

City of Alexandria
MEMORANDUM

DATE: JANUARY 22, 2007
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
THROUGH: JAMES K. HARTMANN, CITY MANAGER 
FROM: BERNARD CATON, LEGISLATIVE DIRECTOR 
SUBJECT: RECOMMENDATIONS AND STATUS REPORT (NO. 1) ON LEGISLATION INTRODUCED AT THE 2007 GENERAL ASSEMBLY SESSION

ISSUE: Recommendations and status report (No. 1) on legislation introduced at the 2007 General Assembly Session.

RECOMMENDATION: That City Council take the following actions, as recommended by City Council's Legislative Subcommittee (Mayor Euille and Councilman Smedberg):

- (1) approve the legislative positions included in Attachment 1 (Recommended Positions on Bills of Importance to the City);
- (2) support new revenue sources for transportation, but oppose the use of general fund revenue to pay for transportation; and
- (3) oppose the proposed changes in the funding formula for HB 599 law enforcement funding (described below).

DISCUSSION: The 2007 General Assembly Session began on January 10, and is scheduled to adjourn on February 24. The deadline for introduction of legislation was Friday, January 19.¹ As of that day, at least 2,270 bills and 388 resolutions have been introduced (it is possible that additional bills and resolutions were introduced but have not yet appeared on the Legislative Information System). Like last Session, the major issue expected to dominate this year's General Assembly is transportation funding.

City Package. The following bills from the City's legislative package have been introduced (Attachment 2 is a status report on these bills):

¹There are some exceptions to this rule (e.g., bills can be introduced by unanimous consent or at the request of the governor), but relatively few bills are introduced after the deadline.

- SB 936 seeks to amend the City Charter to clarify that the fair market value of a building in a historic district proposed for demolition is based on the assumption that the historic building will not be moved or demolished. The bill was approved by the Senate Local Government Committee 10-5 (opponents view the measure as an intrusion on property rights), and awaits a vote by the full Senate, which must approve it by a two-thirds vote.
- HB 2863 would require drivers to stop (not just yield) to pedestrians in marked cross walks. Since the bill's introduction, Virginia's Secretary of Transportation has agreed to have the Virginia Department of Transportation work with the City to fully revise Virginia's pedestrian safety laws. Staff believes that such an approach would be more likely to result in the change in HB 2863 (requiring drivers to stop for pedestrians) and recommended to the Council's Legislative Subcommittee that the City not pursue HB 2863 in the 2007 Session. The Legislative Subcommittee concurred, and Delegate Moran, the bill's patron, will ask to have the bill stricken from the General Assembly docket.
- SB 933 and HB 2267 (identical bills) would authorize the creation of an arts and cultural district in the City. The Senate bill was approved by the Senate Local Government Committee unanimously, and awaits a vote by the full Senate. The House bill has not yet been considered.
- HB 2740 would require any new political action committee to report information on the committee and its contributions immediately, if an initial expenditure is made just prior to an election. It awaits committee consideration.
- A budget amendment has been introduced to restore state funding for the Rehabilitative Services Incentive Fund (RSIF) to its FY02 funding level. No decisions on budget amendments will be announced until February 4.
- HB 2727 gives a tenant in a conversion condominium who is elderly or disabled and eligible for a lease extension under current law and ordinance, the ability to assign the right to purchase his unit to a government agency, housing authority, or nonprofit corporation.
- HB 2878 and SB 925 would allow the Virginia Department of Environmental Quality (DEQ) to take enforcement action against any air pollution permittee that violates opacity standards if the violations are detected by air monitors. Current law requires a DEQ inspector to be present to observe the violation.
- A number of other measures have been introduced relating to issues favored or opposed by the City in its legislative package. These are listed in Attachment 2.

Transportation Funding. Transportation funding has again become the dominant issue of the General Assembly Session. A number of bills have been introduced to raise new revenues, redirect existing revenues, or change land use laws that directly or indirectly affect traffic and congestion. On January 18, a group of House and Senate Republicans announced that they had reached agreement on a transportation plan that would provide new statewide funding as well as new regional funding for Northern Virginia and Hampton Roads (Attachment 3). The plan also includes measures to “reform” the Virginia Department of Transportation, and changes to land use laws.

Among the major components of the statewide funding plan re the following:

- New revenues would come from an increase in vehicle registration fees (\$10 annually), new abusive driver penalties, increases in overweight truck penalties and heavy truck registration fees, a slight increase in the tax on diesel fuel, and a dedication of half of any future state general fund surplus to transportation.
- \$250 million annually would be shifted out of general fund programs (e.g., education, public safety, health, and social services) and into transportation.
- Transportation bonds would be issued (\$1.7 billion in 2008 and \$700 million in 2012) that would be repaid from the general fund and other new revenues described above.
- The Northern Virginia component of the plan calls for an increase of 2 percent in the car rental tax; an increase in the tax on commercial real estate (\$0.25 per hundred dollars of assessed value); an additional tax of \$0.40 per hundred dollars value on real estate transactions; and an additional \$100 fee on the issuance of new drivers licenses for individuals moving into the region. Each of these new taxes would have to be enacted by the local governing body; otherwise, the locality will receive none of the revenues. Proponents estimate that total revenues for the region resulting from these taxes would be approximately \$383 annually if all localities enact them. The only earmarks proposed from this revenue are \$50 million annually for WMATA and \$30 million for VRE. Forty-five percent of the remaining revenue (\$303 million) would go directly to the local governments, and 55 percent would go to the Northern Virginia Transportation Authority.

While this plan will likely be the one the General Assembly focuses on, at least in the immediate future, it is sure to receive a great deal criticism. Many of those responsible for the 2003 tax package will object to the proposal to remove a large amount of money from the General Fund. Among those not included in the discussions that led to this plan are Governor Kaine, Senate Finance Committee Chair John Chichester, and House and Senate Democrats. The Northern Virginia component has already been criticized by local elected officials in Loudoun and Prince William Counties.

As noted above, City Council’s Legislative Subcommittee recommends that the City support new revenue sources for transportation, but oppose the use of general fund revenues for this purpose.

HB 599 Funding. As part of his proposed budget amendments, Governor Kaine has recommended a modification to the distribution of HB 599 local enforcement funds. This program was begun in the late 1970's primarily to compensate cities and towns for their inability to annex by providing them with support for their police departments (counties with police departments also receive HB 599 funds). These funds have allowed cities such as Alexandria to lower their crime rates. In order to keep the City's crime rate low, we will need to continue to devote significant resources to our police department.

Governor Kaine has proposed distributing a portion of the HB 599 funds only to the 20 localities in the State with the top crime rate. This does not include Alexandria. While staff cannot estimate the exact amount of funding the City would lose under this proposal, it could be considerable in the future, as more and more of the HB 599 funding goes to the localities with the highest crime rates. As noted above, City Council's Legislative Subcommittee recommends that the City oppose the Governor's proposed modification to the HB 599 distribution formula.

Legislation Affecting Mirant. Several bills have been introduced that would potentially affect the Mirant Power Plant. As noted above, HB 2878/SB 925, identical bills introduced at the City's request, would allow the Virginia Department of Environmental Quality (DEQ) to take enforcement action against any air pollution permittee that violates opacity standards if the violations are detected by air monitors. Current law requires a DEQ inspector to be present to observe the violation.

HB 3081 applies to any power generation facility that has been ordered by the U.S. Department of Energy to increase its power generation and expects this increase to cause exceedences of air quality standards. In such a case, the facility will be required to notify any persons who have requested such notification, as well as the locality where the facility is located. HJR 698 asks the Virginia Department of Health to study the public health effects of using trona to mitigate emissions in power plants. HB 3081 and HJR 698 are included in Attachment 1 as bills recommended for the City to support.

Smoking in Public. Support to significantly limit smoking in public is growing in the General Assembly, and the number of bills related to this issue continue to increase. Several bills this Session call for a prohibition in restaurants and other public areas. Other legislation would prohibit smoking in restaurants unless a restaurant posts signs stating "Smoking Permitted" conspicuously at each public entrance. As indicated in Attachment 2, Council's Legislative Subcommittee recommends that the City support the prohibition bills, but oppose any that would allow smoking to continue if signs indicating this are posted.

Eminent Domain. Although most observers thought that the 2006 General Assembly would revise Virginia's eminent domain statutes in response to the U.S. Supreme Court's *Kelo* decision, the various factions involved in the debate were unable to agree on legislation. Consequently, the issue has come up again in the 2007 Session. The City is working with a coalition of local governments and other groups that want to ensure that the Commonwealth's eminent domain laws continue to allow localities to use their condemnation authority where warranted.

Paper trail for Electronic Voting Machines. As part of its City Package, Council asked staff to monitor legislation that would require a paper trail for electronic voting machines. Several such bills have been introduced. Council supports these as a way to help ensure the integrity of the voting process, and recommends that the State provide funding to implement any of these measures that are enacted.

State Budget. Few of the budget amendments proposed by the Governor Kaine will significantly affect the City. Among the proposals that will provide new funding are these:

- A 3% salary increase for school teachers and state-supported local employees, effective December 1, 2007.
- \$20 million for Metro rail cars.
- A new state-funded program providing approximately \$600 per state-approved deputy sheriff (the City has 103 such positions) toward the City's deputy sheriff retirement costs.

In response to a City request, the Governor has also proposed a 10 percent increase in monthly payments to foster families, as well as increases in the clothing allowance for foster children.

Last Thursday was the deadline for House and Senate members to propose budget amendments. These have not yet been fully tabulated or made public. The House Appropriations and Senate Finance Committees are scheduled to make their proposed budget amendments public on February 4. Staff will continue to update Council on the budget throughout Session.

ATTACHMENTS:

Attachment 1 - Recommended Positions on Bills of Importance to the City, January 19, 2007

Attachment 2 - Current Status of City Package Bills, January 19, 2007

Attachment 3 - "Republicans Announce Compromise Transportation Plan," January 18, 2007

STAFF: Bernard Caton, Legislative Director

Attachment 1
Recommended Positions on Bill of Importance to the City
January 19, 2007

HB 1603 Multiline telephone systems; owner or operator thereof ability to identify location from 9-1-1 call.

Summary as introduced:

Multiline telephone systems. Requires owners or operators of multiline telephone systems serving residential facilities, hotels and motels, business locations, and educational institutions to ensure that a public safety answering point is able to identify the location from which a call to 9-1-1 is placed.

Patrons: Rapp, O'Bannon and Orrock

01/15/07 House: Read third time and passed House (96-Y 0-N 1-A)

01/15/07 House: VOTE: ADOPTION (96-Y 0-N 1-A)

01/15/07 House: Communicated to Senate

01/16/07 Senate: Constitutional reading dispensed

01/16/07 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: Support

HB 1648 Retail Sales and Use Tax; makes motor fuels tax optional in certain NOVA transportation districts.

Summary as introduced:

Motor fuels sales tax. Makes the imposition of the 2% sales tax on motor vehicle fuels optional for the localities in certain Northern Virginia transportation districts. Under current law, the tax is imposed automatically in those districts.

Patron: Cole

11/30/06 House: Prefiled and ordered printed; offered 01/10/07

11/30/06 House: Referred to Committee on Finance

01/10/07 House: Assigned Finance sub: #2 (Purkey)

01/16/07 House: Impact statement from DPB (HB1648)

Notes: City Position: Oppose

HB 1672 Real property; establishes separate classes for purposes of taxation rates.

Summary as introduced:

Real property taxation. Establishes as separate classes of real property for purposes of real property taxation rates the following: (i) residential property and (ii) real estate devoted to agricultural use, horticultural use, forest use, or open-space use. The governing body of any county, city, or town may establish rates of taxation on each of these classes of property different from each other and different from the tax rate levied on all other real property.

Patron: Marshall, R.G.

12/05/06 House: Prefiled and ordered printed; offered 01/10/07

12/05/06 House: Referred to Committee on Finance

01/10/07 House: Assigned Finance sub: #2 (Purkey)

01/16/07 House: Impact statement from TAX (HB1672)

Notes: City Position: Support

HB 1694 Magistrates; county or city may assess fixed sum in criminal or traffic cases.

Summary as introduced:

Five dollar court fee to increase pay of magistrates. Provides that any county or city may, by ordinance, assess a sum of no more than \$5 as part of the costs in any criminal or traffic case in which the defendant is convicted of a violation of any statute or ordinance. Proceeds of these assessments shall be used to supplement the fixed compensation of magistrates.

Patron: Callahan

12/15/06 House: Prefiled and ordered printed; offered 01/10/07

12/15/06 House: Referred to Committee for Courts of Justice

01/11/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 1699 Motor vehicle license fees and taxes, local; repeals authority of imposition and collection thereof.

Summary as introduced:

Local vehicle license fees and taxes. Repeals authority of imposition and collection of local vehicle license fees and taxes. This does not affect the ability of localities to impose personal property taxes on vehicles.

Patron: Lingamfelter

12/15/06 House: Prefiled and ordered printed; offered 01/10/07

12/15/06 House: Referred to Committee on Transportation

01/16/07 House: Referred from Transportation

01/16/07 House: Referred to Committee on Counties, Cities and Towns

Notes: City Position: Oppose

HB 1706 Real estate tax; limitation on tax rate by localities.

Summary as introduced:

Real estate tax; limitation on tax rate. Provides that localities must set real estate tax rates so that the total real estate tax revenue will not increase by more than 3% over the previous year's total real property tax levies with one exception. The exception would allow a locality to set its property tax rate at a rate not to exceed the rate of population growth plus the rate of inflation in the locality for the immediately preceding year, but in no event shall the rate be set at any amount that would produce more than 6% growth.

Patron: Lingamfelter

12/15/06 House: Prefiled and ordered printed; offered 01/10/07

12/15/06 House: Referred to Committee on Finance

01/10/07 House: Assigned Finance sub: #2 (Purkey)

01/16/07 House: Impact statement from TAX (HB1706)

Notes: City Position: Oppose

HB 1730 Real property; establishes separate classes for purposes of taxation rates.

Summary as introduced:

Classification of taxable real property. Permits localities to tax residential property at a lower tax rate than that imposed on the general class of real property by creating a separate classification for taxation purposes. If a locality imposes a lower tax rate on residential property, then thereafter the locality shall not increase the rate of taxation on the general class of real property.

Patron: Alexander

12/22/06 House: Prefiled and ordered printed; offered 01/10/07

12/22/06 House: Referred to Committee on Finance

01/10/07 House: Assigned Finance sub: #2 (Purkey)

01/16/07 House: Impact statement from TAX (HB1730)

Notes: City Position: Oppose

HB 1770 Juveniles; destruction of fingerprints and photographs.

Summary as introduced:

Fingerprints and photographs of juveniles; destruction. Provides that if a petition or warrant is not ultimately filed against a juvenile whose fingerprints are photographs are taken when the juvenile is taken into custody and charged with an act that, if committed by an adult, would be required to be reported to the Central Criminal Records Exchange, the fingerprints and photographs must be destroyed within 60 days.

Patron: Cosgrove

12/28/06 House: Prefiled and ordered printed; offered 01/10/07

12/28/06 House: Referred to Committee for Courts of Justice

01/11/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 1775 Street gangs; add to list predicate acts for determination of membership status.

Summary as introduced:

Gang membership "predicate acts" listing.Adds § 18.2-154 (shooting at a vehicle) and § 18.2-279 (shooting at an occupied building or dwelling) to the list of "predicate acts" for determination of criminal street gang member status.

Patron: Cosgrove

12/28/06 House: Prefiled and ordered printed; offered 01/10/07

12/28/06 House: Referred to Committee for Courts of Justice

12/29/06 House: Impact statement from VCSC (HB1775)

01/11/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 1780 Real estate tax; requires each locality to lower its rate for forthcoming tax year.

Summary as introduced:

Real estate tax rates. Requires each locality to lower its real estate tax rate for the forthcoming tax year, to produce no more than 101 percent of the previous year's real property tax levies when

any annual assessment, biennial assessment or general reassessment of real property by the locality would result in an increase of 1 percent or more in the total real property tax levied. The locality may increase the rate above the reduced rate after a public hearing held no sooner than 30 days after the rate reduction.

Patron: Cosgrove

12/28/06 House: Prefiled and ordered printed; offered 01/10/07

12/28/06 House: Referred to Committee on Finance

01/10/07 House: Assigned Finance sub: #2 (Purkey)

Notes: City Position: Oppose

HB 1789 Residential Landlord & Tenant Act; landlord and managing agent immunity for mold claims.

Summary as introduced:

Landlord and managing agent immunity for mold claims. Provides immunity for landlords and managing agents if they are in compliance with the Virginia Residential Landlord and Tenant Act. Managing agents can be held liable for affirmative acts of negligence. Any party who pleads a defense pursuant to this immunity shall be entitled to a hearing on the merits after limited discovery and before adjudication of the underlying claim.

Patron: Kilgore

12/28/06 House: Prefiled and ordered printed; offered 01/10/07

12/28/06 House: Referred to Committee for Courts of Justice

01/11/07 House: Assigned Courts sub: Civil Law

Notes: City Position: Oppose

HB 1825 Housing Trust Fund; name change, deposit of recordation tax revenues into Fund.

Summary as introduced:

Housing Trust Fund. Provides that 50% of the annual revenue collection from the taxes and fees from the state recordation tax that are in excess of the official estimates for such taxes and fees, unless otherwise provided in the general appropriation act, shall be set apart in a permanent and perpetual fund to be known as the Virginia Housing Trust Fund. This bill is a recommendation of the Virginia Housing Commission.

Patron: Suit

01/03/07 House: Prefiled and ordered printed; offered 01/10/07

01/03/07 House: Referred to Committee on Appropriations

01/10/07 House: Assigned App. sub: Commerce, Agriculture, and Natural Resources

Notes: City Position: Support

HB 1921 Extortion; withholding immigration document.

Summary as introduced:

Extortion by withholding immigration document. Provides that any person who knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of

another person and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person is guilty of a Class 5 felony.

Patrons: Griffith and Lingamfelter

01/04/07 House: Prefiled and ordered printed; offered 01/10/07

01/04/07 House: Referred to Committee for Courts of Justice

01/05/07 House: Impact statement from VCSC (HB1921)

01/11/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 1924 Assault and battery; second and third offense against a family or household member, penalty.

Summary as introduced:

Second and third offense of assault and battery against a family or household member; penalty. Provides that the punishment for any person who commits a second offense of assault and battery against a family or household member (a Class 1 misdemeanor) within five years following a conviction of a prior such offense shall include a 10-day mandatory minimum term of incarceration. The bill also provides that for a third offense within 20 years (a Class 6 felony) the punishment shall include a mandatory minimum term of incarceration of 90 days.

Patron: Griffith

01/04/07 House: Prefiled and ordered printed; offered 01/10/07

01/04/07 House: Referred to Committee for Courts of Justice

01/11/07 House: Assigned Courts sub: Criminal Law

01/14/07 House: Impact statement from DPB (HB1924)

Notes: City Position: Support

HB 1934 Overtaking & passing vehicles on certain highways; prohibits travel in left-most lane of highway.

Summary as introduced:

Overtaking and passing vehicles on certain highways. Prohibits travel in the left-most lane of any limited access highway except to pass another vehicle traveling in the same direction. The bill also directs the Department of State Police to prepare and implement a public awareness initiative for the purpose of educating the public of the prohibition.

Patron: Rapp

01/04/07 House: Prefiled and ordered printed; offered 01/10/07

01/04/07 House: Referred to Committee on Transportation

01/14/07 House: Impact statement from DPB (HB1934)

01/18/07 House: Assigned Transportation sub: #3 (Carrico)

Notes: City Position: Oppose

HB 2029 Victim notification; may be made through Statewide VINE System or other similar electronic system.

Summary as introduced:

Victim notification. States that victim notification currently required by to be made by the

Department of Corrections and local and regional jails may be made through the Virginia Statewide VINE (Victim Information and Notification Everyday) System or other similar electronic or automated system.

Patron: Sherwood

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Militia, Police and Public Safety

01/19/07 House: Reported from Militia, Police and Public Safety (21-Y 0-N)

Notes: City Position: Support

HB 2077 Electronic voting equipment; direct recording electronic devices be equipped to produce paper record.

Summary as introduced:

Election procedures; voting equipment requirements; recount procedures. Beginning January 1, 2009, requires vendors seeking State Board of Elections certification of direct recording electronic (DRE) devices to equip them to produce a paper record of each vote that can be verified by the voter and provides for use of paper records in recounts. Allows use of currently certified DRE machines without voter-verified paper record capacity. Requires localities to provide voting equipment accessible to disabled voters and when required by the Voting Rights Act of 1965, the capacity for alternative languages. Repeals outdated authorization for mechanical voting devices and outdated references to punchcards and mechanical voting devices.

Patron: Armstrong

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/12/07 House: Referred to Committee on Privileges and Elections

01/12/07 House: Introduced bill reprinted 075527216

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

Notes: City Position: Support

HB 2083 Victims of domestic violence; post office box address to be shown on list of registered voters.

Summary as introduced:

Elections; voter registration lists and applications; victims of domestic violence. Provides that victims of domestic violence may provide a post office box address, in lieu of a residence address, to be shown on any public list of registered voters. The bill takes effect January 1, 2008.

Patrons: Eisenberg, Amundson, Armstrong, Barlow, Bulova, Ebbin, Englin, Lewis, McClellan, Plum, Scott, J.M., Shannon, Shuler, Sickles, Toscano, Tyler and Valentine

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Privileges and Elections

Notes: City Position: Support

HB 2084 Law-enforcement escorts; shall be considered emergency vehicle & exempt from obeying regulations.

Summary as introduced:

Law-enforcement escorts. Provides that any federal, state, or local law-enforcement vehicle used in conducting a funeral escort, wide load escort, dignitary escort, or any other escort shall be considered an emergency vehicle and is exempt from obeying certain regulations such as speed limit and traffic signals and signs.

Patrons: Eisenberg, Plum and Toscano

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Transportation

01/12/07 House: Assigned Transportation sub: #3 (Carrico)

Notes: City Position: Support

HB 2095 Retirement System; information to localities.

Summary as introduced:

Virginia Retirement System; information to localities. Directs the Virginia Retirement System to provide each participating locality the locality-specific data as may be necessary for each locality to determine the specific assumptions that are driving its VRS-related costs, and to understand the retirement costs of different classes of covered employees.

Patron: Tata

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Appropriations

01/16/07 House: Assigned App. sub: Compensation and Retirement (Putney)

01/17/07 House: Impact statement from VRS (HB2095)

Notes: City Position: Support

HB 2109 Law-Enforcement Officers Procedural Guarantee Act; includes those employed by sheriff's office, etc.

Summary as introduced:

Law-Enforcement Officers Procedural Guarantee Act; scope. Includes law-enforcement officers employed by the sheriff's office of a city or county in the scope of the Law-Enforcement Officers Procedural Guarantee Act.

Patron: Carrico

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: Oppose

HB 2127 Real property; requires localities to provide individual notice to each taxpayer of certain rates.

Summary as introduced:

Real property tax rates; notice. Requires localities to provide individual notice to each real estate taxpayer of certain proposed tax rates. The notice is triggered in any year in which any annual assessment, biennial assessment, or general reassessment at the current rate would result in an increase of one percent or more in the total real property tax revenue in the following year, and the locality's proposed rate would yield in the forthcoming year more than 101 percent of the total real estate tax revenue received in the prior year. The individual notice shall include the

property owner's current real property tax levy, the real property tax levy at the proposed rate, as well as two incremental levies for potential rate changes between the current tax rate and the proposed tax rate.

Patron: Hugo

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Finance

01/18/07 House: Assigned Finance sub: #2 (Ware, R.L.)

Notes: City Position: Oppose

HB 2147 Residential Landlord and Tenant Act; noncompliance with rental agreement.

Summary as introduced:

Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement.

Allows a landlord to set a date for an initial hearing on the landlord's action for immediate possession of the premises, not to exceed 30 days after notice is served on the tenant in cases where there is a breach of the tenant's obligations under the Virginia Residential Landlord and Tenant Act or the rental agreement that involves or constitutes a criminal or a willful act, which is not remediable and poses a threat to health or safety. Currently, the initial hearing must be set within 15 days after notice is served on the tenant.

Patron: Albo

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on General Laws

01/12/07 House: Assigned GL sub: #1 Housing (Suit)

Notes: City Position: Oppose

HB 2150 Foster care services; term means provision of services to child and his family when needed.

Summary as introduced:

Foster care services. Indicates that the term "foster care services" means the provision of services to a child and his family when the child has been identified as needing services to prevent or eliminate the need for custody relinquishment.

Patron: Fralin

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee for Courts of Justice

01/16/07 House: Assigned Courts sub: Civil Law

Notes: City Position: Oppose

HB 2173 Libraries; provides that localities may adopt an ordinance that prohibits firearms, etc. therein.

Summary as introduced:

Control of firearms; libraries. Provides that localities may adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof in libraries owned or operated by the locality.

Patron: BaCote

01/09/07 House: Prefiled and ordered printed; offered 01/10/07
01/09/07 House: Referred to Committee on Militia, Police and Public Safety
Notes: City Position: Support

HB 2200 State funds; repeals structure and formula for distributing to local law-enforcement in localities.

Summary as introduced:

State funds for local law enforcement; allocated for transportation. Repeals the current structure and formula for distributing certain state funds for local law enforcement in localities that have a police department, and appropriates the associated funds for transportation projects in all localities on a pro rata basis, based on population.

Patron: Wardrup

01/09/07 House: Prefiled and ordered printed; offered 01/10/07
01/09/07 House: Referred to Committee on Appropriations
01/16/07 House: Assigned App. sub: Public Safety (Sherwood)

Notes: City Position: Oppose

HB 2218 Charitable organizations; exceptions for those that engage in food distribution to needy.

Summary as introduced:

Donations of food to charitable causes; exception to food service regulations. Provides an exception for charitable organizations that engage in food distribution to the needy from both state and local regulations that require commercial-grade kitchens and equipment. Includes nonprofit homeless shelters and any volunteer who prepares food for such organizations under the definition of "charitable organizations" for purposes of this exception. This bill will take effect at the time of its passage due to the nature of its subject.

Patrons: Amundson, Bulova, Caputo, Marsden, Moran, Plum, Rust and Watts; Senators: Herring and Howell

01/09/07 House: Prefiled and ordered printed with emergency clause; offered 01/10/07
01/09/07 House: Referred to Committee on General Laws
01/12/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)
01/12/07 House: Impact statement from DPB (HB2218)

Notes: City Position: Support

HB 2243 Payday Loan Act; repeals Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act.

Patron: Howell, A.T.

01/09/07 House: Prefiled and ordered printed; offered 01/10/07
01/09/07 House: Referred to Committee on Commerce and Labor
01/16/07 House: Impact statement from DPB (HB2243)

Notes: City Position: Support

HB 2258 Charitable organizations; exceptions for those that engage in food distribution to needy.

Summary as introduced:

Donations of food to charitable causes; exception to food services regulations. Exempts charitable organizations that engage in food distribution to the needy from both state and local food handling and preparation regulations with respect to requirements for commercial-grade kitchens and equipment. Includes nonprofit homeless shelters, homeless and hunger prevention programs, and any volunteer who prepares food for such organizations under the definition of "charitable organizations" for purposes of this exception. This bill will take effect at the time of its passage due to the nature of its subject.

Patrons: Rust, Albo, Amundson, Bulova, Caputo, Ebbin, Marsden, Plum, Scott, J.M. and Watts;
Senators: Cuccinelli, Herring, Howell and Puller

01/09/07 House: Prefiled and ordered printed with emergency clause; offered 01/10/07

01/09/07 House: Referred to Committee on General Laws

01/12/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)

01/12/07 House: Impact statement from DPB (HB2258)

Notes: City Position: Support

HB 2264 Extortion; withholding immigration document.

Summary as introduced:

Extortion of immigrants; penalty. Provides that any person who confiscates, withholds or threatens to withhold any actual or purported passport, immigration document, or other government identification document, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, is guilty of a Class 5 felony.

Patrons: Albo, Melvin and Moran

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee for Courts of Justice

01/12/07 House: Impact statement from VCSC (HB2264)

01/16/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 2315 Meals tax; referendum required in certain cities.

Summary as introduced:

Meals tax; referendum required in certain cities. Restricts the imposition in any city having a population of 100,000 or more of any new meals tax or tax rate increase without approval by referendum.

Patron: Welch

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on Finance

01/13/07 House: Impact statement from TAX (HB2315)

01/18/07 House: Assigned Finance sub: #2 (Ware, R.L.)

Notes: City Position: Oppose

HB 2429 Gangs and terrorism crimes; prosecution of those committing.

Summary as introduced:

Gangs and terrorism; penalty. Provides that any person who solicits, invites, recruits, encourages, or otherwise causes or attempts to cause another to participate, generally, in an act or acts of terrorism is guilty of a Class 4 felony. The bill also allows the Attorney General, with the concurrence of the local attorney for the Commonwealth, to assist in the prosecution of certain gang and terrorism crimes when committed on the grounds of a state correctional facility.

Patron: Albo

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee for Courts of Justice

01/12/07 House: Impact statement from VCSC (HB2429)

01/16/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 2435 Immigrants; status in order to obtain domicile in State.

Summary as introduced:

Lawful immigration status in order to obtain domicile in the Commonwealth. Prevents an alien not lawfully in the United States from obtaining legal domicile in the Commonwealth.

Patron: Albo

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee for Courts of Justice

Notes: City Position: Oppose

HB 2548 Retail Sales and Use Tax; increase authorized in Northern Virginia localities.

Summary as introduced:

Sales and use tax; increase authorized in certain localities. Authorizes Arlington County, Fairfax County, the City of Alexandria, the City of Fairfax, and the City of Falls Church to impose an additional 0.25% local sales and use tax. The revenue is to be used solely for each locality's financial obligations to the Washington Metropolitan Area Transit Authority. The authority to impose the additional tax is contingent on matching federal funds being appropriated and distributed to the Washington Metropolitan Area Transit Authority.

Patrons: Ebbin and Plum

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on Finance

01/18/07 House: Assigned Finance sub: #2 (Ware, R.L.)

Notes: City Position: Support

HB 2551 Human Anti-Trafficking Act; created, report.

Summary as introduced:

Human trafficking; penalties. Establishes the crime of and punishment for human trafficking, a Class 4 felony. Punishes human trafficking, when for the purposes of commercial sex acts or sexually explicit performance, as a Class 2 felony. Provides for civil liability, business entity liability, restitution to victims, forfeiture of trafficker assets, and study by a Governor's task

force.

Patrons: Ebbin, Bulova, Plum, Scott, J.M. and Waddell; Senator: Ticer

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee for Courts of Justice

01/12/07 House: Impact statement from VCSC (HB2551)

01/17/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 2574 Absentee voting; qualified voters may vote absentee for any reason.

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee for any reason.

The bill eliminates the present statutory list of specific reasons entitling a voter to cast an absentee ballot. Several special provisions concerning military and overseas absentee voters and disabled voters are consolidated in one new provision.

Patron: Shannon

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Privileges and Elections

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

01/19/07 House: Passed by indefinitely in Privileges and Elections

Notes: City Position: Support

HB 2575 Assault and battery against family member; deferred finding.

Summary as introduced:

Family assault and battery; deferred finding. Provides that a defendant who has received a deferred finding cannot appeal the underlying offense unless he withdraws his consent to the deferred finding within 10 days of the entry of the order and files a notice of appeal within 10 days of the order of conviction.

Patron: Shannon

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee for Courts of Justice

01/17/07 House: Assigned Courts sub: Criminal Law

Notes: City Position: Support

HB 2620 Community policy and management teams; adds children requiring mental health services.

Summary as introduced:

State pool of funds for community policy and management teams. Adds children requiring mental health services not otherwise covered by private insurance or Medicaid, where services are necessary to prevent placement in foster care to the target population for whom state pool funds shall be expended. Expands eligibility for state pool funds to include children requiring mental health services to avoid placement in foster care.

Patron: Fralin

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on General Laws
01/15/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)
Notes: City Position: Oppose

HB 2623 Tuition, in-state; illegal aliens not eligible therefor.

Summary as introduced:

In-state tuition for aliens. Provides that an alien who is unlawfully present in the United States, and therefore ineligible to establish domicile pursuant to § 23-7.4, shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit, including in-state tuition, unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope without regard to whether such citizens or nationals are Virginia residents.

Patron: Reid

01/10/07 House: Prefiled and ordered printed; offered 01/10/07
01/10/07 House: Referred to Committee on Education
01/18/07 House: Assigned Education sub: Higher Education (Rust)
Notes: City Position: Oppose

HB 2653 Firearms; illegal conveyance.

Summary as introduced:

Illegal conveyance of firearms; penalty. Makes it a Class 6 felony to solicit or otherwise entice a firearms dealer to illegally convey a firearm.

Patron: Lingamfelter

01/10/07 House: Prefiled and ordered printed; offered 01/10/07
01/10/07 House: Referred to Committee on Militia, Police and Public Safety
01/12/07 House: Impact statement from VCSC (HB2653)
01/19/07 House: Reported from Militia, Police and Public Safety with amendments (21-Y 0-N)
Notes: City Position: Support

HB 2669 Freedom of Information Act; allows public bodies to meet by electronic communication without quorum.

Summary as introduced:

Freedom of Information Act; electronic communication meetings; Governor-declared state of emergency. Allows public bodies to meet by electronic communication means without a quorum of the public body physically assembled at one location when (i) the Governor has declared a state of emergency in accordance with § 44-146.17, (ii) the meeting is necessary to take action to address the emergency, and (iii) the public body otherwise complies with the electronic communication meetings law. The bill also authorizes the local governing body to meet by electronic communication means when the Governor has declared a state of emergency in accordance with § 44-146.17 in an area that includes the locality and (a) the meeting is necessary to take action to address the emergency, (b) notice, reasonable under the circumstance, of the emergency meeting shall be given contemporaneously with the notice provided members of the public body conducting the meeting, (c) the local governing body makes arrangements for

public participation, and (d) the local governing body otherwise complies with the electronic communication meetings law.

Patron: Sherwood

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on General Laws

01/15/07 House: Assigned GL sub: #2 FOIA/Procurement (Marshall, D.)

Notes: City Position: Support

HB 2688 Workers' compensation; benefits paid to unauthorized aliens.

Summary as introduced:

Workers' compensation; benefits paid to unauthorized aliens; penalties. Makes an employer, rather than the employer's workers' compensation insurance carrier, liable for payment of workers' compensation benefits payable to an unauthorized alien. In addition, an employer is required to promptly reimburse a third party that has paid benefits to an unauthorized alien for payments it has made to the injured alien. An employer that verified the work authorization status of the injured worker, through use of the Basic Pilot Program operated by the United States Department of Homeland Security, is exempt from these provisions. In addition, if an unauthorized alien who is eligible for disability is inadmissible to the United States under federal immigration law, the payor of the disability benefits shall require the unauthorized alien to present himself in person at a bank or financial institution located within a foreign country before receiving disability payments. A person violating these provisions is guilty of a Class 2 misdemeanor and subject to a civil penalty of \$25,000.

Patrons: Reid and Frederick

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Commerce and Labor

01/16/07 House: Impact statement from DPB (HB2688)

01/17/07 House: Assigned C & L sub: Utilities/Employment (Byron)

Notes: City Position: Oppose

HB 2696 Voting equipment; requirements for vendors seeking Board of Elections certification of devices.

Summary as introduced:

Election procedures; voting equipment requirements. Requires vendors seeking State Board of Elections certification of direct recording electronic (DRE) devices to (i) have current federal certification and (ii) equip them to produce a paper record of each vote that can be verified by the voter. Provides that the voter verified paper record takes precedence in a recount. Requires that all DREs produce a voter-verifiable paper record. The bill takes effect January 1, 2009.

Patron: Hugo

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Privileges and Elections

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

Notes: City Position: Support

HB 2697 Elections; recount procedures.

Summary as introduced:

Election procedures; recounts. Requires recount officials as part of the recount proceedings to randomly audit three percent of voting machines using State Board of Elections standards for hand recounts. A discrepancy exceeding one tenth of one percent (0.1%) requires extending the audit to all precincts. The bill is effective January 1, 2009, and it deletes obsolete references to mechanical voting equipment and punchcards.

Patron: Hugo

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Privileges and Elections

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

Notes: City Position: Oppose

HB 2707 Voting equipment; postelection audits, local use of optical scan tabulators.

Summary as introduced:

Election procedures; voting equipment requirements; random postelection audits of equipment; and recounts. Requires localities to use optical scan tabulator systems. The bill requires the State Board of Elections to develop accommodations for disabled voters and limits the use of direct recording electronic (DRE) devices to marking ballots that can be optically scanned. The bill prohibits any form of wireless electronic communication capability on any voting or counting device. The bill requires State Board of Elections to develop procedures to enable local electoral boards to conduct postelection audits of at least two percent of machines in jurisdictions with 50,000 or more registered voters and at least five percent of machines in jurisdictions with fewer than 50,000 registered voters. The bill requires the random selection for auditing of a representative sample of vote counting machines within 48 hours of public announcement of initial vote counts and prohibits certifying results until audits are completed. The bill provides that paper records control in the event of a significant discrepancy, defined as a difference of more than one-tenth of one percent between the hand counted total and the initial machine tally. The bill requires local electoral boards to publicly announce comparative results. The bill requires recount officials as part of the recount proceedings to randomly audit three percent of voting devices using State Board of Elections standards for hand recounts. A discrepancy exceeding one-tenth of one percent requires extending the audit to all precincts. The bill deletes obsolete references to mechanical voting equipment and punchcard devices and takes effect January 1, 2009. This bill is identical to SB 840.

Patrons: Hugo and Callahan

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Privileges and Elections

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

Notes: City Position: Oppose

HB 2730 Hospital regulations; allowing patients to designate any individual as next of kin for visitation.

Summary as introduced:

Hospital regulations; authorized visitor designation for hospital visitation. Requires hospitals to develop regulations allowing patients to designate any individual as next of kin for visitation purposes and to change the designation at any time.

Patrons: Englin, Albo, Iaquinto, McClellan and Wittman

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Health, Welfare and Institutions

01/16/07 House: Impact statement from DPB (HB2730)

Notes: City Position: Support

HB 2737 Vote-counting machines; Board of Elections to conduct postelection audits.

Summary as introduced:

Election procedures; postelection audits of vote-counting machines. Requires State Board of Elections to develop procedures to enable local electoral boards to conduct postelection audits of at least two percent of machines in jurisdictions with at least 50,000 voters and at least five percent of machines in jurisdictions with under 50,000 voters. Requires the random selection for auditing of a representative sample of vote-counting machines within 48 hours of public announcement of initial vote counts and prohibits certifying results until audits are completed. Provides that paper records control in the event of a significant discrepancy, defined as over 0.1 percent difference between the hand counted total and the initial machine tally. Requires local electoral board to publicly announce comparative results. The bill is effective January 1, 2009.

Patron: Hugo

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Privileges and Elections

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

Notes: City Position: Oppose

HB 2746 Local income & personal property tax; freeze of real estate tax amount & assessment of real property.

Summary as introduced:

Local income tax; freeze real estate tax amount. Allows localities to impose a local income tax if they freeze the amount of real estate tax collections as of the date the local income tax is adopted. Prior to adopting the tax, there must be a referendum approving it, and the local governing body must adopt an ordinance. Localities will continue to assess real property as they normally would. The purpose of the local income tax is to make up the revenues that would have been collected from the real property tax if the collections amount had not been frozen.

Patron: Englin

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Finance

01/18/07 House: Assigned Finance sub: #2 (Ware, R.L.)

Notes: City Position: Oppose

HB 2845 Emergency preparedness; makes several revisions related to orders of isolation and quarantine.

Summary as introduced:

Emergency preparedness; orders of isolation and quarantine. Makes several revisions to the procedures related to orders of quarantine and isolation. The bill also authorizes persons who are otherwise not authorized by law to administer or dispense all necessary drugs when the Governor has declared a disaster or a state of emergency and allows for electronic legal filings in order to protect the public from communicable diseases.

Patron: O'Bannon

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Militia, Police and Public Safety

01/19/07 House: Reported from Militia, Police and Public Safety with amendment (21-Y 0-N)

Notes: City Position: Support

HB 2871 Trusts, state and local; created to fund postemployment benefits other than pensions.

Summary as introduced:

State and local trusts for providing postemployment public benefits. 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.

Patron: McEachin

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Appropriations

01/16/07 House: Assigned App. sub: Compensation and Retirement (Putney)

01/17/07 House: Impact statement from VRS (HB2871)

Notes: City Position: Support

HB 2891 Absentee voting, in-person; qualified voters may vote at sites provided in locality.

Summary as introduced:

Early voting. Provides that any registered voter qualified to vote in an election may vote in person from 30 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. The bill takes effect January 1, 2008.

Patron: Phillips

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Privileges and Elections

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

01/19/07 House: Passed by indefinitely in Privileges and Elections

Notes: City Position: Support

HB 2901 Absentee voting, in-person; qualified voters may vote at sites provided in locality.

Summary as introduced:

Early voting. Provides that any registered voter qualified to vote in the election 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. The bill takes effect January 1, 2008.

Patrons: Spruill, Armstrong, Jones, D.C., Moran and Ward

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Privileges and Elections

01/18/07 House: Assigned P & E sub: #2 (Jones, S.C.)

01/19/07 House: Passed by indefinitely in Privileges and Elections

Notes: City Position: Support

HB 2923 Commission On The Prevention of Human Trafficking; created.

Summary as introduced:

Legislative Commission to study human trafficking. Creates a legislative Commission to study human trafficking.

Patrons: Ebbin, Abbitt, Albo, Amundson, BaCote, Brink, Callahan, Caputo, Englin, Hall, Hull, Iaquinto, Johnson, Kilgore, Lingamfelter, Marsden, McEachin, Miller, J.H., Moran, O'Bannon, Plum, Poisson, Scott, J.M., Sickles, Spruill, Suit, Tyler, Valentine, Ward and Wardrup

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Rules

01/15/07 House: Impact statement from DPB (HB2923)

Notes: City Position: Support

HB 2930 Business and state licenses, local; denied or suspended if business employs unlawful workers.

Summary as introduced:

Local Business, Professional and Occupational Business Licenses; State Licenses. Provides that local business licenses and state licenses shall be denied or suspended if the business employes or uses unlawful workers.

Patrons: Miller, J.H. and Frederick

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Finance

01/18/07 House: Assigned Finance sub: #1 (Orrock)

Notes: City Position: Oppose

HB 2931 Immigration status; cooperation with federal officials regarding.

Summary as introduced:

Cooperation with federal officials regarding immigration status. Provides that no local government shall enact any ordinance or policy that limits or prohibits a law-enforcement officer, local official, or local government employee from communicating or cooperating with federal officials with regard to the immigration status of any person within the Commonwealth. Also, various other provisions are put into place to ensure cooperation regarding determination of the immigration status of an individual.

Patrons: Miller, J.H. and Frederick

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Counties, Cities and Towns

Notes: City Position: Oppose

HB 2932 Public school; proof of immigration status or actual citizenship to enroll, report..

Summary as introduced:

Public school; proof of immigration status. Adds that the person enrolling a pupil for the first time must present other proof of actual citizenship or immigration status, if there is no certified copy of a birth certificate or affidavit explaining the absence of a certified copy of a birth certificate. If it is determined that the child was born outside of the United States, a parent of the child must present evidence of his own actual citizenship or immigration status. Requires (i) each school to submit an annual report to the Board of Education listing all of the immigration information obtained; and (ii) the Board of Education to submit an annual report to the Secretary of Education regarding the impact of the quality of education provided to children who are lawful residents of Virginia, because of the enrollment of children who are not lawfully present in the United States.

Patrons: Miller, J.H. and Frederick

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Students and Daycare (Carrico)

Notes: City Position: Oppose

HB 2934 Immigrants; requirement of lawful status for state determination of legal domicile.

Summary as introduced:

Requirement of lawful immigration status for state determination of legal domicile.

Provides that a person who is not a citizen or legal resident of the United States, or who is without lawful immigration status, shall not be entitled to classification as a resident of the Commonwealth. For all state determinations where legal residence or legal domicile is required by Virginia law, an individual must be a U.S. citizen, or an alien lawfully present within the United States.

Patrons: Miller, J.H. and Frederick

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on General Laws

01/16/07 House: Assigned GL sub: #3 ABC/Gaming (Gear)

Notes: City Position: Oppose

HB 3081 Power generation facilities; notification of increased operation.

Summary as introduced:

Notification of increased power generation; civil penalty. Requires power generation facilities that have been ordered by the U.S. Department of Energy to increase their power generation to notify those persons who have requested such notification if the increased operation

is predicted to potentially cause exceedances of air quality standards. If such notification is not provided, the owner of the facility can be assessed a civil penalty of up to \$1,000, with each day of violation being a separate offense.

Patrons: Englin, Ebbin and Moran

01/16/07 House: Presented and ordered printed

01/16/07 House: Referred to Committee on Commerce and Labor

01/18/07 House: Referred from Commerce and Labor

01/18/07 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

Notes: City Position: Support

HB 3113 Environmental Quality, Department of; consolidation of various boards, increase of authority.

Summary as introduced:

Department of Environmental Quality. Consolidates the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board into one eleven-member citizen board of the Virginia Board of Environmental Quality with the authority to adopt regulations. All other responsibilities of the existing boards, including the authority to issue licenses and permits, shall be transferred to the Department of Environmental Quality.

Patron: Landes

01/18/07 House: Presented and ordered printed

01/18/07 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

Notes: City Position: Oppose

HJ 559 Constitutional amendment; assessments of real property and tax rates (first reference).

Summary as introduced:

Constitutional amendment (first resolution); real property assessments 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.

Patron: Frederick

07/17/06 House: Prefiled and ordered printed; offered 01/10/07

07/17/06 House: Referred to Committee on Privileges and Elections

01/11/07 House: Assigned P & E sub: #1 (Marshall, R.G.)

Notes: City Position: Oppose

HJ 581 Constitutional amendment; property tax exemption for certain veterans, widow or widower of veteran.

Summary as introduced:

Constitutional amendment (first resolution); property tax exemption for certain veterans.

Requires the General Assembly to exempt from taxation the property that is the principal residence of a veteran (or widow or widower of a veteran) of the armed forces of the United States who has been determined pursuant to federal law to have a one hundred percent permanent

and total service-connected disability.

Patron: Lingamfelter

12/15/06 House: Prefiled and ordered printed; offered 01/10/07

12/15/06 House: Referred to Committee on Privileges and Elections

01/11/07 House: Assigned P & E sub: #1 (Marshall, R.G.)

Notes: City Position: Oppose

HJ 698 Power plants; Dept. of Health to study public health effects of using trona to mitigate emissions.

Summary as introduced:

Study; public health effects of trona; report. Requests the Department of Health to study the public health effects of using trona to mitigate emissions in power plants.

Patrons: Englin, Amundson, Callahan, Ebbin, Hall, Hargrove, Moran and Spruill

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Rules

Notes: City Position: Support

SB 767 Libraries; provides that localities may adopt an ordinance that prohibits firearms, etc. therein.

Summary as introduced:

Control of firearms; libraries. Provides that localities may adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof, in libraries that are owned or operated by the locality.

Patron: Locke

12/13/06 Senate: Prefiled and ordered printed; offered 01/10/07

12/13/06 Senate: Referred to Committee on Local Government

Notes: City Position: Support

SB 776 Law-Enforcement Officers Procedural Guarantee Act; changes as to process and procedures.

Summary as introduced:

Law-Enforcement Officers Procedural Guarantee Act. Makes several changes as to the process and procedures afforded to officers under the procedural guarantee act, clarifying several existing rights and setting forth specific procedures for the questioning of officers and the conduct of a disciplinary hearing.

Patrons: Cuccinelli, Deeds, Edwards, Herring, Howell, Lucas, Martin, O'Brien, Puller, Saslaw and Ticer; *Delegates:* Albo, Amundson, Bulova, Callahan, Caputo, Englin, Hugo, Joannou, Miller, P.J., Moran, Plum, Rust, Scott, J.M., Shannon, Sickles, Suit and Watts

12/18/06 Senate: Prefiled and ordered printed; offered 01/10/07

12/18/06 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Oppose

SB 789 Postemployment public benefits; creates trusts or equivalent arrangements to fund

costs thereof.

Summary as introduced:

State and local trusts for providing postemployment public benefits. 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.

Patron: Stosch

12/27/06 Senate: Prefiled and ordered printed; offered 01/10/07

12/27/06 Senate: Referred to Committee on Finance

01/17/07 Senate: Impact statement from VRS (SB789)

Notes: City Position: Support

SB 806 Charitable organizations; exceptions for those that engage in food distribution to needy.

Summary as introduced:

Donations of food to charitable causes; exception to food service regulations. Provides an exception for charitable organizations that engage in food distribution to the needy from both state and local regulations that require commercial-grade kitchens and equipment. Includes non-profit homeless shelters and any volunteer who prepares food for such organizations under the definition of "charitable organizations" for purposes of this exception. This bill will take effect at the time of its passage due to the nature of its subject.

Patron: Puller

01/15/07 Senate: Committee substitute printed 072560796-S1

01/15/07 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (14-Y 0-N)

01/15/07 Senate: Rereferred to Rehabilitation and Social Services

01/19/07 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N)

01/19/07 Senate: Committee substitute printed 071725796-S2

Notes: City Position: Support

SB 830 Special Sales and Use Tax Fund Account of Northern Virginia Transportation Authority; created, etc.

Summary as introduced:

Supplemental transportation funding for Northern Virginia. Permits the counties and cities that are members of the Northern Virginia Transportation Authority to impose additional local taxes and fees to be used by the Authority for transportation projects in the localities comprising the Authority. The additional local option taxes and fees are: (i) an initial registration fee at the time a vehicle is first registered in the county or city by the vehicle owner at the rate of 0.50% of the value of the vehicle; (ii) a retail sales and use tax at the rate of 0.50%; and (iii) a grantor's tax at a rate of \$0.05 per \$100 of the value of the real estate. All moneys received by the Authority from these additional taxes and fees would be used for the primary benefit of those counties and cities imposing all of the additional taxes and fees.

The membership of the Authority would be altered to provide for two additional members from

the House of Delegates, one additional member from the Senate, and a mayor from a town within a county that is a member of the Authority.

The Authority would use all the revenues generated under the bill as follows:

1. The first \$50 million in each fiscal year would be distributed 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. The Authority would make the annual distribution to WMATA from such revenues (i) only to the extent required under federal law for the payment of federal funds to WMATA, and (ii) only if the Counties of Arlington and Fairfax and the City of Alexandria are imposing all of the additional local taxes and fees authorized under the bill;
2. The next \$25 million received in each fiscal year would be distributed to the Virginia Railway Express for capital projects or operating costs directly relating to transportation by rail, but only if Prince William County is imposing all of the additional local taxes and fees authorized under the bill; and
3. All other revenues would be used for transportation projects for the localities embraced by the Authority as determined by the Authority.

Patron: Devolites Davis

01/05/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/05/07 Senate: Referred to Committee on Finance

Notes: City Position: Support

SB 843 Special Transportation Fund of Northern Virginia; created imposition of additional taxes in certain.

Summary as introduced:

Supplemental transportation funding for Northern Virginia. Increases the state grantor's tax by \$0.40 per \$100 of value in the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park. The bill would also authorize the governing bodies of such counties and cities to impose a local (i) initial registration fee at the time a vehicle is first registered by the vehicle owner at the rate of 0.50% of the value of the vehicle and (ii) retail sales and use tax at the rate of 0.50%. All revenues from the increase in the state grantor's tax and the local option registration fee and sales tax would be distributed to the Northern Virginia Transportation Authority. The Authority would be required to use each dollar of revenue from the increase in the state grantor's tax for transportation projects in the county or city from which such revenue was generated.

The Authority would use the revenues from the local option taxes for the primary benefit of the counties and cities imposing the local option taxes. The revenues from the local option taxes would be used as follows:

1. The first \$50 million in each fiscal year would be distributed to the Washington Metropolitan Area Transit Authority (WMATA) to provide funds to WMATA as may be required under federal law for the payment of certain federal funds to WMATA. The Authority would make the annual distribution to WMATA from such revenues (i) only to the extent required under federal law for the payment of federal funds to WMATA, and (ii) only if the Counties of Arlington and Fairfax and the City of Alexandria are imposing all of the additional local taxes and fees

authorized under the bill;

2. The next \$25 million received in each fiscal year would be distributed to the Virginia Railway Express for capital projects or operating costs directly relating to transportation by rail, but only if Prince William County is imposing all of the additional local taxes and fees authorized under the bill; and

3. All other revenues would be used for transportation projects for the localities embraced by the Authority as determined by the Authority.

The membership of the Authority would be altered to provide for two additional members from the House of Delegates, one additional member from the Senate, and a mayor from a town within a county that is a member of the Authority.

Patron: Devoletes Davis

01/05/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/05/07 Senate: Referred to Committee on Transportation

Notes: City Position: Support

SB 920 Absentee voting; qualified voters may vote without a reason.

Summary as introduced:

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.

Patrons: Howell and Puller; *Delegates:* Amundson, Callahan, Caputo, Hull, Moran, Plum, Rust, Scott, J.M., Sickles and Watts

01/08/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/08/07 Senate: Referred to Committee on Privileges and Elections

Notes: City Position: Support

SB 924 Law-enforcement escorts; exempt from obeying speed limit and traffic signals and signs.

Summary as introduced:

Law-enforcement escorts. Provides that any federal, state, or local law-enforcement vehicle used in conducting a funeral escort, wide-load escort, dignitary escort, or any other escort shall be considered an emergency vehicle and is exempt from obeying certain regulations such as speed limit and traffic signals and signs.

Patron: Ticer

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on Transportation

01/18/07 Senate: Reported from Transportation (12-Y 0-N)

Notes: City Position: Support

SB 929 Parental rights; may be terminated based on finding that the parent has abused another child.

Summary as introduced:

Termination of parental rights. Provides that the parental rights of a parent, when the child has been placed in foster care, may be terminated based on a finding that the parent has abused or neglected another child. Current law only permits termination upon a finding that the child in question has been abused or neglected. This bill also permits the termination of parental rights of a child less than one year old who is in the custody of a local board or child-placing agency when the parent is incarcerated and expected to remain so for more than one year or when two or more of the parent's other children are in the custody of a local board or child-placing agency in Virginia or a similar agency in any other state. This bill also allows consideration of the efforts made to rehabilitate the parent in response to the parent's abuse and neglect of other children in determining whether to terminate a parent's rights. This bill also clarifies that reasonable efforts to reunite a parent with a child need not be made if any of the grounds for termination of parental rights under subsection E of § 16.1-283 exist.

Patron: Ticer

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Support

SB 932 Protective orders; court may include for protection of companion animals and livestock.

Summary as introduced:

Protective orders; companion animals and livestock. Provides that a court may include in a protective order entered under §§ 16.1-253, 16.1-253.1, 16.1-253.4, and 16.1-279.1 provisions for the protection of companion animals and livestock owned, possessed, leased, kept or held by the party, or his family or household members, for whose benefit the protective order was entered.

Patrons: Ticer; *Delegates:* Albo, Eisenberg, Plum, Scott, J.M. and Watts

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Support

SB 938 Address Confidentiality Program; created.

Summary as introduced:

Address Confidentiality Program; victims of domestic violence. Requires the Statewide Facilitator for Victims of Domestic Violence in the Office of the Attorney General to establish the "Address Confidentiality Program" to protect victims of domestic violence by authorizing the use of designated addresses for such victims.

Patrons: Ticer, Howell and Puller; *Delegates:* Albo, Amundson, Bulova, Caputo, Marsden, Moran, Plum, Scott, J.M. and Watts

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on General Laws and Technology

Notes: City Position: Support

SB 940 Victims of domestic violence; post office box address to be shown on list of

registered voters.

Summary as introduced:

Elections; voter registration lists and applications; victims of domestic violence. Provides that victims of domestic violence may provide a post office box address, in lieu of a residence address, to be shown on any public list of registered voters. The bill takes effect January 1, 2008.

Patrons: Ticer, Howell and Puller; *Delegates:* Amundson, Bulova, Caputo, Marsden, Moran, Plum, Scott, J.M. and Watts

01/19/07 Senate: Read second time

01/19/07 Senate: Reading of amendment waived

01/19/07 Senate: Committee amendment agreed to

01/19/07 Senate: Engrossed by Senate as amended SB940E

01/19/07 Senate: Printed as engrossed 071537828-E

Notes: City Position: Support

SB 971 Sheriff's departments, city and county; supplemental liability insurance.

Summary as introduced:

Department of Treasury; Division of Risk Management; supplement liability coverage for city and county sheriff's departments. Provides that a sheriff's department of any city or county shall not be precluded from securing supplemental liability insurance coverage beyond the coverage provided by the Division.

Patrons: Howell, Herring and Puller; *Delegates:* Amundson, Bulova, Callahan, Caputo, Marsden, Moran, Plum, Rust, Scott, J.M., Sickles and Watts

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on General Laws and Technology

01/17/07 Senate: Reported from General Laws and Technology (15-Y 0-N)

01/19/07 Senate: Constitutional reading dispensed (39-Y 0-N)

01/19/07 Senate: VOTE: (39-Y 0-N)

Notes: City Position: Support

SB 972 Victim notification; may be made through Statewide VINE System or other similar electronic system.

Summary as introduced:

Victim notification. States that victim notification currently required by to be made by the Department of Corrections and local and regional jails may be made through the Virginia Statewide VINE (Victim Information and Notification Everyday) System or other similar electronic or automated system.

Patron: Howell

01/16/07 Senate: VOTE: (39-Y 0-N)

01/17/07 Senate: Read second time and engrossed

01/18/07 Senate: Read third time and passed Senate (39-Y 0-N)

01/18/07 Senate: VOTE: (39-Y 0-N)

01/18/07 Senate: Communicated to House

Notes: City Position: Support

SB 1007 Law-enforcement facilities; prohibits possession of weapons therein except by officers.

Summary as introduced:

Possession of weapons; law-enforcement facility. Prohibits the possession of weapons at any law-enforcement facility in the Commonwealth. There is an exception for law-enforcement officers.

Patrons: Saslaw, Howell, Puller and Ticer; *Delegates:* Amundson, Bulova, Caputo, Ebbin, Marsden, Plum, Rust, Scott, J.M. and Watts

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Support

SB 1020 Retail Sales and Use Tax; increase authorized in Northern Virginia localities.

Summary as introduced:

Sales and use tax; increase authorized in certain localities. Authorizes Arlington County, Fairfax County, the City of Alexandria, the City of Fairfax, and the City of Falls Church to impose an additional 0.25% local sales and use tax. The revenue is to be used solely for each locality's financial obligations to the Washington Metropolitan Area Transit Authority. The authority to impose the additional tax is contingent on matching federal funds being appropriated and distributed to the Washington Metropolitan Area Transit Authority.

Patron: Whipple

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on Finance

Notes: City Position: Support

SB 1027 Extortion; withholding immigration document.

Summary as introduced:

Extortion of immigrants; penalty. Provides that any person who confiscates, withholds or threatens to withhold any actual or purported passport, immigration document, or other government identification document, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, is guilty of a Class 5 felony.

Patron: O'Brien

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee for Courts of Justice

01/12/07 Senate: Impact statement from VCSC (SB1027)

01/17/07 Senate: Incorporated by Courts of Justice (SB815-Cuccinelli) (15-Y 0-N)

Notes: City Position: Support

SB 1053 Uniform Statewide Building Code; locality to require building permits in historic zoning districts.

Summary as introduced:

Uniform Statewide Building Code; regulations; authority of localities; historic districts.

Requires the Board of Housing and Community Development to promulgate regulations as part of the Building Code that authorize a locality to require building permits for the installation of replacement siding, roofing, and windows in buildings within designated historic zoning districts within the locality.

Patron: Edwards

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on General Laws and Technology

01/17/07 Senate: Reported from General Laws and Technology (15-Y 0-N)

01/19/07 Senate: Constitutional reading dispensed (39-Y 0-N)

01/19/07 Senate: VOTE: (39-Y 0-N)

Notes: City Position: Support

SB 1077 Multifamily dwelling units; installation of carbon monoxide detectors in certain, report.

Summary as introduced:

Board of Housing and Community Development; carbon monoxide detectors in certain rental dwelling units; report. Requires the Board of Housing and Community Development to promulgate regulations to require carbon monoxide detectors in all rental dwelling units that have an attached garage or carport, are adjacent to a parking space, or contain or are serviced by an appliance or device that uses carbon-based fuels. The bill also provides for the Board and the Department of Fire Programs to establish a working group consisting of the State Fire Marshal, representatives of local fire departments and rescue squads, and representatives of landlord and tenant interests to develop an educational program focusing on the dangers of carbon monoxide poisoning and adequate prevention measures.

Patrons: Ruff and Bell

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on General Laws and Technology

Notes: City Position: Support

SB 1082 Courthouse security; increases costs in each criminal or traffic case in district or circuit courts.

Summary as introduced:

Courthouse security; assessment. Increases from \$5 to \$15 the part of the costs in each criminal or traffic case in district or circuit courts in which the defendant is convicted of a violation of any statute or ordinance that is used to provide and maintain courthouse security.

Patrons: Puckett; Delegate: Bowling

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee for Courts of Justice

01/17/07 Senate: Reported from Courts of Justice (14-Y 1-N)

01/17/07 Senate: Rereferred to Finance

Notes: City Position: Support

SB 1121 Police; expands authority thereof in civil matters.

Summary as introduced:

Powers and duties of police. Expands the authority of police in civil matters by granting authority to deliver, serve, execute, and enforce certain orders of isolation and quarantine and emergency custody orders. The bill also provides that parties responding to a reciprocal agreement for mutual aid shall be liable to third parties only to the extent permitted under and in accordance with the laws of the state of the party rendering aid.

Patron: Cuccinelli

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on Local Government

Notes: City Position: Support

SB 1166 Retirement System; benefits for certain state and local public safety officers.

Summary as introduced:

Retirement; benefits for certain state and local public safety officers. Makes several changes to the benefits of state and local public safety officers and the funding of such benefits.

Deputy sheriffs. All deputy sheriffs would become members of the Law Enforcement Officers' Retirement System (LEOs).

State police officers. State police officers would receive a 2.0% average final compensation retirement multiplier and would continue to receive the additional annual supplement.

Persons provided LEOs retirement coverage, including deputy sheriffs. Any member of LEOs would receive a 1.7% average final compensation retirement multiplier and the additional annual supplement. However, the multiplier for sheriffs would be increased from 1.7% to 2.0%, and an employer may elect to increase the multiplier to 2.0% for other classes of covered employees. The employer is responsible for paying the actuarial cost of the increase.

Other provisions of the bill. Beginning July 1, 2007, the Compensation Board would reimburse 100% of each county's or city's employer contribution to the Virginia Retirement System for state-responsible deputy sheriffs. However, the reimbursement would be based upon the salaries of such state-responsible deputy sheriffs as fixed by the Board.

Patron: Stolle

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/10/07 Senate: Referred to Committee on Finance

01/19/07 Senate: Impact statement from VRS (SB1166)

Notes: City Position: Support. Support similar amendments in the Governor's budget. Oppose any proposals that would prohibit Alexandria from selecting the LEOS retirement program for its deputy sheriffs in the future.

SB 1227 Extortion; withholding immigration document.

Summary as introduced:

Extortion of immigrants; penalty. Provides that any person who confiscates, withholds or threatens to withhold any actual or purported passport, immigration document, or other government identification document, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, is guilty of a Class 5 felony.

Patrons: Howell, Norment and Stolle; *Delegates:* Hurt and Moran

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/10/07 Senate: Referred to Committee for Courts of Justice

01/12/07 Senate: Impact statement from VCSC (SB1227)

01/17/07 Senate: Incorporated by Courts of Justice (SB815-Cuccinelli) (15-Y 0-N)

Notes: City Position: Support

Attachment 2
Current Status of City Package Bills
January 19, 2007

HB 1621 Payday loans; requires SCC to contract w/third party to establish database through Internet.

Summary as introduced:

Payday Loan Act. Requires the State Corporation Commission, on or before July 1, 2008, to contract with a third party to establish and administer a database with real-time access through an Internet connection to ensure compliance with the Payday Loan Act. Lenders are prohibited from making a payday loan unless it has obtained information from the database, or other permitted verification source, that the borrower does not have three or more outstanding payday loans and has not terminated a payday loan within 48 hours. The measure also (i) prohibits a payday lender from making a payday loan to a borrower if the borrower has three or more other payday loans outstanding or within 48 hours following the borrower's termination of a payday loan; (ii) prohibits a lender from instituting collection proceedings against a borrower until 60 days after the date of default; (iii) prohibits a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (iv) requires a lender, when collecting or attempting to collect a payday loan when the check given as security for such loan is dishonored, to comply with the provisions of the Fair Debt Collection Practices Act that apply to debt collectors; (v) authorizes the Commission to impose a penalty on a person who violates any regulation promulgated by the Commission pursuant to the Payday Loan Act or other law or regulation applicable to the conduct of the lender's business; and (vi) provides that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower.

Patrons: Oder and Cox

07/18/06 House: Prefiled and ordered printed; offered 01/10/07

07/18/06 House: Referred to Committee on Commerce and Labor

01/16/07 House: Impact statement from SCC (HB1621)

Notes: City Position: Oppose

HB 1634 Minimum wage; increase amount thereof.

Summary as introduced:

Minimum wage. Increases the minimum wage for persons age 19 or older from its current federally mandated level of \$5.15 per hour to \$6.00 per hour effective July 1, 2007, to \$6.45 per hour effective July 1, 2008, and to \$7.00 per hour effective July 1, 2009, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron: Marshall, D.W.

11/13/06 House: Prefiled and ordered printed; offered 01/10/07

11/13/06 House: Referred to Committee on Commerce and Labor

Notes: City Position: Support

HB 1651 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.15 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patrons: Eisenberg, Bowling, Bulova, Howell, A.T., McClellan, Plum, Spruill, Toscano, Tyler, Ware, O. and Watts

11/30/06 House: Prefiled and ordered printed; offered 01/10/07

11/30/06 House: Referred to Committee on Commerce and Labor

Notes: City Position: Support

HB 1654 Minimum wage; increase from its current federally mandated level.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.25 per hour effective July 1, 2007, and to \$7.00 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patrons: Toscano and McClellan

12/01/06 House: Prefiled and ordered printed; offered 01/10/07

12/01/06 House: Referred to Committee on Commerce and Labor

Notes: City Position: Support

HB 1683 Traffic light signal violation-enforcement program; localities may adopt ordinances therefor.

Summary as introduced:

Traffic light signal violation-enforcement program; local ordinances. Allows local governing bodies to adopt ordinances providing for a traffic light signal violation-enforcement program. Penalties for violations are capped at \$50.

Patron: McQuigg

12/11/06 House: Prefiled and ordered printed; offered 01/10/07

12/11/06 House: Referred to Committee on Transportation

Notes: City Position: Support

HB 1710 Public Building Authority; authorized to issue bonds for water treatment.

Summary as introduced:

Virginia Public Building Authority; water treatment. Authorizes the Virginia Public Building Authority to issue bonds in an amount not to exceed \$250 million for grants to be used solely for the purpose of funding the installation of nutrient removal technologies at specified publicly owned treatment works to implement the Commonwealth's Chesapeake Bay Tributary Strategies.

Patrons: Callahan, Lingamfelter and Oder

12/15/06 House: Prefiled and ordered printed; offered 01/10/07

12/15/06 House: Referred to Committee on Appropriations

01/10/07 House: Assigned App. sub: Commerce, Agriculture, and Natural Resources

01/12/07 House: Impact statement from DPB (HB1710)

Notes: City Position: Support

HB 1906 Unfair employment practices; discharging employees when unauthorized aliens are employed.

Summary as introduced:

Unfair employment practices; discharging employees when unauthorized aliens are employed. States that it is an unfair employment practice for an employer to discharge any United States citizen or legally authorized worker if the employer, on the date of the discharge, employed an unauthorized alien within the Commonwealth. Employers that are enrolled and participate in the federal Basic Pilot Program, or are exempt from compliance with federal employment verification procedures under federal law, are not subject to this measure. Someone discharged in violation of this unfair employment practice is entitled to recover treble damages, including lost wages from the date of the discharge until the date the employee has procured new employment, or 120 days, whichever occurs earlier, and reasonable attorney's fees and costs.

Patron: Albo

01/04/07 House: Prefiled and ordered printed; offered 01/10/07

01/04/07 House: Referred to Committee on Commerce and Labor

01/17/07 House: Assigned C & L sub: Utilities/Employment (Byron)

01/17/07 House: Impact statement from DPB (HB1906)

Notes: City Position: Oppose

HB 1918 Illegal aliens; presence unlawful in State, penalty.

Summary as introduced:

Federal illegal alien status unlawful in Virginia; penalty. Provides that any alien who is present in the United States illegally, as verified by the Bureau of Immigration and Customs Enforcement, is guilty of a Class 1 misdemeanor.

Patron: Cole

01/04/07 House: Prefiled and ordered printed; offered 01/10/07

01/04/07 House: Referred to Committee for Courts of Justice

01/11/07 House: Assigned Courts sub: Criminal Law

01/17/07 House: Impact statement from DPB (HB1918)

Notes: City Position: Oppose

HB 1952 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. 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) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores;

and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. 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.

Patron: Morgan

01/05/07 House: Prefiled and ordered printed; offered 01/10/07

01/05/07 House: Referred to Committee on General Laws

01/10/07 House: Assigned GL sub: #3 ABC/Gaming (Gear)

01/16/07 House: Impact statement from DPB (HB1952)

Notes: City Position: Support

HB 2004 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007; to \$7.15 per hour effective July 1, 2008; and to \$8.15 per hour effective July 1, 2009. For subsequent years, the minimum wage will be adjusted annually on July 1 to reflect changes in the Consumer Price Index for the preceding calendar year, as determined by the Commissioner of Labor and Industry.

Patrons: Callahan, Amundson, Brink, Caputo, Dance, Ebbin, Eisenberg, Englin, McClellan, Moran and Watts; Senator: Puller

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Commerce and Labor

Notes: City Position: Support

HB 2005 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. 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) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. 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.

Patron: Callahan

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on General Laws

01/12/07 House: Assigned GL sub: #3 ABC/Gaming (Gear)

01/16/07 House: Impact statement from DPB (HB2005)

Notes: City Position: Support

HB 2159 Payday Loan Act; repeals Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act effective July 1, 2008.

Patrons: O'Bannon, Landes and Oder

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on Commerce and Labor

01/16/07 House: Impact statement from DPB (HB2159)

Notes: City Position: Support

HB 2169 Tuition, In-state; illegal aliens not eligible.

Summary as introduced:

In-state tuition and educational benefits for unlawful aliens. Provides that an alien who is unlawfully present in the United States shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid, unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope, without regard to whether such citizens or nationals are Virginia residents.

Patron: Cline

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Higher Education (Rust)

Notes: City Position: Oppose

HB 2243 Payday Loan Act; repeals Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act.

Patron: Howell, A.T.

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on Commerce and Labor

01/16/07 House: Impact statement from DPB (HB2243)

Notes: City Position: Support

HB 2245 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. 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) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. 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.

Patron: Howell, A.T.

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on General Laws

01/12/07 House: Assigned GL sub: #3 ABC/Gaming (Gear)

01/16/07 House: Impact statement from DPB (HB2245)

Notes: City Position: Support

HB 2267 Alexandria, City of; establishing arts and cultural districts.

Summary as introduced:

Arts and cultural districts. Adds the City of Alexandria to those localities authorized to establish an arts and cultural district for the purpose of increasing awareness and support for the arts and culture in the locality. The locality may provide incentives for the support and creation of arts and cultural venues in the district, including tax incentives and certain regulatory flexibility.

Patrons: Ebbin, Englin and Moran; Senators: Saslaw and Ticer

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on Counties, Cities and Towns

Notes: City Position: Support

HB 2422 Smoking; prohibited in restaurants, penalty.

Summary as introduced:

Restaurants; smoking prohibited; penalties. Prohibits smoking in restaurants in the Commonwealth unless a restaurant posts signs stating "Smoking Permitted" conspicuous to ordinary public view at each public entrance. Any person who continues to smoke in any prohibited area after having been asked to refrain from smoking shall be subject to a civil penalty of not more than \$250 for the first offense, and \$500 for a second offense; any subsequent offense shall be punishable as a Class 2 misdemeanor. Any proprietor of any restaurant who fails to comply with these restrictions shall be subject to a civil penalty of not more than \$500 for the first offense and \$1000 for a second offense; any subsequent offense shall be punishable as a Class 1 misdemeanor.

Patron: Griffith

01/09/07 House: Prefiled and ordered printed; offered 01/10/07

01/09/07 House: Referred to Committee on General Laws
01/12/07 House: Assigned GL sub: #3 ABC/Gaming (Gear)
01/16/07 House: Impact statement from DPB (HB2422)
Notes: City Position: Oppose

HB 2508 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$5.85 per hour effective July 1, 2007, to \$6.55 per hour effective July 1, 2008, and to \$7.25 per hour effective July 1, 2009, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron: Jones, D.C.

01/09/07 House: Prefiled and ordered printed; offered 01/10/07
01/09/07 House: Referred to Committee on Commerce and Labor
Notes: City Position: Support

HB 2687 Unfair employment practices; discharging employees when unauthorized aliens are employed.

Summary as introduced:

Unfair employment practices; discharging employees when unauthorized aliens are employed. States that it is an unfair employment practice for an employer to discharge any United States citizen or legally authorized worker if the employer, on the date of the discharge, employed an unauthorized alien within the Commonwealth. Employers that are enrolled and participate in the federal Basic Pilot Program, or are exempt from compliance with federal employment verification procedures under federal law, are not subject to this measure. Someone discharged in violation of this unfair employment practice is entitled to recover treble damages, including lost wages from the date of the discharge until the date the employee has procured new employment, or 120 days, whichever occurs earlier, and reasonable attorney's fees and costs.

Patrons: Reid, Frederick and Gear

01/10/07 House: Prefiled and ordered printed; offered 01/10/07
01/10/07 House: Referred to Committee on Commerce and Labor
01/17/07 House: Assigned C & L sub: Utilities/Employment (Byron)
01/17/07 House: Impact statement from DPB (HB2687)
Notes: City Position: Oppose

HB 2689 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. 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) certain private

functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. 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.

Patron: Oder

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on General Laws

01/15/07 House: Assigned GL sub: #3 ABC/Gaming (Gear)

01/16/07 House: Impact statement from DPB (HB2689)

Notes: City Position: Support

HB 2727 Condominium Act; allows elderly or disabled tenants in conversion units to assign purchase right.

Summary as introduced:

Condominium Act; conversion condominiums; rights of elderly and persons with disabilities. Allows any tenant who is disabled or elderly to assign the exclusive right to purchase his unit to a government agency, housing authority, or certified nonprofit housing corporation, which shall then offer the tenant a lease at an affordable rent, in the case of a conversion condominium. The bill provides that the acquisition of such units by the governmental agency, housing authority, or certified nonprofit housing corporation shall not (i) exceed the greater of one unit or five percent of the total number of units in the condominium or (ii) impede the condominium conversion process. The bill defines affordable rent and certified nonprofit housing corporation.

Patrons: Englin, Cosgrove, Hull, McClellan, Sickles and Suit

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on General Laws

Notes: City Position: Support

HB 2740 Campaign finance disclosure; reports of independent expenditures by political action committees.

Summary as introduced:

Campaign finance; reports of independent expenditures by political action and political party committees. Requires a political action committee or political party committee that makes a reportable independent expenditure and that has not yet filed a statement of organization to provide the information required on a statement of organization when it files the required report of the independent expenditure. A committee has 10 days after it is organized to file its statement of organization. This new requirement covers that 10-day period or any period during which the committee has not filed a statement of organization.

Patrons: Englin and McClellan

01/10/07 House: Prefiled and ordered printed; offered 01/10/07
01/10/07 House: Referred to Committee on Privileges and Elections
Notes: City Position: Support

HB 2744 Fair housing law; unlawful discriminatory housing practice.

Summary as introduced:

Fair housing law; unlawful discriminatory housing practice. Adds source of income to the list of unlawful discriminatory housing practices. The bill defines source of income as any lawful income used by a person to meet his obligation to pay for the purchase or lease of a dwelling, including payment with (i) federal funds received pursuant to public housing or Section 8 programs of the United States Housing Act of 1937, as amended, (ii) funds received from assistance made available under Chapter 1.2 (§ 36-55.26 et seq.) of Title 35, or (iii) proceeds from a bequest, life insurance policy, annuity, or other like source. The bill contains technical amendments.

Patrons: Englin, Ebbin and McClellan

01/10/07 House: Prefiled and ordered printed; offered 01/10/07
01/10/07 House: Referred to Committee on General Laws
Notes: City Position: Support

HB 2849 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.25 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patrons: Moran, Amundson, Armstrong, BaCote, Bowling, Brink, Bulova, Ebbin, Howell, A.T., Jones, D.C., McClellan, Miller, P.J., Plum, Scott, J.M., Sickles, Toscano, Ward and Watts

01/10/07 House: Prefiled and ordered printed; offered 01/10/07
01/10/07 House: Referred to Committee on Commerce and Labor
Notes: City Position: Support

HB 2863 Pedestrians; motorists to stop for those at marked crosswalks.

Summary as introduced:

Stopping for pedestrians. Amends the statute that presently requires motorists to yield the right-of-way to pedestrians to require that motorists stop for pedestrians.

Patron: Moran

01/10/07 House: Prefiled and ordered printed; offered 01/10/07
01/10/07 House: Referred to Committee on Transportation
Notes: City Position: To be replaced by a comprehensive study of pedestrian laws supported by the City.

HB 2873 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of

\$5.15 per hour to \$7.25 per hour effective July 1, 2007, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron: McEachin

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Commerce and Labor

Notes: City Position: Support

HB 2878 Air pollution; methods to determine opacity.

Summary as introduced:

Methods to determine opacity. Authorizes the Executive Director of the Department of Environmental Quality to use various methods to determine whether opacity requirements for air quality are being met.

Patrons: Englin, Ebbin, McClellan and Moran

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

Notes: City Position: Support

HB 2935 Tuition, in-state; illegal aliens not eligible therefor.

Summary as introduced:

In-state tuition and educational benefits for unlawful aliens. Provides that an alien who is unlawfully present in the United States shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid, unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope, without regard to whether such citizens or nationals are Virginia residents.

Patron: Miller, J.H.

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Higher Education (Rust)

Notes: City Position: Oppose

HB 2937 Certain aliens; eligibility of for state and local public benefits.

Summary as introduced:

Eligibility of certain aliens for state and local public benefits. Provides that no state or local funds shall be awarded or otherwise disbursed to any organization operated exclusively for religious, charitable, community, or educational purposes where the award or disbursement is made with the intent of circumventing the provisions of this section by indirectly providing benefits or assistance to persons who are otherwise ineligible.

Patrons: Miller, J.H., Albo and Frederick

01/10/07 House: Prefiled and ordered printed; offered 01/10/07

01/10/07 House: Referred to Committee on Health, Welfare and Institutions

Notes: City Position: Oppose

HB 3054 Minimum wage; increases from its current federally mandated level.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.25 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The measure also repeals the existing exclusion for persons who have reached age 65 from the definition of an employee under the Virginia Minimum Wage Act.

Patrons: Jones, D.C. and Moran

01/15/07 House: Presented and ordered printed

01/15/07 House: Referred to Committee on Commerce and Labor

Notes: City Position: Support

HJ 624 Constitutional amendment; localities to exempt from taxation percentage of value of prop. (1st ref).

Summary as introduced:

Constitutional amendment (first resolution); property exempt from taxation. Directs the General Assembly to enact legislation that will permit localities to exempt from property taxes up to 20% of the value of residential or farm property that is designed for continuous habitation as a home and is owner-occupied.

Patron: Brink

01/08/07 House: Prefiled and ordered printed; offered 01/10/07

01/08/07 House: Referred to Committee on Privileges and Elections

01/11/07 House: Assigned P & E sub: #1 (Marshall, R.G.)

Notes: City Position: Support

SB 766 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patrons: Locke; Delegate: McClellan

12/13/06 Senate: Prefiled and ordered printed; offered 01/10/07

12/13/06 Senate: Referred to Committee on Commerce and Labor

01/16/07 Senate: Impact statement from DPB (SB766)

Notes: City Position: Support

SB 771 Public Building Authority; authorized to issue bonds for water treatment.

Summary as introduced:

Virginia Public Building Authority; water treatment. Authorizes the Virginia Public Building Authority to issue bonds in an amount not to exceed \$250 million for grants to be used solely for the purpose of funding the installation of nutrient removal technologies at specified publicly owned treatment works to implement the Commonwealth's Chesapeake Bay Tributary Strategies.

Patrons: Chichester, Quayle and Stosch

12/15/06 Senate: Prefiled and ordered printed; offered 01/10/07

12/15/06 Senate: Referred to Committee on Finance

01/12/07 Senate: Impact statement from DPB (SB771)

Notes: City Position: Support

SB 829 Photo-monitoring systems; established to enforce traffic light signals.

Summary as introduced:

Photo-monitoring systems to enforce traffic light signals. Allows the Counties of Arlington, Fairfax, and Loudoun, the Cities of Alexandria, Fairfax, Falls Church, and Virginia Beach, and the Town of Vienna to establish photo-monitoring systems to enforce traffic light signals, subject to specific requirements and procedures set forth in the bill.

Patron: Devolites Davis

01/16/07 Senate: Committee substitute agreed to 079372726-S1

01/16/07 Senate: Engrossed by Senate - committee substitute SB829S1

01/17/07 Senate: Read third time and passed Senate (31-Y 8-N)

01/17/07 Senate: VOTE: (31-Y 8-N)

01/17/07 Senate: Communicated to House

Notes: City Position: Support

SB 871 Photo-monitoring systems; certain counties and cities may establish to enforce traffic light signal.

Summary as introduced:

Traffic Signal Enforcement Programs; civil penalty. Grants localities the authority to operate traffic signal enforcement systems. Localities may install photo-monitoring systems at no more than 25 intersections at one time. Provisions within the bill set the maximum fine, limit the use and retention of images recorded, and provide other parameters and limitations for localities.

Patron: Watkins

01/08/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/08/07 Senate: Referred to Committee on Local Government

Notes: City Position: Support

SB 925 Air pollution; methods to determine opacity.

Summary as introduced:

Methods to determine opacity. Authorizes the Executive Director of the Department of Environmental Quality to use various methods to determine whether opacity requirements or opacity limits for air quality are being met.

Patrons: Ticer; *Delegates:* Marsden, Moran, Plum and Scott, J.M.

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

Notes: City Position: Support

SB 933 Alexandria, City of; establishing arts and cultural districts.

Summary as introduced:

Arts and cultural districts. Adds the City of Alexandria to those localities that may by ordinance establish within their boundaries an arts and cultural district for the purpose of increasing awareness and support for the arts and culture in the locality. Each locality may provide incentives for the support and creation of arts and cultural venues in the district.

Patrons: Ticer; Delegates: Moran and Scott, J.M.

01/09/07 Senate: Referred to Committee on Local Government

01/16/07 Senate: Reported from Local Government (15-Y 0-N)

01/18/07 Senate: Constitutional reading dispensed (39-Y 0-N)

01/18/07 Senate: VOTE: (39-Y 0-N)

01/19/07 Senate: Read second time and engrossed

Notes: City Position: Support

SB 936 Charter; City of Alexandria.

Summary as introduced:

Charter; City of Alexandria. Requires that in historic districts the fair market value of a building proposed for demolition is based on the assumption that the building will not be moved or demolished. Further amendments clarify the meaning and implications of a good faith offer to buy such property.

Patron: Ticer

01/09/07 Senate: Referred to Committee on Local Government

01/16/07 Senate: Reported from Local Government (10-Y 5-N)

01/18/07 Senate: Constitutional reading dispensed (39-Y 0-N)

01/18/07 Senate: VOTE: (39-Y 0-N)

01/19/07 Senate: Read second time and engrossed

Notes: City Position: Support

SB 968 Condominium Act; allows elderly or disabled tenants in conversion units to assign purchase right.

Summary as introduced:

Virginia Condominium Act; conversion of condominium sales. Allows for a condominium conversion tenant who is disabled or elderly to assign his right to purchase to a government agency, housing authority, or certified nonprofit housing corporation. This bill is a recommendation of the Virginia Housing Commission.

Patron: Whipple

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on General Laws and Technology

01/17/07 Senate: Reported from General Laws and Technology (15-Y 0-N)

01/19/07 Senate: Constitutional reading dispensed (39-Y 0-N)

01/19/07 Senate: VOTE: (39-Y 0-N)

Notes: City Position: Support

SB 1014 Payday loans; requires SCC to contract w/third party to establish database

through Internet.

Summary as introduced:

Payday Loan Act. Requires the State Corporation Commission, by July 1, 2008, to certify and contract with one or more third parties to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether an applicant is eligible for the loan. Fifty cents may be charged to defray the costs of using the database. A payday lender is prohibited from making a payday loan to a person who has terminated a payday loan on the loan application date, or if the loan would cause the borrower to have more than three payday loans outstanding at the same time. Payday lenders are prohibited from knowingly making loans to a member of the military service or to the spouse of such person. If a borrower obtains three or more consecutive payday loans, the borrower may enter into an extended payment plan, which allows the borrower to repay the loan in at least two equal installments over 60 days. The installments may be secured by three checks written by the borrower. Other provisions (i) prohibit a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (ii) require a lender, when collecting or attempting to collect a payday loan when the check given as security for such loan is dishonored, to comply with certain restrictions and prohibitions contained in the Fair Debt Collection Practices Act ; (iii) provide that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower; (iv) state that the provisions of the Payday Loan Act apply to Internet lenders; and (vi) allow licensees to secure payday loans with the borrower's electronic debit authorization.

Patrons: Saslaw and Reynolds

01/09/07 Senate: Prefiled and ordered printed; offered 01/10/07

01/09/07 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: Oppose

SB 1161 Smoke Free Air Act; created.

Summary as introduced:

Virginia Smoke Free Air Act; smoking in restaurants; civil penalties. 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) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. 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.

Patron: Bell

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07
01/10/07 Senate: Referred to Committee on Education and Health
01/16/07 Senate: Impact statement from DPB (SB1161)

Notes: City Position: Support

SB 1204 In-state tuition rates; prohibited for certain individuals.

Summary as introduced:

In-state tuition rates; prohibited for certain individuals. Prohibits the board of visitors or other governing body of a public institution of higher education in the Commonwealth from authorizing in-state tuition rates for individuals who are not citizens or nationals of the United States, are unlawfully present in the United States, or do not possess a valid visa. The bill also provides that, notwithstanding the provisions regarding the governing bodies' mandates, any person shall be eligible for in-state tuition who: (i) has resided in Virginia while attending high school; (ii) has graduated from a public or private high school in Virginia; (iii) has resided in the Commonwealth for at least three years on the date of high school graduation; (iv) has registered in an institution of higher education; (v) has provided an affidavit stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he is eligible; and (vi) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

Patron: Hanger

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07
01/10/07 Senate: Referred to Committee on Education and Health
01/18/07 Senate: Reported from Education and Health with amendments (13-Y 2-N)
01/19/07 Senate: Constitutional reading dispensed (39-Y 0-N)
01/19/07 Senate: VOTE: (39-Y 0-N)

Notes: City Position: Support

SB 1277 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.25 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron: Whipple

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07
01/10/07 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: Support

SB 1320 Payday Loan Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act.

Patron: Locke

01/11/07 Senate: Presented and ordered printed
01/11/07 Senate: Referred to Committee on Commerce and Labor
Notes: City Position: Support

SB 1326 Payday Loan Act; repeals Act effective July 1, 2009.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act effective January 1, 2009.

Patron: Stosch

01/12/07 Senate: Presented and ordered printed
01/12/07 Senate: Referred to Committee on Commerce and Labor
Notes: City Position: Support

SJ 398 Constitutional amendment; localities to exempt from taxation percentage of value of property.

Summary as introduced:

Constitutional amendment (first resolution); property exempt from taxation. Directs the General Assembly to enact legislation that will permit localities to exempt from property taxes up to 20% of the value of residential or farm property that is designed for continuous habitation as a home and is owner-occupied.

Patron: Whipple

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07
01/10/07 Senate: Referred to Committee on Privileges and Elections
Notes: City Position: Support

Commonwealth of Virginia

GENERAL ASSEMBLY

RICHMOND

For Immediate Release:
Thursday, January 18, 2007

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Republicans Announce Compromise Transportation Plan

- Proposal Includes New Measures to Combat Sprawl in Fastest Growing Areas –*
- Reforms to Streamline and Modernize VDOT Featured in Plan –*
- Transportation Funding to Receive \$2 Billion Infusion from Statewide Bonding Initiative –*

Richmond, Thursday 18 January 2007 – Senior Republican lawmakers today announcing a comprehensive transportation plan that would give Virginia's fastest-growing localities more authority to combat sprawl and traffic congestion, enact significant reforms to the state's delivery of transportation services, and inject over \$2 billion into the Commonwealth's network of roads, railways, and public transit.

The legislation is the result of a compromise worked out between senior Republican Senators and Delegates. In an effort to build consensus for the passage of a comprehensive transportation plan, Senators Thomas K. Norment, Jr. (R-James City), Frederick M. Quayle (R-Chesapeake), Walter A. Stosch (R-Henrico), Kenneth W. Stolle (R-Virginia Beach), Martin E. Williams (R-Newport News) and Delegates David B. Albo (R-Fairfax), M. Kirkland Cox (R-Colonial Heights), H. Morgan Griffith (R-Salem), and Terry G. Kilgore (R-Scott) conducted discussions to construct this proposal, garnering detailed input from a wide variety of legislators in both chambers.

The measures to manage growth and control sprawl contained in the comprehensive package represent a clear, definitive break from Virginia's current land use policies. For the fast-growing areas in Northern Virginia, the plan represents a long-overdue modernization of the Commonwealth's approach to local planning and road building, which dates all the way back to the Byrd Road Act of 1932. Legislation would devolve greater authority and control over roads within their boundaries to fast-growing local governments that participate in an optional program, while providing a stable revenue stream, authority to assess impact fees, and the ability to deny zoning requests based on their transportation impact. Additional elements would increase the tools available to sensibly manage rapid residential growth through Urban Development Areas, which incorporate best practices to focus growth in a limited area, as well as restructure the responsibility of maintenance of local subdivision roads.

"This new option for localities to better manage growth and control sprawl and its effects on transportation – for the first time directly tying land use and transportation," noted Delegate Cox. "These fundamental reforms will transform the Commonwealth's current structure of control for local road maintenance, creating a more cooperative partnership between the Commonwealth and its localities."

Noting the affect of land use policies on transportation, Senator Quayle stated, "Land use reform alone cannot solve our transportation problems, but it can help us prevent future problems. This plan is a welcome course correction to our efforts to manage growth wisely."

The innovative and common-sense reform measures featured in the plan are designed to continue reforming the Virginia Department of Transportation (VDOT), increasing the agency's efficiency and effectiveness as a 21st Century transportation agency. The main components of this portion of the package include the establishment of congestion-reducing performance measurements, greater use of private-sector partnerships, and increased accountability, transparency in spending, and efficiency at VDOT. Additional provisions would streamline the current onerous permitting process, update Virginia's road classification system, and employ state-of-the-art technology to facilitate free flow of commuters and commerce through toll facilities. This multi-faceted approach will accelerate the process of improving Virginia's network of roads, railways, and mass transit, achieving measurable and substantial results for Virginia's commuters and taxpayers.

"Virginia has been recognized as the Best Managed State in the nation," Senator Williams noted. "This package of legislation holds our transportation system to the same high standard. As we invest more in transportation, taxpayers deserve to know their money is being spent wisely and efficiently. The legislation will provide that sense of confidence."

"Transforming the way we deliver transportation services is essential to ensuring Virginia is a transportation leader," remarked Delegate Griffith. "By instituting essential, quantifiable performance measures, adding much-needed oversight, transparency, and accountability, and providing increased opportunities for public-private partnerships in developing long-term solutions, we can reform, streamline and modernize the VDOT, thereby improving not only the performance of this core government service, but also the overall quality of life for all Virginians."

By incorporating dedicated, sustainable revenue sources and employing Virginia's AAA bond rating, the plan includes \$2 billion in additional transportation funding statewide. The combination of reliable revenue sources and general obligation bonds will solidify continued funding for Virginia's transportation network and jump start critical projects throughout the state. The plan's ongoing, sustainable streams come from both the reallocation of ongoing resources and targeted fee increases for those using and abusing our transportation system. In addition, the plan allocates \$339 million from the 2006 transportation reserve fund, dedicates 50% of the current budget surplus, \$227 million, and reserves a minimum, specific dollar amount of future budget surpluses. The use of Virginia's AAA bond rating will allow critical projects to be completed faster and at a lower cost to taxpayers.

"This tentative agreement reflects my desire that a modest, appropriate amount of existing general funds goes toward transportation," noted Senator Stosch, who has already submitted legislation to reserve a minimum of 50% of all future net budgetary surplus revenues for transportation.

"A conservative use of bonding will keep Virginia ahead of the curve of rising road construction costs," stated Delegate Kilgore. "These bonds offer a reasonable funding approach that provides the necessary resources to reduce congestion, improve safety, and ensure the free flow of commerce throughout the Commonwealth."

With Northern Virginia and Hampton Roads facing the most acute traffic challenges of the Commonwealth's regions, the plan allows local governments in those areas, by an affirmative vote of their governing body, the added flexibility of raising and retaining additional revenues for critical local road, rail and transit projects. If every eligible locality in the respective regions opted to participate in the plan, Northern Virginia would garner an additional \$383 million in additional transportation funding annually, while Hampton Roads would receive \$209 million.

"This gives Northern Virginians the right to raise and keep the funding we need to reduce congestion and get us out of traffic," noted Delegate Albo. "The flexibility afforded our localities in this plan allows us to solve those important quality of life issues for ourselves."

"The geography of Hampton Roads is a blessing to our economy and a curse to our transportation network if we don't do something dramatic about it," said Senator Stolle. "Our needs are unique and this legislation recognizes that. With its passage our destiny would then be in our own hands and not at the mercy of others."

"This plan represents the best opportunity we've seen over the last year to enact a comprehensive package to control sprawl, reform VDOT, and jumpstart critical projects," noted House Speaker William J. Howell (R-Stafford). "The elected officials involved – senators, delegates, the Attorney General, and others – have invested their time, applied their expertise, and exercised much patience to build the consensus necessary to produce this compromise solution."

"This plan addresses our immediate and long-term transportation challenges, includes statewide and regional approaches, and makes good use of all the tools available to us," concluded Senator Norment. "As citizens learn about its benefits, I am hopeful that every Virginian will support it. It also demonstrates just how much can be accomplished for those we serve when our energies are focused on finding common ground."

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2007 GENERAL ASSEMBLY SESSION

REPUBLICAN TRANSPORTATION PLAN

-- LINKING GROWTH AND TRANSPORTATION INFRASTRUCTURE --

Sprawl has had an increasingly burdensome impact on the quality of life for all Virginians, especially those in urban and suburban areas. Ensuring that state government and localities work together, properly plan to handle growth, and employ the latest and most constructive tools in development design will go a long way toward better serving families, businesses and commuters throughout Virginia.

- Urban Development Areas: To curtail sprawl, limit traffic congestion and plan better, counties would be required – and towns and cities would be permitted – to create “Urban Development Areas” in their Comprehensive Plans.
- Urban Transportation Service Districts: To improve the relationship between state and local governments which will pay dividends over time, fast-growing ones, Northern Virginia counties would be given the opportunity to accept responsibility for the maintenance of all or a portion of their existing secondary road system, create new “Urban Transportation Service Districts,” and allow an impact fee to be charged for road maintenance.
- Local Subdivision Roads: To address skyrocketing maintenance costs (which are consuming dollars that otherwise would be spent on new construction), VDOT would be required to define a “local subdivision road” and a “local collector road,” and would be prohibited from accepting for maintenance purposes any new “subdivision roads” into the Commonwealth’s statewide system.

-- NEW TRANSPORTATION FUNDING --

<u>Recurring New Transportation Revenues</u>	<u>Total: \$500 Million</u>
➤ Increase General Fund Investment	✓ \$250 Million
➤ Implement Abusive Driver Penalties	✓ \$61 Million
➤ Equalize Diesel Fuel Tax	✓ \$20 Million
➤ Increase Overweight Trucks Penalties and Heavy Truck Registration	✓ \$30 Million
➤ Increase in Vehicle Registration Fee (\$10)	✓ \$71 Million
➤ Dedicate 50% of Surplus	✓ 2008: \$227 Million, ✓ Ongoing: \$64 Million
<u>Non-Recurring New Transportation Revenues</u>	<u>Total: \$339 Million</u>
➤ Dedicate 2006 Budget Residual	✓ \$339 Million
<u>Bonds for Statewide Major Projects</u>	<u>Total: \$2.0 Billion</u>
➤ Immediate New Bond Issue (2008-2012)	✓ \$1.3 Billion
➤ Future New Bond Issue (Begin 2012)	✓ \$700 Million
➤ Dedicate 1/3 Insur. Premium Tax to FRAN Debt Service	✓ \$134 Million
<u>Regional Transportation Authorities</u>	<u>Total</u>
➤ Northern Virginia	✓ \$383 Million
➤ Hampton Roads	✓ \$209 Million

2007 GENERAL ASSEMBLY SESSION

REPUBLICAN TRANSPORTATION PLAN

-- VDOT REFORMS --

- *Statewide Transportation Performance Measures to Relieve Highway Congestion.*
 - Provides that quantifiable and achievable goals relating to congestion reduction and safety, as well as other important performance measures, be instituted and considered by VDOT/ CTB in project selection.
- *Ensure Competitively Bid Any and All of VDOT's Functions.*
 - Require VDOT to take steps as may be appropriate to outsource or privatize the Department's functions while allowing departmental employees to bid to continue any specific function or functions that might reasonably be provided
- *Streamline State Environmental Review Process.*
 - Require that state agencies' comments on highway construction projects be completed and submitted to the Secretaries of Transportation and Natural Resources within 15 days.
- *Require Tolls operated by VDOT be Fully Automated Electronically.*
 - Require Virginia toll facilities to become capable of fully automated electronic operation, employing innovative technologies and procedures to reduce traffic delays.
- *VDOT to Reconsider and Reassign Road Classification.*
 - Require VDOT to reconsider and reassign the various highways, bridges, and other facilities comprising the state primary, secondary, and urban highway systems based on their functionality.
- *General Assembly Selection of Certain Commonwealth Transportation Board Members*
 - Provide for the election of non-at-large representatives of Commonwealth Transportation Board (CTB) by the General Assembly, providing necessary oversight and responsiveness. The power to hire the VDO Commissioner, promoting better continuity and performance in that role, would remain the responsibility of the CTB.