency, issue needs further study due to privacy and cost concerns. See also SB 812, SB 1129. Summary: Publication of information contained in local warrants. Authorizes local governments to publish information relating to warrants paid by the locality. The warrant information that could be published would be</p>		

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[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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the names of payees, amounts paid, the serial numbers of warrants, and dates of payments. Information on warrants relating to tax refunds could be published only if the information was aggregated or classified so as to prevent the identification of the payee of the tax refund.

HB 2653 - Bulova (37) Zoning ordinance enforcement; not to be charged therewith unless landlord knew of tenant's conduct.	1/23/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with amendment (22-Y 0-N)	[1/30/2009]
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[Oppose] (098828444)

Summary: Zoning ordinance enforcement; tenants of single-family dwellings. Provides that localities may enforce violations of the zoning ordinance by tenants of single-family residential dwellings; however, the owner of such dwelling shall not be charged with a zoning violation unless the landlord knew or had reason to know of the tenant's conduct.

HJ 709 - Frederick (52) Constitutional amendment; assessments of real property and tax rates (first reference).	1/14/2009 House: Referred to Committee on Privileges and Elections	1/26/2009
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Oppose (098574508) - Board has historically opposed. For example, in FY 2007, loss would have been \$265 million in revenue.

Summary: Constitutional amendment (first resolution); assessments of real property and tax rates. Provides that assessments of real property shall not increase annually by more than one percent plus the percentage increase, if any, in the rate of inflation. Increases in the rate of taxation on real property are limited to one percent per year.

HJ 725 - Bell (58) Constitutional amendment; taking of private property for public uses (first reference).	1/14/2009 House: Referred to Committee on Privileges and Elections 2/2/2009 House: Subcommittee recommends reporting with amendment(s) (7-Y 1-N) 2/6/2009 House: Reported from Privileges and Elections with substitute (17-Y 4-N)	1/26/2009
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Oppose (090121432) - Board has historically opposed.

Summary: Constitutional amendment (first resolution); taking of private property for public uses. Establishes what constitutes a taking of private property for a public use. Takings are for a public use only if (i) the property is taken for the possession, occupation, and enjoyment by the public or a public entity; (ii) the land is taken for construction, maintenance, and operation of public facilities by public corporations or by private entities provided that there is a written agreement with a public entity providing for the use of the facility by the public; (iii) the land is taken for the creation or functioning of a public service corporation, public service company, or railroad; (iv) the land is taken for the provision of utility services by a government utility corporation; (v) the land taken is blighted and is taken for the elimination of blight; or (vi) the property is taken in a redevelopment or conservation area that is abandoned or the acquisition is needed to clear title where one of the owners agrees

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to such acquisition or the acquisition is by agreement of all the owners. Property can only be taken when the public interest dominates the private gain and the primary purpose is not private financial gain, private benefit, an increase in tax base or revenues, or an increase in employment, except if the property is taken for the creation or functioning of a public service corporation, public service company, or railroad, or for the provision of authorized utility services by a government utility corporation.

SB 811 - Cuccinelli, II (37)
Elevator mechanics, certified; Board for Contractors shall extend time for compliance for certain.

11/24/2008 Senate: Referred to Committee on General Laws and Technology
1/28/2009 Senate: Reported from General Laws and Technology with amendments (8-Y 7-N)
2/5/2009 Senate: Read third time and passed Senate (39-Y 0-N)

1/26/2009

Oppose (082438216)

Summary: Certified elevator mechanics; definitions. Excludes from the definition of elevator mechanic individuals who install, service, or repair residential wheelchair lifts, residential dumbwaiters, or residential incline chairlifts.

SB 898 - McDougle (4)
Elder or dependent adult abuse; emergency services personnel to report suspected abuse, etc.

12/31/2008 Senate: Referred to Committee on Rehabilitation and Social Services
1/30/2009 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N)
2/4/2009 Senate: Read third time and passed Senate (40-Y 0-N)

1/26/2009

Oppose (093156272)

Summary: Duty to report suspected elder or dependent adult abuse. Amends section requiring emergency services personnel certified by the Board of Health to report suspected abuse, neglect, or exploitation of adults to require such persons to report suspected abuse, neglect, or exploitation of adults either directly via methods specified in this section or directly to the attending physician at the hospital to which the adult has been transported, who shall make the report forthwith.

SB 914 - Stuart (28)
Substance abuse screening & assessment for VIEW; person ineligible to receive TANF if using drugs.

1/5/2009 Senate: Referred to Committee on Rehabilitation and Social Services

1/26/2009

Oppose (098050333) - Oppose due to cost concerns.

Summary: Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, where a screening indicates reasonable cause to believe a participant is using illegal drugs, the department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal

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drugs shall be ineligible to receive TANF payments and payments shall be made as protective or vendor payments to a third party payee for the benefit of the members of the participant's household. Persons deemed ineligible for TANF assistance due to failure or refusal to participate in a screening or assessment or for testing positive for the use of illegal drugs may reapply for TANF assistance once 12 months have elapsed from the date of initial ineligibility.

SB 982 - Wagner (7)
Stormwater; requires localities to regulate.

1/12/2009 Senate: Referred to Committee on Local Government
2/3/2009 Senate: Reported from Local Government with amendment (14-Y 1-N)

1/26/2009

Oppose (092841340)
Summary: Regulation of stormwater. Requires localities to provide full or partial waivers of charges to any person who develops, redevelops or retrofits outfalls, discharges or property so that there is a permanent reduction in post-development stormwater flow and pollutant loading. Under current law, localities have the option of providing such waivers.

SB 984 - Wagner (7)
Chesapeake Bay Preservation Act; stormwater regulations.

1/12/2009 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources
2/2/2009 Senate: Stricken at request of Patron in Agriculture, Conservation and Natural Resources (15-Y 0-N)

[1/30/2009]

[Oppose] (098367340) - Contrary to Chesapeake Bay regulations.
Summary: Requires that the Chesapeake Bay Local Assistance Board adopt regulations that treat swimming pools and any other impoundments of surface waters, including fountains and retention ponds, as permeable surfaces for the purposes of stormwater management.

SB 997 - Miller (1)
Trespassing vehicle; local regulation of removal and immobilization thereof.

1/12/2009 Senate: Referred to Committee on Transportation
1/22/2009 Senate: Reported from Transportation (7-Y 4-N)
1/30/2009 Senate: Passed Senate (36-Y 3-N)

1/26/2009

Oppose (098399275)
Summary: Trespassing vehicle; towing; local ordinances. Provides that local ordinances requiring "second signatures" before trespassing vehicles can be towed away only apply if the tow is performed during the normal business hours of the owner of the property from which the vehicle is towed.

SB 1028 - Hanger, Jr. (24)
Adult neglect; religious treatment exemption.

1/13/2009 Senate: Referred to Committee on Rehabilitation and Social Services
1/30/2009 Senate: Reported from Rehabilitation and Social Services with amendment (12-Y 0-N)
2/4/2009 2/04/2009 Senate: Read third time and passed Senate (40-Y 0-N)

1/26/2009

Amend (094313232) - Amend to ensure language does not inadvertently confuse local Social Services role; currently County staff already act with respect toward seniors' religious convictions when investigating reports

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of adult abuse or neglect and, with amendments to clarify, the bill would have no impact on the agency's activities.

Summary: Amends the definition of adult neglect by providing that no adult shall be considered neglected solely on the basis that such adult is receiving religious nonmedical treatment or religious nonmedical nursing care in lieu of medical care, provided that such treatment or care is performed in good faith and in accordance with the religious practices of the adult or there is a written or oral expression of consent for that adult.

SB 1064 - Puller (36)
Comprehensive plan;
local planning
commission to post plan
being considered on their
website.

1/13/2009 Senate: Referred to Committee on Local Government
1/27/2009 Senate: Reported from Local Government with substitute (15-Y 0-N)
2/2/2009 Senate: Passed Senate (39-Y 0-N)

1/26/2009

Amend (093202304) - Amend to provide that postings may be on the locality's website, to eliminate any certification requirements by the local planning district, and to provide that failure to post in accordance with the code sections shall not invalidate the actions taken.

Summary: Posting of comprehensive plans. Provides that a local planning commission shall post a comprehensive plan or part thereof that is being considered for recommendation or that is approved by the commission on a website maintained by the local planning commission and available to the public. This bill further provides that a governing body shall post any comprehensive plan or part thereof that is certified to the governing body or approved by a governing body on a website maintained by the governing body and available to the public.

SB 1157 - Saslaw (35)
Recordation and grantor
taxes; changes basis of
how calculated on
transfer of real estate.

1/13/2009 Senate: Referred to Committee on Finance
2/4/2009 Senate: Reported from Finance with substitute (16-Y 0-N)

1/26/2009

Oppose (092849324) - Likely loss of revenue to the County and the State; also increases chance for fraud. See also HB 1823 and HB 2135. Patron has agreed to amend.

Summary: Recordation and grantor taxes; basis. Changes the basis on which recordation and grantor taxes are calculated on the transfer of real estate to the actual consideration for the real estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater. The provisions of the bill would become effective on July 1, 2010.

SB 1191 - Puckett (38)
Process and service fees;
increases certain sheriffs'
fees.

1/13/2009 Senate: Referred to Committee for Courts of Justice
1/28/2009 Senate: Rereferred to Finance
2/4/2009 Senate: Reported from Finance (16-Y 0-N)

[1/30/2009]
~~1/26/2009~~

[Amend] (098183300) Amend to remove the cap of 1994 revenue level for localities. ~~**Support** (098183300) - Board discussion at Lines of Business meeting with Sheriff. Estimated \$100,000 per year in revenue.~~

Summary: Process and service fees. Increases from \$25 to \$35 certain sheriffs' fees for levying upon property or serving an ejection and from \$25 to \$50 for serving a writ of possession.

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1272 - Vogel (27) Tax and fee legislation; requires sunset dates on all and on those existing that are increased.</p>	<p>1/14/2009 Senate: Referred to Committee on Rules 2/6/2009 Senate: Passed by indefinitely in Rules (17-Y 0-N)</p>	<p>1/26/2009</p>
<p>Oppose (097816338) - Restricts local taxing authority. See also HB 1730. Summary: Tax and fee legislation; sunset dates. Requires a sunset date on all bills that add new taxes or fees or increase the rate of existing taxes or fees. The sunset dates would be required for both state and local tax or fee bills.</p>		
<p>SB 1276 - Martin (11) Alternative on-site sewage systems; no locality shall prohibit use thereof.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with substitute (12-Y 2-N 1-A)</p>	<p>1/26/2009</p>
<p>Oppose (098263338) Summary: Alternative on-site sewage systems. Clarifies the locality's power to regulate nonconventional sewage disposal systems by prohibiting localities from prohibiting the use of such systems.</p>		
<p>SB 1335 - Stuart (28) Conditional zoning; amendment to proffered condition is requested by profferror local body may waive.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with substitute (15-Y 0-N)</p>	<p>1/26/2009</p>
<p>Oppose (092033668) - Oppose as overly broad. Summary: Conditional zoning; public hearing. Provides that where an amendment to proffered conditions is requested by the profferror, and where such amendment does not affect conditions of use or density, a local governing body may waive the requirement for a public hearing.</p>		
<p>SB 1398 - Norment, Jr. (3) Statewide Transportation Plan; requires all plans of counties, cities, and towns be based thereon.</p>	<p>1/14/2009 Senate: Referred to Committee on Transportation 2/5/2009 Senate: Reported from Transportation with substitute (13-Y 2-N)</p>	<p>1/26/2009</p>
<p>Oppose (096991284) Summary: Statewide Transportation Plan. Requires that all transportation plans and programs of counties, cities, and towns be based on the Statewide Transportation Plan developed by the Commonwealth Transportation Board.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1416 - Blevins (14) Preservation of historical sites and architectural areas; local governing bodies may include.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with amendments (13-Y 1-N)</p>	<p>[1/30/2009]</p>
<p>[Amend] (094175264) - Amend to allow the locality more time to identify historic resources that should be preserved on a given site. Summary: Provides that local governing bodies may include in ordinances establishing historic districts, landmarks, and other buildings or structures within the locality having an important historic, architectural, archaeological, or cultural interest, a provision setting forth a 30-day period for archaeological excavation and preservation before the commercial or residential development of a historic district or any area within the locality that has been identified with potential archaeological or historic significance.</p>		
<p>SB 1419 - Watkins (10) Merchants' capital tax; gives lessor and lessee right to terminate to be daily rental property.</p>	<p>1/14/2009 Senate: Referred to Committee on Finance 2/5/2009 Senate: Reported from Finance with substitute (8-Y 7-N)</p>	<p>[1/30/2009]</p>
<p>[Oppose] (091935348) - Revenue loss to County due to an expansion of definition of short-term rental. See also HB 2472. Summary: Deems rented merchants' capital under contracts giving both the lessor and the lessee the right to terminate at any time to be daily rental property. Under current law, persons engaged in the short-term rental business cannot be taxed in an amount that exceeds one percent of the gross proceeds from daily rental property.</p>		
<p>SB 1423 - Martin (11) Subdivision ordinances; requirement that each locality provide a checklist to potential developers.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Passed by indefinitely in Local Government (15-Y 0-N)</p>	<p>1/26/2009</p>
<p>Oppose (094413268) Summary: Provides that such ordinances shall include a requirement that each locality provide a checklist to potential developers that specifies what shall be shown on the development plans along with the legal authority for such requirement.</p>		
<p>SB 1482 - Hanger, Jr. (24) Transportation Capital Projects Bond Act of 2007; repeals Act.</p>	<p>1/21/2009 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Rereferred to Finance</p>	<p>[1/30/2009]</p>
<p>[Oppose] (098830232) Summary: Repeals the Commonwealth Transportation Capital Projects Bond Act of 2007.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 1514 - Smith (22) Real property tax; notice of change in assessment.	1/23/2009 Senate: Referred to Committee on Finance 2/5/2009 Senate: Left in Finance (16-Y 0-N)	[1/30/2009]
<p>[Oppose] (099813804) - Board has historically opposed. See also HB 2601. Summary: Requires that the notice of a new assessment (i) be sent to the taxpayer at least 30 days prior to the date of a hearing to protest the assessment, and (ii) contain specific information regarding the new tax levy and the prior year's tax levy.</p>		
SB 1533 - Saslaw (35) Special use permits; extension of validity.	1/23/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with amendment (15-Y 0-N)	[1/30/2009]
<p>[Oppose] (092061324) Summary: Extends the expiration of special use permits that were valid and outstanding as of January 1, 2009, for a period of five years from their current expiration date.</p>		
SJ 290 - Obenshain (26) Constitutional amendment; establishes limitations on takings of private property.	12/23/2008 Senate: Referred to Committee on Privileges and Elections 2/3/2009 Senate: Passed by indefinitely in Privileges and Elections (8-Y 7-N)	1/26/2009
<p>Oppose (098384288) - Board has historically opposed. Summary: Constitutional amendment (first resolution); taking of private property for public uses. Establishes limitations on takings of private property. Except for property taken for public service companies or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more property shall be taken than is necessary to achieve the stated public use.</p>		
SJ 332 - Petersen (34) Constitutional amendment; tax exemptions for buildings constructed of materials to abate pollution.	1/13/2009 Senate: Referred to Committee on Privileges and Elections 1/27/2009 Senate: Reported from Privileges and Elections with substitute (13-Y 2-N) 2/2/2009 Senate: Agreed to by Senate (38-Y 1-N) 2/2/2009 Senate: Reconsideration of passage agreed to by Senate (37-Y 0-N) 2/3/2009 Senate: Agreed to by Senate (37-Y 2-N 1-A)	[1/30/2009]
<p>[Oppose] (097772293) Summary: Constitutional amendment (first resolution); property exempt from taxation. Authorizes the General Assembly to directly exempt from property taxes, or to enact legislation that would permit localities to exempt from property taxes, any building constructed of materials or in a manner designed to abate or prevent pollution and to use energy and natural resources efficiently.</p>		

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Fairfax County Positions
(Support or Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1588 - Marshall (13) Autism spectrum disorder; mandated health insurance coverage therefor.</p>	<p>9/24/2008 House: Referred to Committee on Commerce and Labor 2/3/2009 House: Subcommittee made no recommendation</p>	<p>1/26/2009</p>
<p>Support (090002616) - See also SB 1260. Summary: Health insurance; mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals under age 21. Coverage is subject to an annual maximum benefit of \$36,000.</p>		
<p>HB 1615 - Howell, Jr. (90) Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.</p>	<p>11/19/2008 House: Referred to Committee on Transportation 2/5/2009 House: Incorporated by Transportation (HB1876-Cosgrove) by voice vote</p>	<p>1/26/2009</p>
<p>Support (096168540) Summary: Text messaging while driving. Prohibits operation of a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using any wireless telecommunication device for the purpose of sending, receiving, or reading any text message. The prohibition, however, does not extend to entering names or numbers for making telephone calls and does not apply to the operator of emergency vehicles. Violations are punishable by fines of \$20 for first offenses and \$50 for subsequent offenses.</p>		
<p>HB 1629 - Cole (88) Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.</p>	<p>12/3/2008 House: Referred to Committee on Transportation 1/20/2009 House: Reported from Transportation with substitute (20-Y 0-N) 1/23/2009 House: VOTE: --- PASSAGE (93-Y 4-N) 1/26/2009 Senate: Referred to Committee on Transportation</p>	<p>1/26/2009</p>
<p>Monitor (098003468) Summary: Loitering. Grants counties the same authority as cities and towns to prohibit loitering of pedestrians on bridges and highway rights-of-way.</p>		

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>HB 1694</u> - Albo (42) Parking; allows certain counties and towns to prohibit parking of certain vehicles on streets.</p>	<p>1/5/2009 House: Referred to Committee on Transportation 1/29/2009 House: Reported from Transportation with substitute (22-Y 0-N) 2/4/2009 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/5/2009 Senate: Referred to Committee on Transportation</p>	<p>1/26/2009</p>
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Monitor (093529404) - Further review is needed.
Summary: Parking. Allows Fairfax and Prince William Counties and Clifton, Herndon, and Vienna to prohibit parking of vehicles registered as trucks on streets in areas zoned for residential use. The bill also eliminates population bracket circumlocutions and names the specific localities to which those brackets were intended to apply.

<p><u>HB 1782</u> - Albo (42) Driver's license; minors in planning district 8 to show completion of 90 min. driver safety course.</p>	<p>1/9/2009 House: Referred to Committee on Transportation 1/27/2009 House: Reported from Transportation with substitute (19-Y 3-N) 2/3/2009 House: VOTE: --- PASSAGE (68-Y 30-N) 2/4/2009 Senate: Referred to Committee on Transportation</p>	<p>[1/30/2009]</p>
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[Support] (093858404-H1) - See also SB 1084.
Summary: Learner's permit fees; requirements for issuance of driver's licenses to minors. Requires that minor applicants for a driver's license show they have successfully completed, with a parent or guardian, an in-person 90-minute or longer driver safety course prescribed by DMV. The bill also increases the learner's permit issuance fee from \$3 to \$8; the additional \$5 is to be retained by DMV to cover its costs associated with this new requirement.

<p><u>HB 1783</u> - Hull (38) Government, local; equalizes municipal and county taxing authority.</p>	<p>1/9/2009 House: Referred to Committee on Finance</p>	<p>1/26/2009</p>
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Support (092041552) - Board has historically supported.
Summary: Local government taxing authority. Equalizes municipal and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1876 - Cosgrove (78) Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicle.</p>	<p>1/12/2009 House: Referred to Committee on Transportation 2/5/2009 House: Reported from Transportation with substitute (15-Y 1-N) 2/5/2009 House: Referred to Committee for Courts of Justice 2/6/2009 House: Reported from Courts of Justice with substitute (18-Y 4-N)</p>	<p>1/26/2009</p>
<p>Support (095805868) Summary: Text messaging and emailing while driving. Prohibits operation of a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using any wireless telecommunications device for the purpose of composing or sending any text message or email. This bill provides exemptions for the use of global positioning systems (GPS) and using a wireless telecommunications device to report an emergency. The provisions of this bill do not apply to operators of emergency vehicles.</p>		
<p>HB 1904 - Armstrong (11) Virginia Child Protection Accountability System; established.</p>	<p>1/13/2009 House: Referred to Committee on Health, Welfare and Institutions 2/5/2009 House: Reported from Health, Welfare and Institutions with substitute (21-Y 0-N) 2/5/2009 House: Referred to Committee on Appropriations 2/6/2009 House: Reported from Appropriations with substitute (23-Y 0-N)</p>	<p>1/26/2009</p>
<p>Monitor (091293416) Summary: Virginia Child Protection Accountability System. Establishes the Virginia Child Protection Accountability System to collect and make available to the public information on the response to reported cases of child abuse in the Commonwealth.</p>		
<p>HB 1938 - Peace (97) Income tax, state; increases livable home tax credit.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/26/2009 House: Reported from Finance with substitute (21-Y 0-N) 1/29/2009 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/30/2009 Senate: Referred to Committee on Finance</p>	<p>1/26/2009</p>
<p>Support (091929676) - Board has historically supported state tax credit; position in Human Services Issue Paper. See also SB 845 and SB 1148. Summary: Income tax; livable home tax credit. Increases the individual tax credit limit from \$500 to \$2,000 and the 25 percent amount for retrofitting to 50 percent for taxable years beginning on or after January 1, 2010.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1991 - Bulova (37) Stormwater management programs; establishment by localities.</p>	<p>1/13/2009 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/21/2009 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 0-N) 1/26/2009 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/27/2009 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p>1/26/2009</p>
<p>Support (093954822) Summary: Establishment of stormwater programs by localities. Extends the period of time that localities have to adopt a local stormwater management program. Currently, they are required to adopt a program no sooner than 12 months and no later than 18 months after state regulations have become effective. This bill would extend the time for adoption from no sooner than 15 months to no later than 21 months. The Virginia Soil and Water Conservation Board can grant an extension to the locality of an additional 12 months if the Department of Conservation and Recreation finds that such an extension is warranted. A locality can adopt a program earlier than the minimum time frame with the consent of the Board. The bill also requires that the regulation that establishes local program criteria and delegation procedures not become effective until after July 1, 2010.</p>		
<p>HB 1992 - Bulova (37) Outdoor signs and advertising; all penalties & costs collected for violations of advertising.</p>	<p>1/13/2009 House: Referred to Committee on Transportation 1/27/2009 House: Referred to Committee on Appropriations 2/2/2009 House: Tabled in Appropriations by voice vote</p>	<p>1/26/2009</p>
<p>Support (093834444) Summary: Outdoor signs and advertising; Fairfax County. Provides that all penalties and costs collected for violations of advertising provisions when the locality has entered into an agreement with the Commonwealth Transportation Commissioner shall be paid to the affected locality. Excludes signs and advertising erected from Saturday through the following Monday from those agreements with the Commissioner.</p>		
<p>HB 2011 - Ebbin (49) Pedestrians; prohibits crossing of railroad grade crossings if train is present or approaching.</p>	<p>1/13/2009 House: Referred to Committee on Transportation 2/2/2009 House: Subcommittee recommends striking from the docket by voice vote 2/5/2009 House: Reported from Transportation with substitute (13-Y 8-N)</p>	<p>1/26/2009</p>
<p>Support (093559492) Summary: Pedestrians; railroad grade crossings. Prohibits crossing of railroad grade crossings by pedestrians using public highways if a train or locomotive is present or approaching.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2138 - Miller (50) Graffiti abatement; permits localities to charge property owner for cost thereof.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 1/29/2009 House: Subcommittee recommends referring to VA Housing Commission by voice vote 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (098477640) - Regional position. See also SB 1369. Summary: Graffiti abatement. Permits localities to charge a property owner for the cost or expenses of abating graffiti that occurs on his vacant property, and to collect such charges as taxes are collected. If the charges remain unpaid, they shall constitute a lien and become enforceable in the same manner as unpaid local taxes.</p>		
<p>HB 2153 - Rust (86) BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/30/2009] 1/26/2009</p>
<p>[Support] (091928708) Monitor (091928708) -See also SB 1074. Summary: Business, professional, occupational license tax; limitation of authority. Allows the Towns of Herndon and Leesburg to levy the BPOL tax on any person, firm, or corporation engaging in the business of renting real property.</p>		
<p>HB 2231 - Marsden (41) Parking; adds pickup and panel trucks to list of vehicles that Fairfax, etc. may prohibit therefrom.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 2/3/2009 House: Tabled in Transportation (9-Y 6-N)</p>	<p>1/26/2009</p>
<p>Monitor (093480608) - Further review is needed. Summary: Parking. Adds pickup and panel trucks to the list of vehicles that Fairfax and Prince William Counties and Clifton, Herndon, and Vienna may prohibit from parking on streets in areas zoned for residential use. The bill also eliminates population bracket circumlocutions and names the specific localities to which those brackets were intended to apply.</p>		
<p>HB 2232 - Marsden (41) Crashes on HOT lanes under construction; if no apparent bodily injuries, drivers must move vehicles.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 2/3/2009 House: Reported from Transportation with amendments (14-Y 2-N) 2/6/2009 House: VOTE: --- ENGROSSMENT refused (42-Y 52-N)</p>	<p>1/26/2009</p>
<p>Support (093495608) Summary: Crashes on HOT lanes under construction on the Capital Beltway. Requires that when there is a vehicle crash on HOT lanes under construction on the Capital Beltway and the vehicles involved in the crash can be moved and there are no apparent bodily injuries, the drivers must move their vehicles to the nearest</p>		

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Bills	General Assembly Actions	Date of BOS Position
designated pull-off area. Failure to do so is punishable by a civil penalty of \$100, to be paid into the Highway Maintenance and Operating Fund. VDOT is required to post the bill's requirements on signs along the Capital Beltway in Virginia where HOT lanes are under construction. The bill's provisions expire when HOT lane on the Capital Beltway in Virginia is completed and the Virginia Department of Transportation accepts the project.		
HB 2354 - Landes (25) Suspension of mandates; requires Governor to temporarily suspend on locality facing fiscal stress.	1/14/2009 House: Referred to Committee on General Laws 2/5/2009 House: Reported from General Laws (22-Y 0-N) 2/5/2009 House: Referred to Committee on Appropriations	[1/30/2009]
[Monitor] (091793592) Summary: Governor; suspension of mandates. Requires the Governor to temporarily suspend mandates on a locality upon a finding that it faces fiscal stress and the suspension of the mandate or portion thereof would help alleviate the fiscal hardship. Currently, suspension of the mandate is discretionary with the Governor. The bill provides that its provisions will expire on July 1, 2010.		
HB 2380 - Scott (53) Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.	1/14/2009 House: Referred to Committee on Transportation 2/5/2009 House: Incorporated by Transportation (HB1876-Cosgrove) by voice vote	1/26/2009
Support (095829720) Summary: Text messaging and emailing while driving. Prohibits operation of a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using any wireless telecommunications device for the purpose of composing or sending any text message or email. This bill provides exemptions for persons lawfully parked or stopped, the use of global positioning systems (GPS), and the use of a wireless telecommunications device to report an emergency. The provisions of this bill do not apply to operators of emergency vehicles.		
HB 2385 - Ebbin (49) Discrimination; prohibited in public employment based on race, color, religion, etc.	1/14/2009 House: Referred to Committee on General Laws 2/4/2009 House: Subcommittee recommends laying on the table (4-Y 2-N)	1/26/2009
Support (096630404) - Board has historically supported. Summary: Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.		

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2386 - Ebbin (49) Pedestrians and drivers; responsibilities thereof at marked & unmarked crosswalks.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 1/27/2009 House: Reported from Transportation with substitute (16-Y 6-N) 2/3/2009 House: Referred to Committee for Courts of Justice 2/4/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/26/2009</p>
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Support (094304492) - Position in Legislative Program. See also HB 2520 and SB 1239.
Summary: Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks.

<p>HB 2387 - Ebbin (49) Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.</p>	<p>1/14/2009 House: Referred to Committee on General Laws 2/5/2009 House: Reported from General Laws with substitute (22-Y 0-N) 2/5/2009 House: Referred to Committee on Appropriations</p>	<p>[1/30/2009]</p>
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[Support w/ Amend.] (092363802) - Support with amendments to make legislation more flexible for local governments, including certification programs that may be developed in the future. See also SB 1252.
Summary: Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and Environment Design green building rating standard (LEED). Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects.

<p>HB 2422 - May (33) Acquisition of voting equipment; delete provision prohibiting acquisition direct recording machines.</p>	<p>1/14/2009 House: Referred to Committee on Privileges and Elections 2/6/2009 House: Reported from Privileges and Elections with amendments (22-Y 0-N)</p>	<p>[1/30/2009]</p>
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[Support] (095593620) - See also SB 988.
Summary: Elections; acquisition of voting equipment by localities. Deletes the provision enacted in 2007 that prohibits the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2470 - Hugo (40) Northern Virginia Transportation District Fund; dedication of state matching funds.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends striking from the docket by voice vote</p>	<p>1/26/2009</p>
<p>Monitor (094310548) Summary: Northern Virginia Transportation District Fund; dedication of state matching funds to the Washington Metropolitan Area Transit Authority. Dedicates, through the year 2019, any additional funds that may be distributed to the Northern Virginia Transportation District Fund as a result of the 2009 Session of the General Assembly increasing the recordation tax revenue distributed to localities pursuant to Â§ 58.1-816, to the Washington Metropolitan Area Transit Authority (WMATA) to provide funds to the Authority as may be required under federal law for the payment of certain federal funds to WMATA and shall be used for capital improvements for WMATA's transit service (Metro). The bill expires June 30, 2010, if such federal law is not in effect on June 30, 2010.</p>		
<p>HB 2476 - Hugo (40) HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 1/27/2009 House: Reported from Transportation with substitute (22-Y 0-N) 2/2/2009 House: VOTE: --- PASSAGE (93-Y 5-N) 2/3/2009 Senate: Referred to Committee on Transportation</p>	<p>1/26/2009</p>
<p>Support (093467548) - Board has historically supported. See also HB 1932 and HB 2299. Summary: HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of passengers.</p>		
<p>HB 2477 - Hugo (40) Popes Head Road; designating as State byway in Fairfax County.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 1/27/2009 House: Reported from Transportation (22-Y 0-N) 2/2/2009 House: Passed House BLOCK VOTE (98-Y 0-N) 2/3/2009 Senate: Referred to Committee on Transportation</p>	<p>1/26/2009</p>
<p>Support (093466548) Summary: Popes Head Road. Designates the entire length of Popes Head Road in Fairfax County a Virginia byway.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2590 - Ebbin (49) Financial accounting and reporting system; establish alternative system for postemployment benefits.</p>	<p>1/22/2009 House: Referred to Committee on General Laws 2/4/2009 House: Subcommittee recommends striking from the docket by voice vote 2/5/2009 House: Stricken from docket by General Laws by voice vote</p>	<p>[1/30/2009]</p>
<p>[Monitor] (092385492) Summary: Financial accounting and reporting systems. Establishes an alternative financial accounting and reporting system for postemployment benefits, other than pension benefits.</p>		
<p>HB 2592 - Caputo (67) Electric vehicles; creates separate class of property tax for rate purposes.</p>	<p>1/22/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting (6-Y 1-N) 2/2/2009 House: Reported from Finance (22-Y 0-N) 2/5/2009 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance</p>	<p>[1/30/2009]</p>
<p>[Support] (098797456) - Optional. Loudoun County initiative. Summary: Personal property tax; electric vehicles. Creates a separate class of property for rate purposes, motor vehicles powered solely by electricity.</p>		
<p>HB 2596 - Ebbin (49) Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.</p>	<p>1/22/2009 House: Referred to Committee on Appropriations 2/2/2009 House: Reported from Appropriations with substitute (23-Y 0-N) 2/6/2009 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (098761492) Summary: Washington Metropolitan Area Transit Authority Compact. Amends the WMATA Compact relating to Board membership, officers, and payments.</p>		
<p>HB 2615 - Iaquinto (84) Public Procurement Act; increases amount for single or term contracts for professional services.</p>	<p>1/23/2009 House: Referred to Committee on General Laws 1/29/2009 House: Subcommittee recommends reporting (5-Y 0-N) 2/3/2009 House: Reported from General Laws (22-Y 0-N) 2/6/2009 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/6/2009 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (098745560) Summary: Virginia Public Procurement Act; procurement of professional services. Increases the amount from \$30,000 to \$50,000 for single or term contracts for professional services not requiring competitive negotiation.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2631 - Caputo (67) Firearms show; Fairfax County may require criminal history record information from promoter thereof.</p>	<p>1/23/2009 House: Referred to Committee on Militia, Police and Public Safety</p>	<p>[1/30/2009]</p>
<p>[Support] (092065456) Summary: Firearms show in Fairfax County; criminal history record information request. Provides that Fairfax County may by ordinance require the promoter of any show held in Fairfax County to make available to all vendors or exhibitors at a firearms show at least one location on the premises where the vendor or exhibitor shall conduct criminal history record information requests for the sale of firearms.</p>		
<p>HJ 688 - Cole (88) Constitutional amendment; real property tax relief for persons 65 years old, etc. (first reference).</p>	<p>1/13/2009 House: Referred to Committee on Privileges and Elections 2/2/2009 House: Subcommittee recommends reporting with amendment(s) 2/6/2009 House: Reported from Privileges and Elections with amendment (22-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (098099468) Summary: Constitutional amendment (first resolution); property exempt from taxation. Amends the Constitution of Virginia to allow localities to either waive or establish their own income or net worth limitations for purposes of granting real property tax relief for persons not less than 65 years of age or persons permanently and totally disabled.</p>		
<p>SB 39 - Deeds (25) Traffic accident reports; increases amount of damage threshold to be reported by law enforcement.</p>	<p>12/19/2007 Senate: Referred to Committee on Transportation 1/17/2008 Senate: Rereferred to Courts of Justice 1/21/2008 Senate: Reported from Courts of Justice with amendment (14-Y 0-N) 2/12/2008 House: Referred to Committee on Transportation 2/19/2008 House: Referred to Committee for Courts of Justice 2/29/2008 House: Continued to 2009 in Courts of Justice by voice vote 12/1/2008 House: Reported from Courts of Justice (11-Y 0-N) 1/15/2009 House: VOTE: --- PASSAGE (94-Y 2-N) 1/27/2009 Governor: Approved by Governor-Chapter 1 (effective 7/1/09)</p>	<p>1/26/2009</p>
<p>Support (088179220-E) Summary: Traffic accident reports. Increases from \$1,000 to \$1,500 the damage threshold at which traffic accidents become "reportable."</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 810 - Howell (32) Absentee voting; qualified voters may vote absentee in person without providing an excuse, etc.</p>	<p>11/24/2008 Senate: Referred to Committee on Privileges and Elections 1/20/2009 Senate: Reported from Privileges and Elections (10-Y 4-N) 1/26/2009 Senate: Read third time and passed Senate (24-Y 16-N) 2/5/2009 House: Referred to Committee on Privileges and Elections</p>	<p>1/26/2009</p>
<p>Support (097823248) Summary: Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day. The bill retains the present statutory list of specific reasons entitling a voter to cast an absentee ballot for those persons who vote absentee by mail.</p>		
<p>SB 830 - Cuccinelli, II (37) Advertising; allows local governing bodies to remove certain.</p>	<p>12/16/2008 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Reported from Transportation with substitute (14-Y 0-N) 2/4/2009 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (093816216) Summary: Local governing bodies as agents of the Commonwealth Transportation Commissioner; removal of certain advertising. Allows the governing body of any county, city, or town to authorize local law-enforcement agencies or other governmental agencies to act as agents of the Commissioner for the purpose of removing certain signs and advertising.</p>		
<p>SB 834 - Locke (2) Public Procurement Act; procurement of architectural & professional engineering service for project.</p>	<p>12/17/2008 Senate: Referred to Committee on General Laws and Technology 1/21/2009 Senate: Reported from General Laws and Technology (13-Y 0-N) 1/27/2009 Senate: Read third time and passed Senate (40-Y 0-N) 2/5/2009 House: Referred to Committee on General Laws</p>	<p>1/26/2009</p>
<p>Support (098218256) Summary: Virginia Public Procurement Act; procurement of architectural and professional engineering services for multiple construction projects. Provides that a contract for architectural or professional engineering services relating to construction projects negotiated by a local public body for multiple projects may be renewable for up to four additional one-year terms at the option of the public body. Under current law such contracts are renewable for up to two additional one-year terms.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 838 - Ticer (30) Land preservation tax credit; conveyance for public parks or public recreational facilities.</p>	<p>12/22/2008 Senate: Referred to Committee on Finance 1/28/2009 Senate: Reported from Finance (8-Y 7-N) 2/2/2009 Senate: Read third time and passed Senate (21-Y 18-N)</p>	<p>1/26/2009</p>
<p>Support (096559336) - Position in Legislative Program to incentivize donations for parks. Summary: Provides that the land preservation tax credit would equal 60 percent of the fair market value of any land that is donated to a state or local governmental entity for the purpose of a public park or public recreational facility. The 60 percent tax credit would apply only if (i) the responsible authorities of a park authority or local park agency or the Department of Conservation and Recreation execute a written document stating its acceptance of the donation, and (ii) the conveyance is in accordance with the current comprehensive plans of the counties or cities in which the donated land is located. All other donations under the land preservation tax credit would not be affected by the bill and would be eligible for a 40 percent tax credit as provided under current law.</p>		
<p>SB 845 - Puller (36) Livable home tax credit; increase limit.</p>	<p>12/23/2008 Senate: Referred to Committee on Finance 1/27/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 1/30/2009 Senate: Read third time and passed Senate (39-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (093201304) - Board has historically supported state tax credit; position in Human Services Issue Paper. See also HB 1938 and SB 1148. Summary: Livable Home Tax Credit; increase limit. Increases the Livable Home Tax Credit limit from \$500 to \$1,000.</p>		
<p>SB 872 - Ticer (30) TANF; eligibility for food stamps when convicted of drug-related felonies.</p>	<p>12/29/2008 Senate: Referred to Committee on Rehabilitation and Social Services 1/23/2009 Senate: Reported from Rehabilitation and Social Services (9-Y 6-N) 1/23/2009 Senate: Rereferred to Finance 2/4/2009 Bill referred to the Senate Finance HHR subcommittee for study before the 2010 session.</p>	<p>1/26/2009</p>
<p>Support (094489336) - Board has historically supported. Summary: Eligibility for TANF; drug-related felonies. Requires persons otherwise eligible to receive Temporary Assistance for Needy Families (TANF) benefits to not be denied benefits solely due to a previous conviction of a felony drug offense pursuant to Â§ 18.2-250. The otherwise eligible person must comply with all obligations imposed by the criminal court and be actively engaged in or have completed a substance abuse treatment program. The bill mirrors the authorized federal exemption already granted for food stamp applicants.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 896 - McDougle (4) Duty to file lists of renters, etc.; provide name & address thereof to commissioner of revenue.</p>	<p>12/31/2008 Senate: Referred to Committee on Finance 1/21/2009 Senate: Reported from Finance (14-Y 0-N) 1/26/2009 Senate: Read third time and passed Senate (40-Y 0-N) 1/30/2009 House: Referred to Committee on Finance</p>	<p>1/26/2009</p>
<p>Support (092842272) Summary: Duty to file lists of property owners, renters, and lessees. Adds the owners and operators of self-service storage facilities to the list of entities that are required to provide the name and address of renters or lessees to the local commissioner of revenue upon his request. The bill also would require property owners's associations, condominium unit owners's associations, and proprietary lessees's associations to provide a list of owners of the properties administered by such associations to the extent that such list is maintained to the commissioner upon his request.</p>		
<p>SB 979 - Stuart (28) Fuel fee; allows authorities to pass an ordinance to impose a fee on motor vehicle violations.</p>	<p>1/12/2009 Senate: Referred to Committee on Transportation 1/15/2009 Senate: Rereferred to Local Government 1/27/2009 Senate: Reported from Local Government (11-Y 3-N) 2/2/2009 Senate: Read third time and passed Senate (32-Y 7-N)</p>	<p>1/26/2009</p>
<p>Support (098260338) Summary: Transportation; fuel fee. Allows authorities to pass an ordinance that would impose a fee, not to exceed \$10, on all motor vehicle violations. Such fee shall go to the locality for the purpose of purchasing fuel for local law-enforcement vehicles.</p>		
<p>SB 988 - Colgan (29) Voting equipment; delete provision prohibiting acquisition of direct recording electronic machines.</p>	<p>1/12/2009 Senate: Referred to Committee on Privileges and Elections 2/3/2009 Senate: Reported from Privileges and Elections with amendment (12-Y 3-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (095587212) - See also HB 2422. Summary: Elections; acquisition of voting equipment by localities. Deletes the provision enacted in 2007 that prohibits the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1052 - Whipple (31) Affordable housing assessments; determination of fair market value of affordable rental housing.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/28/2009 Senate: Reported from Finance (16-Y 0-N) 2/2/2009 Senate: Read third time and passed Senate (39-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (097432352) - Support as introduced. Summary: Affordable housing assessments. Provides for a determination of fair market value of affordable rental housing, allows for localities to determine definition of affordable rental property, and does not allow the determination to be made if pending building code violations exist. This bill is recommended by the Virginia Housing Commission.</p>		
<p>SB 1065 - Puller (36) Wind energy drying devices; no community association shall prohibit an owner from installing, etc.</p>	<p>1/13/2009 Senate: Referred to Committee on General Laws and Technology 1/28/2009 Senate: Reported from General Laws and Technology with amendments (15-Y 0-N) 2/3/2009 Read third time and passed Senate (40-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (092303304) Summary: Covenants regarding wind energy drying devices. Provides that effective July 1, 2009, no community association shall prohibit an owner from installing or using a wind energy drying device on that owner's property.</p>		
<p>SB 1066 - Puller (36) Trains; fine for boarding or riding with fraudulent or counterfeit ticket, etc.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Rereferred to Courts of Justice</p>	<p>1/26/2009</p>
<p>Support (091522304) Summary: Trains operated by transportation districts. Establishes a fine for boarding or riding a train with a fraudulent or counterfeit ticket and for using a valid ticket outside the designated zone of the paid ride.</p>		
<p>SB 1074 - Howell (32) BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Reported from Finance (13-Y 0-N) 1/30/2009 Senate: Read third time and passed Senate (29-Y 9-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (091916248) - See also HB 2153. Summary: Business, professional, occupational license tax; limitation of authority. Allows the Towns of Herndon and Leesburg to levy the BPOL tax on any person, firm, or corporation engaging in the business of renting real property.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1084 - Howell (32) Learner's permit; requires applicants for driver's license show they have completed safety course.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 2/5/2009 Senate: Stricken at request of Patron in Transportation (15-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (098687248) - See also HB 1782. Summary: Learner's permit fees; requirements for issuance of driver's licenses to minors. Requires that minor applicants for a driver's license show they have successfully completed, with a parent or guardian, an in-person 90-minute or longer driver safety course prescribed by DMV. The bill also increases the learner's permit issuance fee from \$3 to \$8; the additional \$5 is to be retained by DMV to cover its costs associated with this new requirement.</p>		
<p>SB 1096 - Herring (33) Design-Build Construction Management Review Board; authorized to make a one-time determination.</p>	<p>1/13/2009 Senate: Referred to Committee on General Laws and Technology 1/28/2009 Senate: Reported from General Laws and Technology (15-Y 0-N) 2/3/2009 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (094501808) Summary: Design-Build Construction Management Review Board. Authorizes the Design-Build Construction Management Review Board to make a one-time determination that a locality with a population in excess of 100,000 has the personnel, procedures, and expertise necessary to enter into contracts for construction on a fixed price or not-to-exceed price design-build or construction management basis. Any localities receiving the determination shall still be required to comply with applicable provisions of the Virginia Public Procurement Act and all other applicable law governing design-build or construction management contracts for public bodies other than the Commonwealth. The bill also contains a technical amendment.</p>		
<p>SB 1099 - Herring (33) Incapacitated adults; financial exploitation thereof, penalty.</p>	<p>1/13/2009 Senate: Referred to Committee for Courts of Justice</p>	<p>1/26/2009</p>
<p>Support (098013240) Summary: Financial exploitation of incapacitated adults; penalty. Creates the crime of financial exploitation of an incapacitated adult when a person responsible for the adult (i) knowingly and willfully uses, obtains, takes, secretes, appropriates, or retains the adult's real or personal property or other thing of value with the intent to defraud or with the intent to temporarily or permanently deprive the incapacitated adult of the use, benefit, or possession of the subject property or (ii) assists another in doing so. The penalty is a Class 1 misdemeanor if the value is less than \$200 in a six-month period and a Class 6 felony if the value is \$200 or more in a six-month period.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 1131 - Petersen (34) Notice for setting local real property tax rate.	1/13/2009 Senate: Referred to Committee on Finance 1/30/2009 Senate: Read third time and passed Senate (39-Y 0-N)	[1/30/2009]
<p>[Support] (098233293) - A Fairfax City initiative. Summary: Reduces from 30 days to 10 days the public notice required by localities under certain circumstances for increasing the local real property tax rate above the rate that would generate 101 percent of the prior year's real property tax revenues.</p>		
SB 1134 - Petersen (34) Electronic summons system; localities to assess an additional fee as part of costs.	1/13/2009 Senate: Referred to Committee for Courts of Justice 1/26/2009 Senate: Rereferred to Finance 2/4/2009 Senate: Reported from Finance with amendments (16-Y 0-N)	1/26/2009
<p>Support (091301293) - Estimated \$600,000 revenue increase. Summary: Electronic summons system; fees. Allows localities to assess an additional three dollar fee as part of the costs in each civil, criminal or traffic case to be used solely for an electronic summons system.</p>		
SB 1138 - Petersen (34) Parking on public highways; counties & towns to regulate transporting commercial freight externally.	1/13/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Reported from Transportation (11-Y 4-N) 1/28/2009 Senate: Read third time and passed Senate (30-Y 9-N)	1/26/2009
<p>Monitor (098235293) - Further review is needed. Summary: Regulation of parking on public highways. Allows counties and towns that may by ordinance regulate the parking of (i) watercraft, (ii) boat trailers, (iii) motor homes, and (iv) camping trailers also to regulate or prohibit vehicles transporting commercial freight externally. The bill also replaces circumlocutions with the names of the localities to which those circumlocutions apply.</p>		
SB 1148 - Whipple (31) Income tax; livable home tax credit.	1/13/2009 Senate: Referred to Committee on Finance	1/26/2009
<p>Support (098622352) - Board has historically supported state tax credit; position in Human Services Issue Paper. See also HB 1938 and SB 845. Summary: Increases the individual tax credit limit from \$500 to \$1,000 for taxable years beginning on or after January 1, 2010.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
SB 1161 - Saslaw (35) Safety belts; makes non-use of a primary offense.	1/13/2009 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Reported from Transportation with substitute (8-Y 6-N) 2/4/2009 Senate: Passed Senate (25-Y 15-N)	1/26/2009
Support (093482324) - See also HB 2253, HB 2339, SB 970. Summary: Safety belts. Makes non-use of motor vehicle safety belts a "primary offense."		
SB 1175 - Watkins (10) Property owned by locality; service charge levied when property in boundary of another locality.	1/13/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 2/2/2009 Senate: Stricken from Senate calendar (39-Y 0-N)	[1/30/2009] 1/26/2009
[Monitor] (092889348-S1) - Bill has been amended not to apply to Fairfax County. Oppose (092028348) - See also SB 1373 . Summary: Taxation of property owned by locality. Provides that a service charge may be levied upon a county, city or town owning real or personal property within the boundaries of another locality. The service charge shall be equal to the amount that would be assessed as taxes on real property as if such property were otherwise subject to tax valuation and assessment.		
SB 1239 - Barker (39) Pedestrians and drivers; sets responsibilities thereof at marked and unmarked crosswalks.	1/13/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Reported from Transportation with amendments (11-Y 4-N) 1/28/2009 Senate: Read third time and passed Senate (24-Y 16-N)	1/26/2009
Support (093820201) - Position in Legislative Program. See also HB 2386 and HB 2520. Summary: Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks.		
SB 1252 - Petersen (34) Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.	1/14/2009 Senate: Referred to Committee on General Laws and Technology 2/4/2009 Senate: Reported from General Laws and Technology with substitute (15-Y 0-N)	[1/30/2009]
[Support w/ Amend.] (092362802) - Support with amendments to make legislation more flexible for local governments, including certification programs that may be developed in the future. See also HB 2387. Summary: Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and		

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Bills	General Assembly Actions	Date of BOS Position
<p>Environment Design green building rating standard (LEED). Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects.</p>		
<p>SB 1257 - Marsh III (16) Firearms; criminal records check performed at a gun show before vendor may transfer.</p>	<p>1/14/2009 Senate: Referred to Committee for Courts of Justice 1/26/2009 Senate: Reported from Courts of Justice with amendments (8-Y 7-N) 2/3/2009 Senate: Read third time and defeated by Senate (18-Y 22-N) 2/3/2009 Senate: Reconsideration of defeated action agreed to by Senate (40-Y 0-N) 2/4/2009 Senate: Read third time and defeated by Senate (19-Y 21-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (091529264) Summary: Transfer of firearms; criminal records check; penalties. Adds a definition of "firearms show vendor" and requires that a criminal history record information check be performed on the prospective transferee before the vendor may transfer firearms at a gun show. Under current law, only licensed dealers must obtain such a check. The bill also adds a definition of "promoter" and requires that the promoter of a gun show provide vendors with access to licensed dealers who will conduct the criminal background check.</p>		
<p>SB 1260 - Vogel (27) Health insurance; mandated coverage for autism spectrum disorder.</p>	<p>1/14/2009 Senate: Referred to Committee on Commerce and Labor</p>	<p>1/26/2009</p>
<p>Support (097809338) - See also HB 1588. Summary: Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals under age 21. Coverage is subject to an annual maximum benefit of \$36,000.</p>		
<p>SB 1369 - Barker (39) Graffiti abatement; permits localities to charge property owner for cost thereof.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with substitute (10-Y 5-N)</p>	<p>1/26/2009</p>
<p>Support (092044201) - Regional position. See also HB 2138. Summary: Graffiti abatement. Permits localities to charge a property owner for the cost or expenses of abating graffiti that occurs on his vacant property, and to collect such charges as taxes are collected. If the charges remain unpaid, they shall constitute a lien and become enforceable in the same manner as unpaid local taxes.</p>		

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 1408</u> - Norment, Jr. (3) Safety belt enforcement; allows for when violations are observed by officers at checkpoints.</p>	<p>1/14/2009 Senate: Referred to Committee on Transportation 2/5/2009 Senate: Rereferred to Courts of Justice</p>	<p>1/26/2009</p>
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Support (098378284)
Summary: Safety belt enforcement. Allows for primary enforcement of safety belt requirements when violations are observed by law-enforcement officers at traffic safety checkpoints.

<p><u>SB 1436</u> - Howell (32) Crime victims; no law-enforcement officer shall inquire into immigration status of victim of crime.</p>	<p>1/16/2009 Senate: Referred to Committee for Courts of Justice 1/28/2009 Senate: Reported from Courts of Justice (15-Y 0-N) 2/3/2009 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p>[1/30/2009]</p>
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[Support] (098605248) - Board supported bill last year.
Summary: Crime victims; immigration status. Provides that no law-enforcement officer or other agent of state or local government shall, when investigating a crime, inquire into the immigration status of any person who reports that he is the victim of the crime or is the parent or guardian of a minor victim, or is a cooperating witness in the criminal investigation or is the parent or guardian of a minor witness. The bill does not prohibit a law-enforcement officer from inquiring into the immigration status of a victim or witness who has been arrested or charged with a criminal violation, or when such inquiry is required by federal law or is essential to the investigation or prosecution of the crime to which the person is a witness or of which the person is a victim.

<p><u>SB 1481</u> - Ruff (61) Criminal cases; allows circuit court clerk to assess local fee of up to 10% of total fees charged.</p>	<p>1/21/2009 Senate: Referred to Committee for Courts of Justice 1/28/2009 Senate: Rereferred to Finance 2/4/2009 Senate: Reported from Finance (15-Y 1-N)</p>	<p>1/26/2009</p>
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Support (098784320) - Estimated at \$100,000 at current collection level.
Summary: Additional local fee; criminal cases. Allows the circuit court clerk to assess a local fee of up to 10 percent of the total fees charged in criminal cases to be retained by the clerk for use in the operation of the clerk's office.

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1502 - Barker (39) Safety belt use; extends requirement for all occupants of a motor vehicle.</p>	<p>1/23/2009 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Reported from Transportation with amendment (8-Y 4-N 2-A) 2/5/2009 Senate: Read third time and passed Senate (24-Y 15-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (093849201) Summary: Safety belt use. Extends requirement for safety belt use to all occupants of a motor vehicle, not just those in the front seat.</p>		
<p>SB 1511 - Whipple (31) Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.</p>	<p>1/23/2009 Senate: Referred to Committee on Privileges and Elections 1/27/2009 Senate: Reported from Privileges and Elections (15-Y 0-N) 2/2/2009 Senate: Read third time and passed Senate (39-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Support] (093840828) Summary: Washington Metropolitan Area Transit Authority Compact. Amends the Washington Metropolitan Area Transit Authority Compact to comply with certain federal requirements; increases the number of directors on the WMATA Board; establishes an Office of the Inspector General and provides for the duties of such office; and requires that certain payments made to WMATA to match certain federal funds be made from a dedicated funding source.</p>		
<p>SB 1532 - Saslaw (35) Motor fuels tax; changes percentage in Northern Virginia.</p>	<p>1/23/2009 Senate: Referred to Committee on Finance 2/4/2009 Senate: Reported from Finance with amendments (16-Y 0-N)</p>	<p>[1/30/2009]</p>
<p>[Monitor] (092886324) - Further study necessary. Summary: Tax on fuels sales in Northern Virginia. Changes the tax on fuels sales in Northern Virginia such that the tax would be collected by distributors at the time of making fuels sale to retail dealers located in Northern Virginia. The rate of the tax would also be changed from 2 percent to 2.1 percent.</p>		
<p>SJ 353 - McEachin (9) Local government; distribution of state and local taxes therefor.</p>	<p>1/14/2009 Senate: Referred to Committee on Rules 2/6/2009 Senate: Reported from Rules with substitute by voice vote</p>	<p>1/26/2009</p>
<p>Support (092830273) Summary: Study; distribution of taxes to local governments; report. Establishes a joint subcommittee to study the processes and the accuracy of the distribution of local taxes and state taxes collected by state entities for local governments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SJ 356 - Smith (22) Teenage driving; joint subcommittee to study.	1/14/2009 Senate: Referred to Committee on Rules 2/6/2009 Senate: Reported from Rules by voice vote	[1/30/2009]
[Support] (093845201) Summary: Study; teenage driving; report. Establishes a joint subcommittee to study teenage driving and ways to help teenagers become safer drivers.		

Bold – Indicates BOS formal action
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Fairfax County Positions

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Legislation No Longer Under Consideration

*(Killed, Failed to Report, Incorporated into other Legislation,
Tabled, etc.)*

Bold – Indicates BOS formal action
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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1675 - Orrock, Sr. (54) Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.</p>	<p>12/23/2008 House: Referred to Committee on Transportation 1/20/2009 House: Incorporated by Transportation (HB1629-Cole) by voice vote</p>	<p>1/26/2009</p>
<p>Monitor (098132672) Summary: Loitering. Grants counties the same authority as cities and towns to prohibit loitering of pedestrians on bridges and highway rights-of-way.</p>		
<p>HB 1823 - Albo (42) Recordation taxes; changes basis on which taxes are calculated on transfer of real estate.</p>	<p>1/12/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends incorporating into HB2135 by voice vote 2/2/2009 House: Incorporated by Finance (HB2135-Miller, J.H.) by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (097764404) - Likely loss of revenue to the County and the State; also increases chance for fraud. See also HB 2135 and SB 1157. Summary: Recordation taxes; basis. Changes the basis on which recordation taxes are calculated on the transfer of real estate to (i) the stated consideration for the real estate, or (ii) when the consideration is nominal or when the sale is through foreclosure or other similar sale, the appraised value of the property. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.</p>		
<p>HB 1932 - Plum (36) HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.</p>	<p>1/13/2009 House: Referred to Committee on Transportation 1/27/2009 House: Incorporated by Transportation (HB2476-Hugo) by voice vote</p>	<p>1/26/2009</p>
<p>Support (098189684) - Board has historically supported. See also HB 2299 and HB 2476. Summary: HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of their passengers.</p>		
<p>HB 2117 - Nichols (51) HOT lanes; prohibits on any portion of I-95 between Potomac River and City of Fredericksburg.</p>	<p>1/13/2009 House: Referred to Committee on Transportation 1/29/2009 House: Tabled in Transportation (14-Y 8-N)</p>	<p>1/26/2009</p>
<p>Oppose (097725654) Summary: HOT lanes. Prohibits the designation of HOT lanes on any portion of I-95 between the Potomac River and the City of Fredericksburg.</p>		

Bills	General Assembly Actions	Date of BOS Position
HB 2253 - Barlow (64) Safety belts; makes non-use thereof primary offense.	1/14/2009 House: Referred to Committee on Militia, Police and Public Safety 1/29/2009 House: Subcommittee recommends laying on the table	1/26/2009
<p>Support (096618428) - See also HB 2339, SB 970, SB 1161. Summary: Safety belts. Makes non-use of motor vehicle safety belts a "primary offense."</p>		
HB 2299 - Caputo (67) HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.	1/14/2009 House: Referred to Committee on Transportation 1/27/2009 House: Incorporated by Transportation (HB2476-Hugo) by voice vote	1/26/2009
<p>Support (093805456) - Board has historically supported. See also HB 1932 and HB 2476. Summary: HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of passengers.</p>		
HB 2339 - Amundson (44) Safety belts; makes non-use thereof primary offense.	1/14/2009 House: Referred to Committee on Militia, Police and Public Safety 1/29/2009 House: Subcommittee recommends laying on the table	1/26/2009
<p>Support (098037412) - See also HB 2253, SB 970, SB 1161. Summary: Safety belts. Makes non-use of motor vehicle safety belts a "primary offense."</p>		
HB 2416 - Bouchard (83) Photo-monitoring systems; removes approval of VDOT of proposed intersections for system.	1/14/2009 House: Referred to Committee on Transportation 1/29/2009 House: Tabled in Transportation (12-Y 10-N)	1/26/2009
<p>Support (096580435) Summary: Photo-monitoring systems. Removes the requirement that the list of proposed intersections for a traffic light signal violation monitoring system that a locality submits to the Virginia Department of Transportation be submitted for the Department's final approval.</p>		
HB 2496 - Alexander (89) Early voting pilot projects; State Board of Elections to establish for general elections in 2010.	1/14/2009 House: Referred to Committee on Privileges and Elections 1/27/2009 House: Subcommittee recommends laying on the table	[1/30/2009]
<p>[Support] (095003408) - Staff would pursue participation in pilot project if grant funding were available. Summary: Elections; early voting pilot projects. Authorizes the State Board of Elections to establish early</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>voting pilot projects for general elections in 2010 and 2011 in counties or cities choosing to participate. Provides that any registered voter may vote in person from 17 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period.</p>		
<p>HB 2520 - Shannon (35) Pedestrians and drivers; responsibilities thereof at marked and unmarked crosswalks.</p>	<p>1/16/2009 House: Referred to Committee on Transportation 1/27/2009 House: Incorporated by Transportation (HB2386-Ebbin) by voice vote</p>	<p>1/26/2009</p>
<p>Support (096711724) - Position in Legislative Program. See also HB 2386 and SB 1239. Summary: Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks.</p>		
<p>HJ 728 - Joannou (79) Constitutional amendment; defines term public uses & specifies which private property may be taken.</p>	<p>1/14/2009 House: Referred to Committee on Privileges and Elections 1/26/2009 House: Subcommittee recommends incorporating into HJ 725 by voice vote 2/6/2009 House: Incorporated by Privileges and Elections (HJ725-Bell) by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (095504572) - Board has historically opposed. Summary: Constitutional amendment (first resolution); due process of law; obligation of contracts; taking of private property; prohibited discrimination; jury trial in civil cases. Defines the term "public uses" and specifies permitted public uses for which private property may be taken. The definition is the same definition enacted in 2007 and set out in Â§ 1-219.1 of the Code of Virginia.</p>		
<p>SB 812 - Cuccinelli, II (37) Warrants, local; authorizes local governments to publish certain information relating thereto.</p>	<p>11/24/2008 Senate: Referred to Committee on Finance 1/27/2009 Senate: Failed to report (defeated) in Finance (8-Y 8-N)</p>	<p>1/26/2009</p>
<p>Oppose (092817216) - While Board favors transparency, issue needs further study due to privacy and cost concerns. See also HB 2635 and SB 1129. Summary: Publication of information contained in local warrants. Authorizes local governments to publish information relating to warrants paid by the locality. The warrant information that could be published would be the names of payees, amounts paid, the serial numbers of warrants, and dates of payments. Information on warrants relating to tax refunds could be published only if the information was aggregated or classified so as to prevent the identification of the payee of the tax refund.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 832 - Locke (2) Firearms; possessing or carrying dangerous weapon in public buildings during official meetings.</p>	<p>12/17/2008 Senate: Referred to Committee on Local Government 1/27/2009 Senate: Failed to report (defeated) in Local Government (5-Y 10-N)</p>	<p>1/26/2009</p>
<p>Support (094317256) - Board has historically supported. Summary: Control of firearms; possessing or carrying a dangerous weapon in public buildings during official meetings of the governing body. Provides that localities may adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof in community or recreation centers, administrative buildings, or public libraries owned or operated by the locality during an official meeting of the governing body.</p>		
<p>SB 970 - Blevins (14) Safety belts; makes non-use of a primary offense.</p>	<p>1/12/2009 Senate: Referred to Committee on Transportation 1/22/2009 Failed to report (defeated) in Transportation (5-Y 6-N) 1/29/2009 Senate: Reconsidered by Transportation 1/29/2009 Senate: Incorporated by Transportation (SB1161-Saslaw) (14-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (097750204) - See also HB 2253, HB 2339, SB 1161. Summary: Safety belts. Makes non-use of safety belts a primary offense.</p>		
<p>SB 1129 - Petersen (34) Warrants, local; local governments to publish information relating thereto paid by locality.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Failed to report (defeated) in Finance (8-Y 8-N)</p>	<p>1/26/2009</p>
<p>Oppose (097770293) - While Board favors transparency, issue needs further study due to privacy and cost concerns. See also HB 2635 and SB 812. Summary: Publication of information contained in local warrants. Authorizes local governments to publish information relating to warrants paid by the locality. The warrant information that could be published would be the names of payees, amounts paid, the serial numbers of warrants, and dates of payments. Information on warrants relating to tax refunds could be published only if the information was aggregated or classified so as to prevent the identification of the payee of the tax refund.</p>		

Bills	General Assembly Actions	Date of BOS Position
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SB 1247 - Northam (6)
Virginia Human Rights
Act; sexual orientation.

1/14/2009 Senate: Referred to Committee on General
Laws and Technology
1/28/2009 Senate: Stricken at request of Patron in General
Laws and Technology (15-Y 0-N)

1/26/2009

Support (092354286) - Board has historically supported.

Summary: Adds sexual orientation to the definition of unlawful discriminatory practice in the Virginia Human Rights Act. The bill also removes the provision that limited on private causes of action to where the employers employed more than five but less than 15 persons.

SB 1373 - Ruff (61)
Taxation of property
owned by locality.

1/14/2009 Senate: Referred to Committee on Finance
1/27/2009 Senate: Incorporated by Finance (SB1175-
Watkins) (16-Y 0-N)

1/26/2009

Oppose (092049320) - See also SB 1175.

Summary: Provides that a service charge may be levied upon a county, city, or town owning real or personal property within the boundaries of another locality. The service charge shall be equal to the amount that would be assessed as taxes on real property if such property were otherwise subject to tax valuation and assessment.

SJ 349 - Newman (23)
Constitutional
amendment; localities to
cap annual increase in
assessed values of real
estate.

1/14/2009 Senate: Referred to Committee on Privileges
and Elections
1/27/2009 Senate: Passed by indefinitely in Privileges and
Elections (10-Y 4-N)

1/26/2009

Oppose (091202280)

Summary: Constitutional amendment (first resolution); property tax assessments. Authorizes localities to cap the annual increase in assessed values of real estate at no more than 25 percent or a greater percentage set by the ordinance. The real estate will be reassessed at fair market value in the year in which it is sold, improved, or otherwise changes hands.

2009 General Assembly Electricity Regulation and Sustainability Bills Currently Under Staff Review

Topic/Sponsor/Impact	Bill	Active Bills	Bill Status
ELECTRICITY REGULATION – 26 bills			
Regulation(Kilgore)	HB 1819	Co-ops adjust rates for fixed costs without SCC approval in lieu of usage charges	1/12/09 Commerce & Labor
Regulation/Sustainability (Bulova)	HB 1994	If utilities meet goal of 15% from renewables in 2025, will get enhanced rate of return	1/13/09: Commerce & Labor
Regulation/Sustainability (Vanderfye)	HB 2000	Directs SCC to encourage time of day & seasonal rates , including financial incentives	1/13/09: Commerce & Labor
Regulation/Sustainability (McClellan)	HB 2105	Directs SCC to consider IRP when approving generation; 15% renewable goal by 2025; enhanced rate of return on efficiency investments; real time rates; price net metering rates at utility's renewable rates	1/13/09: Commerce & Labor (see SB 1339)
Regulation/Sustainability (Rust)	HB 2152	Pricing of standby service charges for renewable distributed generation	1/13/09: Commerce & Labor
Regulation/Sustainability (Toscano)	HB 2155	Price net metering rates at retail rate; increase 500 kw to 2 MW; permit aggregation	1/14/09: Commerce & Labor
Regulation/Sustainability (Hogan)	HB 2173	Exclude from regulation 1MW generator selling steam/electricity from renewables	1/14/09: Commerce & Labor
Regulation/Sustainability (Hogan)	HB 2175	100 MW renewable generator is permitted by rule by DEQ and exempt from SCC	1/14/09 Commerce & Labor (see SB1194)
Regulation/Sustainability (Plum)	HB 2176	19% consumption reduction by 2025 plus compliance with interim benchmark; penalty up to 3¢Kwh . Include efficiency & conserve in IRP .	1/14/09: Commerce& Labor (see SB 1248)
Regulation (Carrico)	HB 2315	SCC defer residential rate increases over 15%.	1/14/09: Commerce & Labor
Regulation/Sustainability (Nutter)	HB 2371	Utility pays avoided cost to non-residential customer w/ renewable distributed generation	1/14/09: Commerce & Labor
Regulation/Sustainability (Nutter)	HB 2372	Nonresidential tariff for curtailing during high price hours ; utility shares savings.	1/14/09: Commerce & Labor
Regulation (Phillips)	HB 2519	SCC to require refunds for fuel tariffs that exceed actual fuel costs	1/16/09: referral pending
Regulation/Sustainability (Miller)	HB 2525	100 MW wind generation regulated by DEQ not SCC; income tax credit ; 80% exempt from state and local tax	1/16/09 Commerce & Labor (see SB 1347)
Regulation/Sustainability (Kilgore)	HB 2531	SCC determines conservation & demand response targets. DEQ exempts certain customers from major and minor new source review regulations during peak shaving.	1/19/09: Commerce & Labor
Regulation (Howell)	SB 946	Minimum tax on electric suppliers that are pass-through entities	1/7/09: Finance
Regulation/Sustainability (Puckett)	SB 1194	100 MW renewable generator is permitted by rule by DEQ and exempt from SCC	1/13/09 AgConserv Nat Res (see HB 2175)
Regulation/Sustainability (Northam)	SB 1248	19% consumption reduction by 2025 plus compliance with interim benchmark; penalty up to 3¢Kwh . Include efficiency & conserve in IRP	1/14/09 Commerce & Labor (see HB 2176)

Regulation (Deeds)	SB 1253	Prohibits utilities from charging schools and libraries ; recover from other customers	1/14/09: Commerce & Labor
Regulation (Vogel)	SB 1273	Restores customary regulation ; requires return of overearnings under capped rates	1/14/09: Commerce & Labor
Regulation/Sustainability (Reynolds)	SB 1296	Reduce consumption by 19% by 2025; reduce peak demand by 26% by 2025; recover costs through rate riders ; develop real-time rates .	1/14/09: Commerce & Labor
Regulation/Sustainability (Herring)	SB 1339	Directs SCC to consider IRP when approving generation; 15% renewable goal by 2025; enhanced rate of return on efficiency investments; real time rates; price net metering rates at utility's renewable rates	1/14/09 Commerce & Labor (see HB 2105)
Regulation/Sustainability (Wagner)	SB 1347	100 MW wind generation regulated by DEQ not SCC; income tax credit ; 80% exempt from state and local tax	1/14/09 Commerce & Labor (see HB 2525)
Regulation/Sustainability (Wagner)	SB 1348	Reduce peak demand by 5.4% by 2015 and by 10.8% by 2020; implement demand response ; enhance rate of return on demand response projects; continue 2007 SCC work group as Va. Energy Collaborative; SCC certify clean demand response ; Air Pollution Control Board authorize emergency back-up generation ; SCC evaluate cost-effectiveness of demand response and efficiency and study smart meters	1/14/09 Commerce & Labor
Regulation/Sustainability (Herring)	SB 1440	IRP include 19% consumption reduction by 2025. Co-ops file IRPs. 3¢ fee for fund .	1/19/09: Commerce & Labor
Regulation/Sustainability (McEachin)	SB 1447	19% consumption reduction by 2025 for utilities and cooperatives; include efficiency in IRP . enhanced return on equity; net energy metering; distributed generation grid access; penalty up to 3¢kwh for Compliance Fund; Va. Energy Efficiency Commission .	1/19/09: Commerce & Labor
NATURAL GAS			
Natural Gas (Saxman)	HB 1633	Offshore drilling : apportions any royalties among specified funds and programs	12/08/08: Appropriations
Natural Gas (Ware)	HB 1970	Company that delivers propane via underground distribution is not public utility.	1/13/09: Commerce & Labor
Natural Gas (Bowling)	HB 2277	Authorizes municipalities & authorities to resell natural gas& provide distribution service	1/14/09: Counties, Cities & Towns
SUSTAINABILITY -- 48 bills			
Sustainability (Poisson)	HB 1705	Allows residential and small commercial aggregation for net metering	1/5/09: Commerce & Labor
Sustainability (Oder)	HB 1707	DMME: assists with performance contracting ; posts achievements on website.	1/5/09: General Laws
Sustainability (Fralin)	HB 1828	Green roof construction: rate incentives by localities and water authorities	1/12/09: Commerce & Labor
Sustainability (Ware)	HB 1975	Authorizes localities to encourage green roofs . incl. permitting or gross receipts tax	1/13/09: Co, Cities & Town (see SB1056)
Sustainability (Cosgrove)	HB 2001	Larger grant to next generation cellulosic biofuels vs. standard feedstock biofuels.	1/13/09: Ag, Conserv & Natural Resour
Sustainability (Cosgrove)	HB 2002	Amends Va. Energy Plan to promote the use of biofuels using nonfood feedstocks.	1/16/09: Commerce & Labor(see

			SB1427)
Sustainability (Pollard)	HB 2094		Tax credits for photovoltaic, solar water heater, wind powered generation
Sustainability (Rust)	HB 2151		Schools must implement energy conservation program ; reductions held harmless
Sustainability (Vanderhye)	HB 2171		generation from agricultural waste : public utility regulation & "manufacturer" not apply
Sustainability (Hogan)	HB 2172		Renewable generation interconnects by co-locating with utilities and using public RoW
Sustainability (Hogan)	HB 2174		State agency may have benefit of energy savings without reducing general fund .
Sustainability (Vanderhye)	HB 2202		Report GHG from stationary sources that consume carbon-emitting feedstocks
Sustainability (Valentine)	HB 2235		Expands renewables grant & creates financial incentives if \$50 million invest/200 jobs
Sustainability (Poindexter)	HB 2267		Defines renewable energy facilities, for purposes of Title 56
Sustainability (Poindexter)	HB 2268		Defines biomass
Sustainability (Bell)	HB 2404		Creates Va. Universities Clean Energy Development & Economic Stimulus Foundation
Sustainability (Pollard)	HB 2506		Utility costs for energy efficiency program entitled to enhanced rate of return
Sustainability (Bouchard)	HB 2562		Exempts from retail sales & use tax solar & wind powered residential generators
Sustainability (Morrissey)	HJ 663		Establish joint subcommittee to study efficacy of wind generation in Va.
Sustainability (Brink)	HJ 675		Directs Va. Housing Commission to study home energy consumption
Sustainability (Vanderhye)	HJ 682		Study to revise residential electric consumption tax with higher rate for higher usage.
Sustainability (Marshall)	HJ 718		Study feasibility of commercial investment in utility-scale off-shore winds generation
Sustainability (Stuart)	SB 913		Removes 1.5 million ton limit on using wood chips towards meeting RPS goals
Sustainability (Stuart)	SB 973		Authorize VRA to finance renewable projects and permit localities to lend such funds
Sustainability (Whipple)	SB 1058		Authorizes localities to encourage green roofs , incl. permitting or gross receipts tax
Sustainability (Petersen)	SB 1124		Establish income tax credit for commercial solar or wind sold to Va. utility
Sustainability (Petersen)	SB 1125		Establish income tax credit for green jobs
Sustainability (Petersen)	SB 1126		Reduce consumption by 2022 based on 90% of retail 2006 per capita
Sustainability (Petersen)	SB 1127		State government purchases. reduce by 20% electricity purchases by 2020; comply with LEEDs for use of Va. forest products ; use competitive negotiation

Sustainability (Lucas)	SB 1141	Tax credits for photovoltaic property, solar water heater, wind powered generation	1/13/09: Finance (see HB 2094)
Sustainability (Whipple)	SB 1145	Report GHG from stationary sources that consume carbon-emitting feedstocks	1/13/09 AgConserv&Nat Res(see HB 2202)
Sustainability (Whipple)	SB 1146	Requires all diesel to contain 2% biodiesel fuel or green diesel fuel by 1/1/11.	1/13/09: Ag, Conserv & Natural Resour
Sustainability (Hanger)	SB 1186	Provides higher level of support for biofuels not used for food; reduces min. threshold	1/13/09: Ag, Conserv & Natural Resour
Sustainability (Puckett)	SB 1201	Change timing for survey on effectiveness of low income energy assistance programs	1/20/09: Read 2 nd time & engrossed
Sustainability (Deeds)	SB 1212	Allows City of Charlottesville to create a clean energy financing program.	1/13/09: Local Government
Sustainability (Deeds)	SB 1215	Expands renewables grant & creates financial incentives if \$50 million invest/200 jobs	1/13/09 AgConservNat Res(see HB 2235)
Sustainability (Deeds)	SB 1216	Exempts from retail sales & use tax solar & wind powered residential generators	1/13/09 Finance (see HB 2562)
Sustainability (Stosch)	SB 1245	Authorizes bonds for state buildings with energy performance-based contracts .	1/13/09: Finance
Sustainability (Peterson)	SB 1252	Requires public buildings to build to Green Globes or LEEDs standards .	1/14/09: General Laws and Technology
Sustainability (Wagner)	SB 1345	State government purchases: reduce by 20% electricity purchases by 2012; comply with LEEDs for use of Va. forest products .	1/14/09 General Laws & Tech.
Sustainability (Wagner)	SB 1346	Revises scope and membership of Va. Coastal Energy Research Consortium	1/14/09 Commerce & Labor
Sustainability (Wagner)	SB 1349	Establishes South Atlantic Offshore Wind Energy Infrastructure Development Compact	1/14/09: Privileges & Elections
Sustainability (Wagner)	SB 1350	Leases for generation from waves, tides, winds, commercial offshore wind farm	1/14/09: Ag, Conserv& Natural Resour
Sustainability (Hanger)	SB 1357	Expands clean fuel job credit to include cellulosic biofuels and vehicle conversion	1/14/09: Finance
Sustainability (Hanger)	SB 1427	Amends Va. Energy Plan to promote the use of biofuels using nonfood feedstocks.	1/15/09 Commerce & Labor (see HB 2002)
Sustainability (Peterson)	SB 1452	Public benefit fund: \$1/month surcharge for Energy Efficiency Fund.	1/20/09: Commerce & Labor
Sustainability (Whipple)	SJ 319	Directs Va. Housing Commission to study home energy consumption	1/13/09: Rules (see HJ 675)
Sustainability (Peterson)	SJ 332	Constitutional tax exemption for buildings that abate pollution & use resources efficiently.	1/13/09: Privileges and Elections
TRANSMISSION/LAND USE			
Transmission/Land use (Cole)	HB 1729	Locality request undergrounding ; special rate district	1/6/09 referred to Commerce & Labor
Transmission/Land use (Stuart)	SB 908	Prohibits utility from condemning land that has conservation easement	1/5/09 referred to Courts of Justice

Summaries of Smoking Legislation for the Legislative Committee Meeting

January 30, 2009

HB 1692 (Englin) (HGL) moves the regulation of smoking in restaurants from Title 15.2 to a new chapter in Title 32.1 and expands local authority to regulate smoking in certain other places. This bill prohibits smoking in all indoor restaurants and bar and lounge areas in the Commonwealth. Requires the posting of "No Smoking" signs and provides for a \$25 civil penalty for a violation of these provisions. All fines would go to the Virginia Health Care Fund. Law enforcement officers could write summonses.

HB 1703 (Cosgrove) (HGL) provides that it shall be unlawful for any person to smoke in any establishment built and operated after July 1, 2010, as a restaurant, unless such establishment is constructed in such a manner that areas where smoking may be permitted are structurally separated from the portion of the restaurant in which smoking is prohibited and such areas contain structurally separated ventilation systems. Additionally, the bill provides that no wait staff or busboys in such restaurants shall be required by the proprietors or person who manages or otherwise controls any such restaurant to work in smoking areas mandated by this section without consent of such employees. The bill prohibits smoking in any building owned or leased by the Commonwealth or agency thereof or any locality. The bill contains technical amendments. The bill also removes the "grandfather" provision in § 15.2-2803 thereby restricting local authority.

HB 1704 (Algie Howell, Jr.) (HGL) moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, and private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) private clubs, except when being used for functions attended by persons other than members and invited guests; (iii) hotel or motel rooms designated as smoking rooms that are offered for rent to the public; (iv) specialty tobacco stores; (v) tobacco manufacturers; and (vi) private and semiprivate rooms in nursing homes and long-term care facilities. The bill requires the posting of "No Smoking" signs inside and at the entrances of areas where smoking is prohibited. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses. Specifically permits local governments to adopt and enforce tobacco control measures that meet or exceed the standards established by this bill. Similar to HB 2067 and SB 1057.

HB 1833 (Toscano) (HGL) allows localities to exceed the requirements established in the Virginia Indoor Clean Air Act when adopting ordinances that regulate smoking and repeals some limitations in the present law. Similar to SB 870.

HB 2007 (Brink) (HGL) allows localities in Northern Virginia to adopt concurrent ordinances containing standards or provisions relating to smoking in restaurants that exceed those established in the Virginia Indoor Clean Air Act. While there are some benefits to common regional regulation of smoking, if all Northern Virginia localities had to adopt a common ordinance, then all the localities would be bound by the governing body that wanted to adopt the least restrictive ordinance.

HB 2067 (Hamilton) (HGL) moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) private clubs, except when being used for functions attended by persons other than members and invited guests; (iii) hotel or motel rooms designated as smoking rooms that are offered for rent to the public; (iv) specialty tobacco stores; (v) tobacco manufacturers; and (vi) private and semiprivate rooms in nursing homes and long-term care facilities. The bill requires the posting of "No Smoking" signs inside and at the entrances of areas where smoking is prohibited. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses. Similar to HB 1704 and SB 1057.

HB 2246 (Barlow) (HGL) allows localities to adopt ordinances containing standards or provisions relating to smoking in restaurants that meet or exceed those established in the Virginia Indoor clean Air Act. Similar to SB 1002.

HB 2483 (Eisenberg) (HGL) moves the regulation of smoking in restaurants from Title 15.2 to a new chapter in Title 32.1. This bill prohibits the presence of minors in all indoor restaurants and bar and lounge areas in the Commonwealth that allow smoking. Requires the posting of "No Minors Allowed" signs where smoking is allowed in a restaurant and provides for a \$100 civil penalty for a first violation of these provisions, and \$250 for any subsequent violation.

SB 870 (Lucas) (SEH) allows localities to exceed the requirements established in the Virginia Indoor Clean Air Act when adopting or enforcing ordinances that regulate smoking. Similar to HB 1833.

SB 1002 (Quayle) (SEH) allows localities to adopt ordinances containing standards or provisions relating to smoking in restaurants that meet or exceed those established in the

Virginia Indoor clean Air Act. Also expands the definition of restaurant. Similar to HB 2246.

SB 1057 (Whipple) (SEH) moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) private clubs, except when being used for functions attended by persons other than members and invited guests; (iii) hotel or motel rooms designated as smoking rooms that are offered for rent to the public; (iv) specialty tobacco stores; (v) tobacco manufacturers; and (vi) private and semiprivate rooms in nursing homes and long-term care facilities. The bill requires the posting of "No Smoking" signs inside and at the entrances of areas where smoking is prohibited. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses. Similar to HB 1704 and HB 2067.

SB 1105 (Northam) (SEH) moves the regulation of smoking in restaurants from Title 15.2 to a new chapter in Title 32.1. This bill prohibits smoking in all indoor restaurants and bar and lounge areas in the Commonwealth. Requires the posting of "No Smoking" signs and provides for a \$25 civil penalty for a violation of these provisions. Similar to SB 1160.

SB 1160 (Saslaw) (SEH) moves the regulation of smoking in restaurants from Title 15.2 to a new chapter in Title 32.1. This bill prohibits smoking in all indoor restaurants and bar and lounge areas in the Commonwealth. Also, the bill requires the posting of "No Smoking" signs and provides for a \$25 civil penalty for a violation of these provisions. Incorporated into SB 1105.

SB 1382 (Stolle) (SEH) creates a statewide ban on smoking in restaurants, sets out exceptions to this ban, and provides for civil penalties for violation. The bill contains technical amendments. The bill does not change existing local authority.

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2009 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Position	Notes
Transportation Funding Bills						
HB 1579	Oder	Transportation funding and administration for Hampton Roads, Northern Virginia, the Richmond Highway Construction District, the Staunton Highway Construction District, and the Salem Highway Construction District.	H Trans, Sub 4	Substitute Reported by H Trans, Sub 4; Referred to H Approps.		The substitute provides funds for transportation in Hampton Roads, Northern Virginia, the Richmond Highway Construction District, the Staunton Highway Construction District and the Salem Highway Construction District by capturing 30% of economic growth attributable to or facilitated by the marine terminal for Hampton Roads, by personal and corporate income taxes and sales taxes in Planning District 6, by the Port of Richmond for the Richmond Highway Construction District, by the Inland Port at Front Royal for the Staunton Highway Construction District and by the Elliston Intermodal Facility for the Salem Highway Construction District.
HB 1633	Saxman	Offshore drilling; apportions royalties that State receives to certain funds and programs.	H Approp. Economic Develop. Ag. & Nat. Resources Sub.	Amended and reported by Subcommittee		Apportions any royalties that the Commonwealth might receive from offshore drilling for natural gas and oil among the Transportation Trust Fund, Renewable Electricity Production Grant Fund, the Virginia Coastal Energy Research Consortium, and programs developed by the Secretary of Natural Resources to clean up the Chesapeake Bay.
HB 1642	Marshall	Highways, bridges, or interchanges; Transportation Board may name for living person.	H Trans	Referred to H Approp. Trans Sub		Allows the CTB to name a highway, bridge, or interchange for a living person, group, or business entity if the cost of construction of the bridge, highway, or interchange is paid by the person, group, or business entity.
HB 1661	Scott	Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner.	H Finance, Sub 3	Tabled in H Finance, Sub 3		Converts the rates of taxation on motor fuels from cents per gallon to percentage rates. The percentage rates shall be calculated by the Commissioner of DMV in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of DMV over rolling six-month periods, to determine the cents per gallon to be charged.
HB 1669	Albo	Income tax; state; State shall return to cities & counties 50% of growth in collections.	H Approp.			Provides that the Commonwealth shall return to cities and counties 50% of the growth in income tax collections for each city or county. The amounts returned shall be expended for school construction costs and transportation needs of the cities and counties.
HB 1759	Marshall	Transportation Capital Projects Bond Act of 2009; created.	H Trans	Reported by H Trans, Sub 4; Referred to H Approps.		Authorizes the CTB to issue bonds in an aggregate amount not to exceed \$4.81 billion for specific transportation projects throughout the Commonwealth. The bonds will be paid for by the revenues collected for each project through tolls and other fares or fees.
HB 1784	Hull	Government, local; equalizes municipal and county taxing authority.	H Finance, Sub 2	Forwarded to full H Finance without recommend.		Equalizes municipal and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers, if such county contributes 2% or more toward the costs of construction or improvement of the urban system highway or street construction projects within the county.
HB 1846	Lingsmaelter	Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner.	H Finance, Sub 3	Subcommittee recommended tabling.		Eliminates the current 17.5 cents per gallon motor fuels tax and replaces it with a 5% sales and use tax, while retaining the collection of the replacement tax at the "rack" or terminal (wholesale level) where the current cents per gallon tax is collected.
HB 2130	Miller, J	Supplemental Highway Construction Fund; established.	H Approp.; Trans Sub			Allocates 10% of the annual growth in General Fund revenues to highway construction.
HB 2319	Marshall	Overload and overweight permits; revises fees.	H Trans			Revises the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council.
SB 1041	Hanger	Fuels taxes; annually adjusted.	S Finance			Adjusts fuels taxes each year by the percentage increase in the Corporate Average Fuel Economy (sales volume weighted), (CAFE) for the immediately preceding calendar year over the CAFE for calendar year 2008. The first adjustment would occur on April 1, 2010.
SB 1048	Miller, YB	Temporary vehicle registrations and overload and overweight permits; revises fees.	S Trans	FB'd with a letter.		Revises the fees for temporary vehicle registrations and vehicle overload and overweight permits.
SB 1283	Newman	Motor fuels tax; change in tax basis.	S Trans			Replaces \$0.05 per gallon of the current fuels tax on gasoline, kerosene, and diesel fuel with a cents-per-gallon tax equal to five percent of the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The change to the fuels tax rate would only occur if the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline falls below \$0.99 per gallon.
SB 1368	Barker	Highway systems; allocation of maintenance funds.	S Trans			Requires the Commonwealth Transportation Board to utilize the estimated budget required to meet performance standards for asset management under § 33.1-13.02 in determining the total amount of funds that are reasonable and necessary for maintenance of roads; the allocation of the total amount of funds made available for maintenance shall be based on achieving a minimal level of disparity in meeting asset management performance standards established under § 33.1-13.02; such provision to be fully implemented by fiscal year 2015.
SB 1436	Miller, YB	Urban highway system construction funds; 2/3 portion of a city's funds can be used to service debt.	S Trans	Passed Senate (36-4)		Increases from one-third to two-thirds the portion of a city or town's urban highway system construction funds that can be used to service debt.
Transportation Allocation Formula Bills						
HB 1723	Albo	Highway Maintenance and Operating Fund; provides a formula for allocating proceeds.	H Trans, Sub 4	Referred to H Approp.		Provides a formula for allocating the proceeds of the Highway Maintenance and Operating Fund.
HB 1861	Shannon	Street maintenance payments; increased average by 20%.	H Trans, Sub 4	Referred to H Approp.		Provides for increased payments where traffic volumes exceed the statewide average by more than 20%.
HB 1993	Bulova	Highway maintenance funds; requirements for Commonwealth Transportation Board in allocating.	H Trans	Referred to H Approp.		Requires the Commonwealth Transportation Board, in allocating highway maintenance funds, to achieve a minimal level of disparity among VDOT's highway construction districts in meeting asset management performance standards.
HB 2020	Rust	Highway maintenance funds; provides method Transportation Board is to allocate additional funds.	H Trans	Tabled		Provides a method by which the Commonwealth Transportation Board is to allocate additional funds for highway maintenance in the event of insufficiency of funds in the Highway Maintenance and Operating Fund. Such allocations would begin with fiscal year 2011.
HB 2118	Nichols	Secondary highway system construction allocations; allocates among counties on basis of population.	H Trans			Allocates construction funds among the counties in the state secondary highway system solely on the basis of population. Presently, allocations are made on the basis of population (80%) and area (20%).
HB 2194	Watts	Motor fuels tax; rate increase used for transportation purposes.	H Finance, Sub 1	Failed to report from H Finance, Sub. 1		Increases the motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00. The tax will be indexed every two years beginning July 1, 2010, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. The revenue generated is used for transportation purposes as required by existing law, and allocates primary system highway construction funds among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90%, and a need factor, weighted 10%.

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2009 General Assembly Session Transportation Funding/Allocation Bills

HB 2206	Frederick	Budget Bill; Governor to include funding for transportation in biennium equal to at least 10%.	H Appropri.; Tech and Govt Oversight Sub			Requires the Governor to include in his Budget Bill funding for transportation in the biennium in an amount equal to at least 10 percent of the amount by which the projected general fund revenues for the biennium exceed the general fund revenues of the immediately previous biennium.
HB 2230	Marsden	Highway construction allocations; Transportation Board allocate projects in Northern Virginia, etc.	H Trans, Sub 1			Provides that every year, the Commonwealth Transportation Board must allocate to highway construction projects in the Northern Virginia highway construction district or the Hampton Roads highway construction district at least as much as was allocated for highway construction in each respective district in fiscal year 2008-09.
SB 1498	Barker	Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner	S Finance			Replaces the current fuels tax with a tax that is a percentage of the wholesale price of a gallon. The percentage shall be established by the Commissioner by determining the percentage that would most closely yield 17.5 cents per gallon, based on the average wholesale price of a gallon of self-serve unleaded regular gasoline for the period beginning October 1, 2008, and ending March 31, 2009.
Protecting the Transportation Trust Fund						
HJ 620	Oder	Constitutional amendment; Transportation Fund, Highway Maintenance and Operating Fund	H Priv & Elect.; Constitutional Sub.			Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with reasonable interest within 4 years.
HJ 720	Marshall	Constitutional amendment; Transportation Fund, Highway Maintenance and Operating Fund	H Priv & Elect.; Constitutional Sub.			Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2010, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Funds moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within 4 years.
SJ 323	Marth	Constitutional amendment; (first resolution); Transportation Funds.	S Priv & Elect.			Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds dedicated to transportation by general law. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes.
SJ 361	Norment	Constitutional amendment; Transportation Funds.	S Priv & Elect.	Senate Floor		Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to Transportation Funds on January 1, 2010, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Funds moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years. The amendment also limits the use of general and other nontransportation funds for transportation purposes except for certain debt service payments and, additionally, in an amount not to exceed \$90 million in any fiscal year.

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