

City of Alexandria

MEMORANDUM

DATE: FEBRUARY 12, 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. 2) ON LEGISLATION INTRODUCED AT THE 2007 GENERAL ASSEMBLY SESSION

ISSUE: Recommendations and status report (No. 2) on legislation introduced at the 2007 General Assembly Session.

RECOMMENDATION: That City Council approve the legislative positions included in Attachment 1 (Recommended Positions on Bills of Importance to the City), as recommended by City Council's Legislative Subcommittee (Mayor Euille and Councilman Smedberg).

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 (although there are some exceptions to this rule—bills can be introduced by unanimous consent or at the request of the governor—relatively few bills are introduced after the deadline) As of last Friday, 2,848 bills and resolutions have been introduced. Like last Session, the major issue that is dominating this year's General Assembly is transportation funding.

City Package. This is the status of bills from the City's legislative package (Attachment 2 is a more detailed status report on these bills):

- 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 and is awaiting action by the House Committee on Counties, Cities and Towns.
- SB 933 and HB 2267 (identical bills) would authorize the creation of an arts and cultural district in the City. These bills have passed the House and Senate.

- 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 has been approved by the House and is scheduled to be considered by a subcommittee of the Senate Committee on Privileges and Elections on Monday afternoon.
- Neither the House nor the Senate supported a budget amendment to restore state funding for the Rehabilitative Services Incentive Fund (RSIF) to its FY02 funding level.
- 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. It has been approved by the House and awaits action by the Senate Committee on General Laws and Technology.
- 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. This bill has been passed by the Senate. Last week it was approved 6-1 by a subcommittee of the House Committee on Agriculture, Conservation and Natural Resources; it now awaits action by the full Committee.

Red Light Cameras. The House has now approved legislation that will reauthorize red light camera programs in localities that wish to have them, effective July 1. The requirements for these programs are similar to those included in the State law that was allowed to expire two years ago. Since the Senate has always supported red light cameras, it appears certain that the City will be allowed to use these traffic safety devices once again.

Transportation Funding. Transportation funding remains the dominant issue of the General Assembly Session. As noted in the last Update, a group of House and Senate Republicans proposed a transportation plan that would provide new statewide funding as well as new regional funding for Northern Virginia and Hampton Roads. Components of the plan included an increase in vehicle registration fees, new abusive driver penalties, increases in overweight truck penalties and heavy truck registration fees, an increase in the tax on diesel fuel, and a dedication of half of any future state general fund surplus to transportation. Probably the most controversial component of the plan was an annual shift of \$250 million out of general fund programs (e.g., education, public safety, health, and social services) and into transportation.

The Northern Virginia portion of the plan calls for an increases in taxes on car rentals, commercial real estate, real estate transactions, and a new \$100 fee on the issuance of 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.

The Senate Finance Committee crafted an alternative plan that substantially reduced the amount of state general fund money that would be transferred (\$66 million annually). Major funding in

this plan would have been provided by assessing the sales tax on motor fuels, which are currently exempt from this tax. Funding would also have come from increases in vehicle registration fees for cars and trucks, abusive driver penalties, and an increase in the tax on diesel fuel. The Senate plan also incorporated regional funding plans for Northern Virginia and Hampton Roads. The Northern Virginia plan would have provided about \$400 million annually by authorizing a regional sales tax, new vehicle registration fees, an add-on transient occupancy tax, and increases in car rental taxes and the taxes on real estate transactions.

The Senate bill was passed by the Senate Finance Committee, but withdrawn on the Senate floor, where it was expected to be passed by a narrow margin. The House bill has passed the House and now is being considered by the Senate, which is expected to make significant revisions to it.

HB 599 Funding. As part of his proposed budget amendments, Governor Kaine 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). Governor Kaine's proposal would have distributed a portion of the HB 599 funds to the 20 localities in the State with the top crime rate (in this case, Alexandria has the good fortune not to be in the top 20). The City opposed this proposal.

Neither the House nor the Senate accepted the Governor's proposal, so the HB 599 distribution formula will not be changed.

Legislation Affecting Mirant. Several bills have been introduced that could 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. While HB 2878 was defeated in the House, SB 925 was passed unanimously by the Senate and is now in the House, where staff is working to achieve its passage.

Legislation was also introduced (HB 3113 and SB 1403) to reorganize Virginia's environmental regulatory boards by eliminating the State Air Pollution Control Board (SAPCB), the State Water Control Board (SWCB), and the Waste Management Board (WMB). These boards' authority to adopt regulations would be transferred to a new Board of Environmental Quality. The SAPCB and SWCB's permitting authority would be transferred to the director of the Department of Environmental Quality (the WMB has no permitting authority).

Last year, the SAPCB assumed authority for the issuance of permits for the Mirant Power Plant. Since the City is concerned that these permits would not be issued until after the SAPCB ceased to exist, the City has sought amendments that would continue the SAPCB until the permits are issued. HB 3113 has been amended to address this problem (the bill would need reapproval by the 2008 General Assembly before it could take effect); SB 1403 has not been amended, and the City opposes it in its present form. Staff will continue to seek provisions in both bills (such as

the reenactment clause in the House bill) to continue the SAPCB until the Mirant permits are issued.

Smoking in Public. Observers have seen growing General Assembly support in recent years for legislation that will limit smoking in public. Bills have passed both the House and the Senate in 2007 that put further restrictions on smoking in restaurants. The Senate has passed legislation, supported by the City, that completely prohibits smoking in restaurants and most other indoor public areas. The House has passed legislation (not supported by the City) that would prohibit smoking in restaurants unless a restaurant posts signs stating "Smoking Permitted" conspicuously at each public entrance. The House is unlikely to support the Senate bill. It is not clear yet whether the Senate will support the House bill as a proposal that is better than no legislation and worth trying.

Eminent Domain. 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. The House has approved legislation that imposes ambiguous restrictions on local eminent domain authority. A Senate bill preserves eminent domain authority for counties, cities, and towns, but restricts the power of housing and redevelopment authorities to condemn for blight removal. The House and Senate legislation is likely to go to a conference committee to resolve the differences in the bills during the final days of Session.

Paper trail for Electronic Voting Machines. Legislation to require a paper trail for electronic voting machines has passed both the House and Senate (SB 840 and HB 2707). Both bills will prohibit localities from replacing any currently owned direct recording electronic (DRE) devices after July 1 (the City's E-Slate system is a DRE system). DREs acquired prior to July 1 can continue to be used until they wear out.

SB 840 also requires localities to conduct a post-election audit of their voting machines; if a significant discrepancy is found (a difference of more than one-tenth of a percent between the hand count of the paper ballots and the initial machine tally), the paper ballots will be used to determine the results.

The House and Senate will have to agree by the end of Session on whether to approve the Senate's post-election audit provisions in this legislation.

State Budget. Both the House Appropriations and the Senate Finance Committees have made their budget recommendations. Among the proposed amendments are these:

- The House has proposed a 4 percent salary increase for state-supported local employees, effective December 1, 2007; the Senate has proposed a 3 percent salary increase.
- Both the House and Senate accepted the Governor's proposal (as requested by the City) to increase monthly payments to foster families, as well as clothing allowances for these children.

- The Senate provides \$37,500 for improvements to Gadsby's Tavern; the House provides nothing for this purpose.
- The Senate provides about \$53,000 in additional funds (over those appropriated in the 2006 Session) to the Alexandria City Public Schools in FY 08, and the House provides about \$43,000 less.
- The Senate recommends an increase of \$259,523 in HB599 local law enforcement funds to the City (we are receiving \$6,624,743 this fiscal year), and the House recommends an increase of \$111,071.
- Additional funding is proposed by the House for Medicaid assistance to persons who are mentally retarded or developmentally disabled.
- The House provides funds (which require no local match) for CSBs to provide services to children who have serious emotional disturbances and related disorders. The Senate proposes to serve these children through the Comprehensive Services Act (CSA) which requires the City to match any state funds.
- Funds are provided by both the House and the Senate for wastewater treatment plant upgrades that will include technology to remove nitrogen, thus enhancing the health of the Bay.
- The Senate has included \$50,000, and the House \$100,000, for the Washington Area Housing Trust Fund to use for affordable housing.
- The House has provided \$100,000 to assist the Birmingham Green Adult Care Residence (which serves residents of Alexandria and several other Northern Virginia localities) in the construction of its new assisted living facility. The Senate did not provide funding for the facility.

ATTACHMENTS:

Attachment 1 - Recommended Positions on Bills of Importance to the City, February 9, 2007

Attachment 2 - Current Status of City Package Bills, February 9, 2007

Attachment 3 - Current Status of Bills on Which The City Has Taken a Position, February 9, 2007

STAFF:

Bernard Caton, Legislative Director

**Recommended Positions on Bills of Importance to the City
February 9, 2007**

HB 1680 Domestic assault case; unavailability of deferred proceedings for previously convicted felons.

Summary as passed House:

Unavailability of deferred proceedings in domestic assault cases for previously convicted felons. Provides that a person previously convicted of a felony offense against a person is not eligible for deferred proceedings in a domestic assault case unless the felony was committed more than 10 years prior to such consideration. Current law prohibits any consideration if a person has been convicted of an assault and battery type offense.

Patrons: Cosgrove, Athey, Gear, Iaquinto, Jones, S.C., Landes and Sherwood

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/07/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Support

HB 2034 Prisoners; payment for health care costs by local and state correctional facilities.

Summary as introduced:

Payment for health care costs of prisoners. Requires that payment by local and state correctional facilities for costs incurred for health care for prisoners not exceed the lesser of the amount that would be paid under Medicare or Medicaid.

Patron: Hamilton

02/06/07 House: Read third time and passed House (67-Y 27-N 2-A)

02/07/07 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: City Position: Support

HB 2201 Interstate Compact for Juveniles; provides accountability, etc. to track juveniles across borders.

Summary as introduced:

Interstate Compact for Juveniles. Repeals the Interstate Compact Relating to Juveniles located in Article 14 (§ 16.1-323 et seq.) of Chapter 11 of Title 16.1 and replaces it with the current version of the Interstate Compact for Juveniles, which has already been enacted in 30 states and provides for enhanced accountability, enforcement, visibility, and communication in relation to tracking and supervising juveniles moving across state borders.

Patron: McQuigg

02/01/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/02/07 Senate: Referred to Committee on Privileges and Elections

Notes: City Position: Support

HB 2448 Illegal Immigration; verify citizenship status of persons in jail.

Summary as passed House:

Virginia Security and Immigration Compliance Act; penalty. Requires that a jailer shall reasonably attempt to verify citizen status of certain persons who are confined in jail

Patrons: Frederick and Miller, J.H.

02/06/07 House: Read third time and passed House (90-Y 6-N)

02/07/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Oppose

HB 2524 Gangs; definition of predicate criminal act to determine membership therein.

Summary as passed House:

Predicate criminal acts necessary for criminal gang member status. Adds "felony involving the use of a firearm or other weapon" to the list of acts that qualify as predicate criminal acts necessary for criminal gang member status.

Patrons: Iaquinto, Athey, Landes, Lohr, Rust and Sherwood

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/07/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Support

HB 2576 Protective orders; extension by court.

Summary as passed House:

Protective orders; extension. Provides that a court may, for good cause shown, extend a preliminary protective order where the party subject to the order fails to attend the required hearing. Current law provides that the party for whose benefit the protective order was issued is required to repeat the process to obtain the order so as to prevent its expiration.

Patron: Shannon

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/07/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Support

HB 2676 Local budgets; modifies existing requirements for advertising, etc. when a locality amends.

Summary as introduced:

Local budgets. Modifies the existing requirements for advertising and holding a public hearing when a locality amends its budget. Such requirements will apply to any amendment that exceeds one percent of the total expenditures shown in the current budget. Currently, the requirements apply if the amendment exceeds one percent or \$500,000, whichever is less.

Patron: Ware, O.

01/31/07 House: Read third time and passed House (100-Y 0-N)

02/01/07 Senate: Referred to Committee on Local Government

Notes: City Position: Support

HB 2761 Running a red light; punishable as reckless driving.

Summary as introduced:

Stopping on highways. Makes running a red light reckless driving statewide. It also makes

running a red light in localities formerly authorized to have photo-red programs punishable as reckless driving with a mandatory minimum fine of \$500.

Patron: Hurt

01/18/07 House: Referred to Committee for Courts of Justice

02/02/07 House: Incorporated by Courts of Justice (HB2587-Janis)

Notes: City Position: Oppose

HB 2789 Uniform Statewide Building Code; violations, penalty.

Summary as introduced:

Uniform Statewide Building Code; violations; penalty. Provides that when violations of the Building Code relating to occupancy limits, where a dwelling results in not being a safe, decent, and sanitary dwelling, in a locality where the governing body has taken action to enforce the Maintenance Code, any owner, other person, firm, or corporation convicted of such violation may be punished by increase fines and confinement in jail for not more than 10 days. Currently, any violation of the Building Code is punishable by a fine of not more than \$2,500.

Patron: Hull

02/02/07 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

02/05/07 Senate: Referred to Committee on General Laws and Technology

02/07/07 Senate: Reported from General Laws and Technology (14-Y 0-N)

Notes: City Position: Oppose

HB 2793 Display of local license, decal etc.; exempts certain public service companies therefrom.

Summary as passed House:

Local vehicle license. Exempts vehicles owned by a public service company having a fleet of at least 2,500 vehicles garaged in the Commonwealth from having to display any local license, decal, or sticker. Furthermore, no person who has purchased a local vehicle license, decal, or sticker for a vehicle in one county, city, or town and then moves to and garages his vehicle in another county, city, or town can be required to purchase another local license, decal, or sticker from the county, city, or town to which he as moved and wherein his vehicle in now garaged until the expiration date of the local license, decal, or sticker issued by the county, city, or town from which he moved.

Patrons: Saxman and Cosgrove

01/30/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

01/31/07 Senate: Referred to Committee on Transportation

02/08/07 Senate: Reported from Transportation (14-Y 0-N 1-A)

Notes: City Position: Oppose

HB 3011 Bonding requirements; facilities dedicated for public use.

Summary as introduced:

Bonding requirements; facilities dedicated for public use. Provides that a governing body of a locality shall not require a developer to furnish a bond for the estimated cost of construction of facilities to be dedicated for public use until construction plans are submitted for the section in

which such facilities are to be located or for any improvement not intended to be dedicated for public use following construction.

Patron: Hull

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/07/07 Senate: Referred to Committee on Local Government

Notes: City Position: Oppose

HB 3202 Transportation funding; authority to certain localities to impose additional fees therefor, report.

Summary as introduced:

Transportation funding and reform. Provides (i) statewide funding of transportation projects through current funds and additional funds, (ii) authority to localities in Northern Virginia and Hampton Roads to impose additional fees for transportation, and (iii) several administrative and efficiency reforms impacting transportation. The bill also authorizes the Commonwealth Transportation Board to issue bonds in an aggregate amount not to exceed \$2 billion for statewide transportation funding.

Patrons: Howell, W.J., Albo, Athey, Callahan, Carrico, Cosgrove, Cox, Dudley, Griffith, Hargrove, Hurt, Jones, S.C., Kilgore, Landes, Marshall, D.W., May, Morgan, Orrock, Rust, Suit and Wardrup

02/06/07 House: VOTE: PASSAGE (61-Y 37-N)

02/07/07 Senate: Referred to Committee on Transportation

Notes: City Position: Seek an amendment that will allow the City maximum flexibility in the use of its transportation funds (i.e., let the City designate sufficient funds for transit). Oppose the movement of \$250 million from the general fund to transportation.

SB 995 Medicaid eligibility; young adults transitioning from foster care.

Summary as passed Senate:

Medicaid eligibility; young adults transitioning from foster care. Requires the Department of Medical Assistance Services to amend the state plan to provide for the payment of medical assistance, pursuant to The Foster Care Independence Act of 1999, for any individual who (i) was receiving foster care services on his eighteenth birthday, (ii) continues to receive independent living services pursuant to § 63.2-905.1, and (iii) has not yet reached his twenty-first birthday. Such individuals shall not be subject to Medicaid income limits. This bill is dependent upon an appropriation of general funds in the 2007 General Assembly session.

Patron: Blevins

02/02/07 Senate: Communicated to House

02/06/07 House: Referred to Committee on Health, Welfare and Institutions

Notes: City Position: Support

SB 1063 Assessment rates; notification for increase.

Summary as passed Senate:

Real estate tax; limitation on tax rate. Increases from 7 to 30 days the minimum notice that a locality must give the public of a public hearing in which the locality proposes to increase its

total real estate tax levies more than 101% of the prior years tax levies, and requires that such notice be posted in the building where the governing body of the locality ordinarily meets, as well as in a newspaper.

Patron: Rerras

02/05/07 Senate: Communicated to House

02/06/07 House: Referred to Committee on Finance

Notes: City Position: Oppose

SB 1363 Safety inspection stickers and vehicle inspections; required for parked vehicles.

Summary as introduced:

Vehicle safety inspection stickers. Requires vehicles parked on the highways to display vehicle safety inspection stickers.

Patrons: Colgan and Puller; *Delegates:* Lingamfelter, McQuigg and Miller, J.H.

01/31/07 Senate: Communicated to House

02/06/07 House: Referred to Committee on Transportation

02/08/07 House: Reported from Transportation (22-Y 0-N)

Notes: City Position: Support

SB 1393 Libraries; state funded shall have technology protection measures against Internet restrictions.

Summary as passed Senate:

Technology protection measures; public libraries Requires the library board or governing body of a local library to include in its acceptable use policy for the Internet provisions for the selection, installation and activation of a technology protection measure on computers that have Internet access and that are accessible to the public to filter or block Internet access through such computers to child pornography as set out in § 18.2-374.1:1, obscenity as defined in § 18.2-372, and, with respect to minors, materials deemed harmful to juveniles as defined in § 18.2-390. The bill also requires the policy to include a provision for disabling the technology protection measure at the request of a patron in instances of bona fide research or other lawful purposes. In addition, the bill provides that no state funding shall be withheld and no other adverse action taken against a library by the Librarian of Virginia or any other official of state government when the technology protection measure fails, provided that such library promptly has taken reasonable steps to rectify and prevent such failures in the future.

Patrons: Stosch, Obenshain, Bell, Newman, O'Brien and Wampler

02/01/07 Senate: Communicated to House

02/06/07 House: Referred to Committee on Science and Technology

Notes: City Position: Oppose

SB 1406 Public Procurement Act; use of design-build construction by local governing body.

Summary as introduced:

Virginia Public Procurement Act; design-build construction; use by local governing body.

Increases from \$1 million to \$5 million the amount that localities may procure under a fixed

price design-build basis.

Patron: Hanger

01/30/07 Senate: Communicated to House

02/03/07 House: Referred to Committee on General Laws

02/05/07 House: Assigned GL sub: #2 FOIA/Procurement (Marshall, D.)

Notes: City Position: Support

SB 1414 Transportation funding; authorizes localities in Northern Virginia to impose additional fees.

Summary as introduced:

Transportation; supplemental funding for Northern Virginia. Authorizes localities in Northern Virginia to impose additional local fees for transportation purposes.

Patrons: DeVolites Davis and O'Brien

01/19/07 Senate: Referred to Committee on Transportation

01/31/07 Senate: Incorporated by Transportation (SB1417-Norment) (10-Y 1-N)

Notes: City Position: Seek an amendment that will allow the City maximum flexibility in the use of its transportation funds (i.e., let the City designate sufficient funds for transit)

SJ 425 Constitutional amendment; assessments of real property (first reference).

Summary as introduced:

Constitutional amendment (first resolution); property tax assessments. Provides that real property will be assessed at fair market value at the time of purchase plus the fair market value of improvements to the property at the time of the assessment. This resolution has been incorporated into SJR 354.

Patron: Ruff

01/16/07 Senate: Referred to Committee on Privileges and Elections

01/30/07 Senate: Incorporated by Privileges and Elections (SJ354-Rerras) (15-Y 0-N)

Notes: City Position: Oppose

**Current Status of City Package Bills
February 9, 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. This bill has been incorporated into HB 2563.

Patrons: Oder and Cox

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

01/30/07 House: Incorporated by Commerce and Labor (HB2563-Ware, R.L.)

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: Referred to Committee on Commerce and Labor

02/06/07 House: Left in 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: Referred to Committee on Commerce and Labor

02/06/07 House: Left in 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: Referred to Committee on Commerce and Labor

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 1683 Red Light Cameras.

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: Referred to Committee on Transportation

02/01/07 House: Incorporated by Transportation (HB1778-Cosgrove)

Notes: City Position: Support

HB 1710 Treatment works; reimbursement to localities of funds for upgrades thereof.

Summary as passed House:

Virginia Pubic Building Authority; water treatment. Provides alternative ways of providing \$500 million in grants for funding the installation of nutrient removal technologies at specified publicly owned treatment works.

Patrons: Callahan, Athey, Cosgrove, Hugo, Landes, Lingamfelter, O'Bannon, Oder, Peace, Rust, Scott, E.T. and Sherwood

02/01/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/02/07 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

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: Referred to Committee on Commerce and Labor

01/23/07 House: Incorporated by Commerce and Labor (HB2687-Reid)

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.

Patrons: Cole, Athey, Cosgrove, Scott, E.T. and Sherwood

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

02/02/07 House: Incorporated by Courts of Justice (HB1970-Albo)

Notes: City Position: Oppose

HB 1952 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. 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: Referred to Committee on General Laws

02/06/07 House: Left in General Laws

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: Referred to Committee on Commerce and Labor

02/06/07 House: Left in 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

02/06/07 House: Left in General Laws

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; Senator: Reynolds

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

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

01/30/07 House: Tabled in Commerce and Labor (15-Y 7-N)

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. This bill has been incorporated into HB 2623 (Reid).

Patron: Cline

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

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

01/29/07 House: Incorporated by Education (HB2623-Reid)

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

01/30/07 House: Tabled in Commerce and Labor (15-Y 7-N)

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

02/06/07 House: Left in General Laws

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

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/07/07 Senate: Referred to Committee on Local Government

Notes: City Position: Support

HB 2422 Smoking; prohibited in restaurants, penalty.

Summary as introduced:

Restaurants; smoking prohibited. Prohibits smoking in restaurants in Virginia 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. A restaurant proprietor 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

02/02/07 House: Read third time and passed House (74-Y 22-N)

02/05/07 Senate: Referred to Committee on Education and Health

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: Referred to Committee on Commerce and Labor

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

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

Summary as passed House:

Unfair employment practices; discharging employees when unauthorized aliens are employed. States that it is an unfair employment practice for an employer to knowingly employ any unauthorized alien within the Commonwealth. An employee who is replaced by his employer with an unauthorized alien shall have a cause of action against his employer on or after July 1, 2007. Employers that are enrolled and participate in the federal Basic Pilot Program, are exempt from compliance with federal employment verification procedures under federal law, or have obtained certain employment eligibility verification documentation, 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. This bill incorporates HB 1906.

Patrons: Reid, Frederick, Gear and Hugo

01/30/07 House: VOTE: PASSAGE (62-Y 37-N)

01/31/07 Senate: Referred to Committee on Commerce and Labor

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: Referred to Committee on General Laws

02/06/07 House: Left in General Laws

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, Ebbin, Hull, McClellan, Sickles and Suit

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/07/07 Senate: Referred to Committee on General Laws and Technology

Notes: City Position: Support

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

Summary as passed House:

Campaign finance; deadline for reports of independent expenditures; filings by political action and political party committees. Requires filing independent expenditure reports by earlier of 24 hours after (i) making expenditure, or (ii) publishing or publicly broadcasting materials to influence voting for or against an identified candidate. Requires that independent expenditure report filed by a political action committee or political party committee that has not yet filed a statement of organization provide the information required on a statement of organization. Current law allows a committee 10 days after it is organized to file its statement of organization. This bill requires a political action committee or political party committee that makes an independent expenditure during this 10-day period or any period during which the committee has not filed a statement of organization to file a report within 24 hours of spending funds or publishing or publicly broadcasting candidate related materials.

Patrons: Englin and McClellan

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/07/07 Senate: 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: Referred to Committee on General Laws

02/01/07 House: Stricken from docket by 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: Referred to Committee on Commerce and Labor

02/06/07 House: Left in 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: Referred to Committee on Transportation

01/23/07 House: Stricken from docket by 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: Referred to Committee on Commerce and Labor

01/24/07 House: Impact statement from DPB (HB2873)

02/06/07 House: Left in 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: Referred to Committee on Agriculture, Chesapeake and Natural Resources

02/06/07 House: Left in 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. This bill has been incorporated into HB 2623 (Reid).

Patrons: Miller, J.H., Athey, Cole, Cosgrove, Gear and Jones, S.C.

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

01/29/07 House: Incorporated by Education (HB2623-Reid)

Notes: City Position: Oppose

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

Summary as passed House:

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 when the award or disbursement is made with the intent of circumventing the provisions of this section by enabling such organization to provide the type of benefits or assistance to persons who are otherwise ineligible. Further provides that no organization receiving state or local funds shall use the funds to provide the type of benefits or assistance to persons who are otherwise ineligible for them.

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

01/30/07 House: Read third time and passed House (70-Y 29-N)

01/31/07 Senate: Referred to Committee on Rehabilitation and Social Services

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: Referred to Committee on Commerce and Labor

02/06/07 House: Left in 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: Referred to Committee on Privileges and Elections

02/06/07 House: Left in Privileges and Elections

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. This bill has been incorporated into SB 1327.

Patrons: Locke; Delegate: McClellan

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

01/29/07 Senate: Incorporated by Commerce and Labor (SB1327-Colgan) (15-Y 0-N)

Notes: City Position: Support

SB 771 Public Building Authority; authorized to issue bonds for water quality improvement grants.

Summary as passed Senate:

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 and non-significant discharges to implement the Commonwealth's Chesapeake Bay Tributary Strategies. The bill would provide that no bonds could be issued in a current fiscal year if there was a surplus in the immediately prior fiscal year. The bill also contains procedures that the Department of Environmental Quality would follow to ensure the most efficient use of water quality improvement grants.

Patrons: Chichester, Hanger, Quayle and Stosch

02/05/07 Senate: VOTE: (39-Y 0-N)

02/06/07 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

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

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

01/17/07 Senate: Communicated to House
02/06/07 House: Referred to Committee on Transportation
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

01/29/07 Senate: VOTE: (30-Y 10-N)
01/29/07 Senate: Communicated to House
02/06/07 House: Referred to Committee on Transportation
Notes: City Position: Support

SB 925 Air pollution; methods to determine opacity.

Summary as passed Senate:

Methods to determine opacity. Authorizes the Executive Director of the Department of Environmental Quality or his representative 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.

02/01/07 Senate: VOTE: (39-Y 0-N)
02/01/07 Senate: Communicated to House
02/05/07 House: Referred to Committee on Agriculture, Chesapeake 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.

01/22/07 Senate: VOTE: (38-Y 0-N)
01/22/07 Senate: Communicated to House
02/02/07 House: Referred to Committee on Counties, Cities and Towns
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

01/23/07 Senate: VOTE: (31-Y 9-N)

01/23/07 Senate: Communicated to House

02/03/07 House: Referred to Committee on Counties, Cities and Towns

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

02/03/07 House: Placed on Calendar

02/03/07 House: Referred to Committee on General Laws

02/08/07 House: Reported from General Laws with amendment (22-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 passed Senate:

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. A payday loan may not be made to a borrower in an extended payment plan. 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

01/26/07 Senate: Communicated to House

02/06/07 House: 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

02/06/07 Senate: Impact statement from DPB (SB1161S2)

02/06/07 House: Referred to Committee on General Laws

Notes: City Position: Support

SB 1204 Tuition, in-state; prohibited for those who are unlawfully present in U.S.

Summary as passed Senate:

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 unlawfully present in the United States. 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 or has received a General Education Development (GED) certificate 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

01/23/07 Senate: VOTE: (32-Y 8-N)

02/05/07 House: Referred to Committee on Education

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. This bill has been incorporated into SB 1327.

Patrons: Whipple and Reynolds

01/29/07 Senate: Incorporated by Commerce and Labor (SB1327-Colgan) (15-Y 0-N)

Notes: City Position: Support

SB 1320 Payday Loan Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act.

Patrons: Locke and Reynolds

01/11/07 Senate: Referred to Committee on Commerce and Labor

02/06/07 Senate: Left in 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.

Patrons: Stosch and Reynolds

01/12/07 Senate: Referred to Committee on Commerce and Labor

02/06/07 Senate: Left in 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. This resolution has been incorporated into SJR 354.

Patron: Whipple

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

01/30/07 Senate: Incorporated by Privileges and Elections (SJ354-Rerras) (15-Y 0-N)

Notes: City Position: Support

**Current Status of Bills on Which The City Has Taken a Position
February 9, 2007**

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

Summary as passed House:

Multiline telephone systems. Requires providers of multiline telephone systems acquired or installed on or after July 1, 2009, be maintained and operated so that calls to 9-1-1 from each telephone station on the system provides either automatic location and number identification information or an alternative method of providing call location information.

Patrons: Rapp, O'Bannon and Orrock

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

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: Referred to Committee on Finance

02/06/07 House: Left in Finance

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: Referred to Committee on Finance

02/06/07 House: Left in Finance

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: Referred to Committee for Courts of Justice

02/06/07 House: Left in Courts of Justice

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

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

02/06/07 House: Left in 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: Referred to Committee on Finance

02/06/07 House: Left in Finance

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

02/06/07 House: Left in Finance

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

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/07/07 Senate: Referred to Committee for Courts of Justice

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.

Patrons: Cosgrove, Athey, Cole, Gear, Jaquinto, Jones, S.C., Landes, Lohr, Miller, J.H., O'Bannon, Rust and Sherwood

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

02/06/07 House: Left in Courts of Justice

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: Referred to Committee on Finance

02/06/07 House: Left in Finance

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

02/02/07 House: Passed by in Courts of Justice with letter

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

01/25/07 House: Impact statement from DPB (HB1825)

02/06/07 House: Left in Appropriations

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

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/06/07 House: Communicated to Senate

02/07/07 Senate: Constitutional reading dispensed

02/07/07 Senate: Referred to Committee for Courts of Justice

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)

01/22/07 House: Incorporated by Courts of Justice (HB1739-Fralin)

Notes: City Position: Support

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

Summary as passed House:

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. There are exceptions made for exiting to the left, avoiding a collision, traffic and inclement weather, and entering a toll facility.

Patron: Rapp

02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/06/07 House: Communicated to Senate

02/07/07 Senate: Constitutional reading dispensed

02/07/07 Senate: Referred to Committee on Transportation

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

01/24/07 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

01/24/07 House: Communicated to Senate

01/25/07 Senate: Constitutional reading dispensed

01/25/07 Senate: Referred to Committee for Courts of Justice

02/07/07 Senate: Reported from Courts of Justice (14-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

01/12/07 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.)

01/22/07 House: Impact statement from DPB (HB2077)

01/26/07 House: Incorporated by Privileges and Elections (HB2707-Hugo)

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, Caputo, 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

01/26/07 House: Passed by indefinitely in 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

02/02/07 House: Communicated to Senate

02/05/07 Senate: Constitutional reading dispensed

02/05/07 Senate: Referred to Committee on Transportation
02/08/07 Senate: Reported from Transportation with substitute (15-Y 0-N)
02/09/07 Senate: Committee substitute printed 079446352-S1
Notes: City Position: Support

HB 2095 Retirement System; additional information to localities and authorized to assess fees.

Summary as passed House:

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. Localities may be charged a fee by VRS for the cost of providing such information.

Patron: Tata

02/05/07 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)
02/05/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)
02/05/07 House: Communicated to Senate
02/06/07 Senate: Constitutional reading dispensed
02/06/07 Senate: Referred to Committee on Finance
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
02/06/07 House: Left in 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 passed House:

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 new rate derived from its new proposed budget 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 previous year's real property tax levy, the real

property tax levy at the derived rate.

Patron: Hugo

02/05/07 House: VOTE: PASSAGE (78-Y 17-N)

02/05/07 House: Communicated to Senate

02/06/07 Senate: Constitutional reading dispensed

02/06/07 Senate: Referred to Committee on Finance

Notes: City Position: Oppose

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

Summary as passed House:

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

Provides that the failure of the court to hold a hearing in cases where there is a breach of the tenant's obligations under the Virginia Residential Landlord and Tenant Act or the rental agreement, which involves or constitutes a criminal or a willful act that is not remediable and poses a threat to health or safety, shall not be a basis for dismissal of the case.

Patron: Albo

02/02/07 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

02/02/07 House: Communicated to Senate

02/05/07 Senate: Constitutional reading dispensed

02/05/07 Senate: Referred to Committee on General Laws and Technology

02/07/07 Senate: Reported from General Laws and Technology (14-Y 0-N)

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

01/22/07 House: Referred from Courts of Justice

01/22/07 House: Referred to Committee on General Laws

02/06/07 House: Left in General Laws

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

02/06/07 House: Left in 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)

01/24/07 House: Impact statement from DPB (HB2200)

02/06/07 House: Left in Appropriations

Notes: City Position: Oppose

HB 2218 Charitable organizations; those engaged in food distribution to needy are exempt from regulations.

Summary as passed House:

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 contains an emergency clause.

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

01/31/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

01/31/07 House: Communicated to Senate

02/01/07 Senate: Constitutional reading dispensed

02/01/07 Senate: Referred to Committee on General Laws and Technology

02/07/07 Senate: Reported from General Laws and Technology (13-Y 0-N)

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

01/25/07 House: Incorporated by General Laws (HB2218-Amundson)

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

01/22/07 House: Incorporated by Courts of Justice (HB1921-Griffith)

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.

Patrons: Welch and Iaquinto

01/26/07 Senate: Constitutional reading dispensed

01/26/07 Senate: Referred to Committee on Finance

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.

Patrons: Albo, Athey, Cole, Cosgrove, Iaquinto, Landes, Miller, J.H., Rust, Sherwood and Welch

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/06/07 House: Communicated to Senate

02/07/07 Senate: Constitutional reading dispensed

02/07/07 Senate: Referred to Committee for Courts of Justice

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.

Patrons: Albo, Athey, Cole, Frederick, Hugo, Landes, O'Bannon, Sherwood and Welch

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

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

02/06/07 House: Left in 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.)

01/24/07 House: Impact statement from DPB (HB2548)

02/06/07 House: Left in Finance

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: 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
01/29/07 House: Impact statement from DPB (HB2551)
02/06/07 House: Left in Courts of Justice
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 passed House:

Family assault and battery; deferred finding. Provides that a defendant who has waived his right to appeal cannot appeal the underlying offense in order to accept deferred findings of a family assault conviction.

Patron: Shannon

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)
02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)
02/06/07 House: Communicated to Senate
02/07/07 Senate: Constitutional reading dispensed
02/07/07 Senate: Referred to Committee for Courts of Justice
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.

Patrons: Fralin and Englin

02/01/07 House: Reported from General Laws with substitute (22-Y 0-N)

02/01/07 House: Referred to Committee on Appropriations

02/06/07 House: Left in Appropriations

Notes: City Position: Oppose

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

Summary as passed House:

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. This bill incorporates HB 1961 (Hargrove), HB 2169 (Cline), and HB 2935 (Miller).

Patrons: Reid, Cline and Miller, J.H.

02/01/07 House: VOTE: PASSAGE (74-Y 23-N)

02/01/07 House: Communicated to Senate

02/02/07 Senate: Constitutional reading dispensed

02/02/07 Senate: Referred to Committee on Education and Health

02/06/07 Senate: Assigned Education sub: Higher Education

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

01/24/07 House: Read third time and passed House (91-Y 5-N)

01/24/07 House: VOTE: PASSAGE (91-Y 5-N)

01/24/07 House: Communicated to Senate

01/25/07 Senate: Constitutional reading dispensed

01/25/07 Senate: Referred to Committee for Courts of Justice

Notes: City Position: Support

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

Summary as passed House:

Freedom of Information Act; electronic communication meetings; Governor-declared state of emergency. Allows state 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.

Patron: Sherwood

02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/06/07 House: Communicated to Senate
02/07/07 Senate: Constitutional reading dispensed
02/07/07 Senate: Referred to Committee on General Laws and Technology
02/08/07 Senate: Assigned GL&T sub: #1

Notes: City Position: Support

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

Summary as passed House:

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, obtained certain employment eligibility verification documentation, or is exempt from compliance with federal employment verification procedures under federal law, 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, Frederick, Hugo and Miller, J.H.

02/02/07 House: VOTE: PASSAGE (52-Y 45-N)

02/02/07 House: Communicated to Senate

02/05/07 Senate: Constitutional reading dispensed

02/05/07 Senate: Referred to Committee on Commerce and Labor

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.)

01/22/07 House: Impact statement from DPB (HB2696)

01/26/07 House: Stricken from docket by Privileges and Elections

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: Referred to Committee on Privileges and Elections

01/26/07 House: Stricken from docket by Privileges and Elections

Notes: City Position: Oppose

HB 2707 Voting equipment; requirements and recount procedures.

Summary as passed House:

Election procedures; voting equipment requirements; and recounts. Prohibits future purchases of direct recording electronic (DRE) devices; and provides for the phase out of DRE devices as the devices now in operation wear out. Prohibits any form of wireless communication to or from voting or counting devices on election day. Requires localities to provide accessible equipment for disabled voters. The bill deletes obsolete references to mechanical voting equipment and punchcard devices.

Patrons: Hugo, Callahan and Moran

02/06/07 House: Read third time and passed House (81-Y 18-N)

02/07/07 Senate: Referred to Committee on Privileges and Elections

Notes: City Position: Oppose

HB 2730 Hospital regulations; provision allowing patients to receive visits from whom they desire.

Summary as passed House:

Hospital regulations; authorized visitor designation for hospital visitation. Requires the Department of Health to establish regulations requiring each licensed hospital to include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to certain restrictions.

Patrons: Englin, Albo, Caputo, Ebbin, Iaquinto, McClellan, Moran, Shannon, Sickles and Wittman

02/05/07 House: VOTE: PASSAGE (97-Y 0-N 1-A)

02/05/07 House: Communicated to Senate

02/06/07 Senate: Referred to Committee on Education and Health

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: Referred to Committee on Privileges and Elections

01/26/07 House: Stricken from docket by Privileges and Elections

Notes: City Position: Oppose

HB 2746 Real estate tax; assessment of real property by localities.

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

02/06/07 House: Left in Finance

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

01/24/07 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

01/25/07 Senate: Referred to Committee on General Laws and Technology

02/07/07 Senate: Reported from General Laws and Technology (14-Y 0-N)

Notes: City Position: Support

HB 2871 Trusts, state and local; created for 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: Referred to Committee on Appropriations

02/06/07 House: Left in Appropriations

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: Referred to Committee on Privileges and Elections

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: Referred to Committee on Privileges and Elections

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

Notes: City Position: Support

HB 2923 Human Trafficking, Commission On Prevention of; created, report.

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, Rust, Scott, J.M., Sickles, Spruill, Suit, Tyler, Valentine, Ward and Wardrup

02/03/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/03/07 House: Communicated to Senate

02/05/07 Senate: Referred to Committee on Rules

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: Referred to Committee on Finance

01/31/07 House: Incorporated by Finance (HB3130-Byron)

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., Athey, Cole, Cosgrove, Frederick, Gear, Hugo, Jones, S.C., O'Bannon and Sherwood

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

02/06/07 House: Left in Counties, Cities and Towns

Notes: City Position: Oppose

HB 2932 Public schools; 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: Referred to Committee on Education

01/24/07 House: Tabled in Education

Notes: City Position: Oppose

HB 2934 Immigrants; requirement of lawful status for 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., Athey, Cole, Cosgrove, Frederick, Hugo, Kilgore and Sherwood

01/23/07 House: Referred to Committee for Courts of Justice

01/26/07 House: Incorporated by Courts of Justice (HB2435-Albo)

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

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

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

02/06/07 House: Left in Agriculture, Chesapeake and Natural Resources

Notes: City Position: Support

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

Summary as passed House:

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--the Virginia Board of Environmental Quality--with the authority to adopt regulations, including general permit 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. The Department will hold public meetings for the presentation of staff recommendations on major permitting decisions. A citizen appeals board is established and granted the authority to override the Director of the Department of Environmental Quality. The bill includes a "re-enactment clause" that requires the General Assembly of 2008 to reaffirm the legislation and delays the effective date until July 1, 2008.

Patron: Landes

02/06/07 House: VOTE: PASSAGE (67-Y 30-N)

02/06/07 House: Communicated to Senate

02/07/07 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

Notes: City Position: Oppose

HJ 559 Constitutional amendment; assessments of real property and tax rates.

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: Referred to Committee on Privileges and Elections

02/06/07 House: Left in Privileges and Elections

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.

Patrons: Lingamfelter and Frederick

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

02/06/07 House: Left in Privileges and Elections

Notes: City Position: Oppose

HJ 698 Power plants; Department of Health to study public health effects of using trona.

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

02/06/07 House: Left in Rules

Notes: City Position: Support

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

Summary as introduced:

Control of firearms; libraries. Allows a locality to adopt an ordinance that prohibits firearms,

ammunition, or components or combinations thereof, in locality's libraries.

Patron: Locke

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

01/23/07 Senate: Failed to report (defeated) in Local Government (5-Y 9-N)

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, Devolites Davis, 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: Referred to Committee for Courts of Justice

01/24/07 Senate: Failed to report (defeated) in Courts of Justice (7-Y 8-N)

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

01/29/07 Senate: Communicated to House

02/05/07 House: Referred to Committee on Appropriations

02/09/07 House: Assigned App. sub: Compensation and Retirement (Putney)

Notes: City Position: Support

SB 806 Charitable organizations; those engaged in food distribution to needy are exempt from regulations.

Summary as passed Senate:

Donations of food to charitable organizations; deemed exempt from food service regulations. Exempts charitable organizations that engage in food distribution to the needy from state and local regulations and ordinances that govern food service and preparation. Includes non-profit homeless shelters and hunger prevention programs under the definition of "charitable organizations" for purposes of the exemption. Permits the Board of Health to issue advisory standards for food preparation, handling, protection, and preservation. The bill contains an emergency clause and will take effect upon passage. This bill incorporates SB 917 (Howell) and

SB 1125 (Cuccinelli).

Patron: Puller

01/24/07 Senate: Communicated to House

02/05/07 House: Referred to Committee on General Laws

02/06/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)

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

01/29/07 Senate: Communicated to House

02/05/07 House: Referred to Committee on Privileges and Elections

02/08/07 House: Assigned P & E sub: #2 (Jones, S.C.)

Notes: City Position: Support

SB 924 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.

Patron: Ticer

01/24/07 Senate: VOTE: (40-Y 0-N)

01/24/07 Senate: Communicated to House

02/05/07 House: Referred to Committee on Transportation

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: Referred to Committee for Courts of Justice

02/06/07 Senate: Left in 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: Referred to Committee for Courts of Justice

2/06/07 Senate: Left in 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

01/30/07 Senate: Communicated to House

02/03/07 House: Referred to Committee on General Laws

02/05/07 House: Assigned GL sub: #2 FOIA/Procurement (Marshall, D.)

Notes: City Position: Support

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

Summary as passed Senate:

Elections; voter registration lists and applications; victims of domestic violence. Provides that victims of domestic violence reported to law enforcement officers may provide a post office box address, in lieu of a residence address, to be shown on any public list of registered voters.

Patrons: Ticer, Howell and Puller; *Delegates:* Amundson, Bulova, Caputo, Marsden, Moran,

Plum, Scott, J.M. and Watts

01/22/07 Senate: Communicated to House

02/02/07 House: Referred to Committee on Privileges and Elections

02/08/07 House: Assigned P & E sub: #2 (Jones, S.C.)

Notes: City Position: Support

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

Summary as introduced:

Supplement liability coverage for city and county sheriff's departments. Allows any sheriff's department to secure supplemental liability insurance coverage.

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

01/23/07 Senate: Communicated to House

02/03/07 House: Referred to Committee on General Laws

02/05/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)

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

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

02/02/07 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: Support

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

Summary as passed Senate:

Possession of weapons; law-enforcement facility. Provides that it is a Class 1 misdemeanor to possess or transport a weapon into any marked, secure area of a law-enforcement facility in the Commonwealth. A law-enforcement officer or administrator with authority over such facility may consent and authorize a person to bring a firearm into the facility if that officer or administrator is present and an officer accompanies the person with the firearm. Law enforcement and court officers conducting their official duties are not subject to the prohibition.

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

02/01/07 Senate: VOTE: (39-Y 0-N)

02/01/07 Senate: Communicated to House

02/06/07 House: Referred to Committee on Militia, Police and Public Safety

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: Referred to Committee on Finance

02/07/07 Senate: Left in Finance

Notes: City Position: Support

SB 1027 Extortion; withholding immigration document.

Summary as introduced:

Extortion of immigrants; penalty. Makes a 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, guilty of a Class 5 felony.

Patron: O'Brien

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

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

Notes: City Position: Support

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

Summary as introduced:

Uniform Statewide Building Code; 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

01/25/07 Senate: Passed Senate

02/03/07 House: Referred to Committee on General Laws

02/05/07 House: Assigned GL sub: #1 Housing (Suit)

Notes: City Position: Support

SB 1054 Low-income housing credit; consolidation of Code sections.

Summary as introduced:

Low-income housing credit; consolidation of Code sections. Consolidates provisions of the low-income housing tax credit currently appearing in Titles 36 (Housing) and 58.1 (Taxation). The bill would consolidate the tax credit provisions into § 58.1-435 and provide a cross-reference

to the tax credit in § 36-55.63.

Patrons: Edwards; *Delegates:* Hurt and Landes

01/30/07 Senate: VOTE: (40-Y 0-N)

01/30/07 Senate: Communicated to House

02/03/07 House: Referred to Committee on Finance

SB 1077 Carbon monoxide detector; Board of Housing & Community Development to install in dwelling units.

Summary as passed Senate:

Board of Housing and Community Development; carbon monoxide detectors in certain rental dwelling units; report. Requires the installation of carbon monoxide detectors in college dormitories and assisted living facilities by July 1, 2010. The bill also requires the Board of Housing and Community Development to promulgate regulations to require the installation of carbon monoxide detectors in new college dormitories and assisted living facilities. In addition, the bill requires the Board and the Fire Services Board to jointly establish a working group to develop a public education program focusing on the dangers of carbon monoxide poisoning and preventive measures that may be taken.

Patrons: Ruff and Bell

02/06/07 Senate: Communicated to House

02/07/07 House: Referred to Committee on General Laws

02/08/07 House: Assigned GL sub: #1 Housing (Suit)

Notes: City Position: Support

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

Summary as passed Senate:

Courthouse security; assessment. Increases from \$5 to \$10 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

02/05/07 Senate: VOTE: (39-Y 0-N)

02/05/07 Senate: Communicated to House

02/06/07 House: Referred to Committee on Militia, Police and Public Safety

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

02/03/07 House: Referred to Committee on Counties, Cities and Towns

02/09/07 House: Reported from Counties, Cities and Towns (20-Y 0-N)

02/09/07 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: Support

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

Summary as passed Senate:

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, plus an additional .025% for each full year of service over age 55 and .025% for each full year of service over 25 years, 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%, plus the additional .025% multipliers available to state police service for years of service over age 55 and 25 years. 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. Beginning July 1, the Compensation Board would reimburse part of the costs incurred by a locality for the additional benefits, based upon the locality's fiscal stress index.

This bill incorporates SB 875.

Patrons: Stolle, Hanger, Houck, Obenshain and Stosch

02/06/07 House: Referred to Committee on Appropriations

02/09/07 House: Assigned App. sub: Compensation and Retirement (Putney)

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. Makes a 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, guilty of a Class 5 felony.

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

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

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

Notes: City Position: Support.



William D. Euille
Mayor

City of Alexandria, Virginia
301 King Street, Suite 2300
Alexandria, Virginia 22314



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alexvamayor@aol.com

February 16, 2007

The Honorable Timothy M. Kaine
Governor of the Commonwealth of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Dear Governor Kaine:

Thank you for your response to my January 30 letter on legislation before the General Assembly that would consolidate Virginia's pollution control boards and eliminate current authority which two of the boards have for the issuance of permits. I am sure you have read press accounts by now in which a lobbyist for the State Chamber of Commerce (which supports the legislation) noted that two recent permitting matters—one of them the Mirant permit—were the catalyst for this legislation. I am concerned that your administration would lend its support to legislation with such a purpose.

While I realize that DEQ staff hopes to have all permitting work for the Mirant Potomac River Generating Station completed and the permits issued by the end of June, no one can be sure that this will actually happen. For this reason, I asked in my earlier letter that the Administration agree to postpone consideration of this legislation until the 2008 Session, or delay its effective date until July 1, 2008. I understand that your administration resisted these amendments, and they were not adopted.

A variety of stakeholders, including both industry advocates and environmental organizations, prevailed upon the General Assembly to add a reenactment clause to both the House and Senate bills. This amendment addresses the City's concern that the State Air Pollution Control Board be given sufficient time to complete its consideration of the issues relating to the Mirant plant and issue that permit. I urge you to accept this amendment. The reenactment clause will give all interested parties ample opportunities to consider and discuss the far-reaching and complex changes that are included in this legislation.

I also encourage you over the next year to consider carefully the proposals to consolidate the three boards, and remove the State Air Pollution Control Board and the State Water Control Board's authority to issue permits. It is unlikely that one Board can contain sufficient expertise in air, water and waste to address complex question involving each of

"Home Town of George Washington and Robert E. Lee"

The Honorable Timothy M. Kaine
February 16, 2007
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these media. Moreover, the long-standing tradition of citizen boards, where members of the public may speak at hearings about their concerns on specific environmental permits, has served Virginia well. To replace citizen Board hearings with a hearing by the Director of the Department of Environmental Quality does not appear to me to increase or improve public participation.

Sincerely,



William D. Euille
Mayor

cc: The Honorable Members of City Council
The Honorable Patricia Ticer
The Honorable Richard Saslaw
The Honorable Adam Ebbin
The Honorable David Englin
The Honorable Brian Moran
James K. Hartmann, City Manager
Ignacio Pessoa, City Attorney
Richard Baier, Transportation and Environmental Services Director



7
2-15-07
2007

COMMONWEALTH of VIRGINIA

Office of the Governor

Timothy M. Kaine
Governor

February 12, 2007

The Honorable William D. Euille
Mayor, City of Alexandria
301 King Street, Suite 2300
Alexandria, Virginia 22314-3211

Dear Bill:

Thank you for your letter regarding legislation that has been proposed by the House of Delegates and Senate of Virginia to restructure three of the Commonwealth's environmental boards as well as change the way in which environmental permits are issued. I understand your concerns on the bill relative to air-quality concerns in and around the City of Alexandria.

At my direction, administration officials have worked with the legislative sponsors and environmental stakeholder groups to improve the legislation. For example, amendments have been adopted to enhance public participation in Department of Environmental Quality permit-related activities and improve transparency in decision-making. Public participation in the permitting process has not only been maintained, but improved.

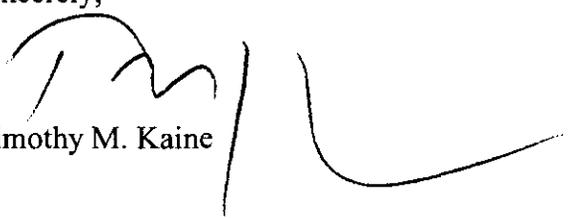
At my insistence, amendments also have been adopted to create an Appeals Board, which will conduct hearings per the well-established Administrative Process Act whenever a DEQ-issued permit has been appropriately challenged. I support the amendment adopted by the House that makes the Appeals Board's decisions binding. Finally, I have encouraged amendments to the legislation that require board members to have demonstrated knowledge in air quality, water quality, water supply, water resources, and waste management programs and policies. Should the legislation pass, my administration will seek to make excellent appointments to this board.

As to your specific concerns over the proposed legislation as it may relate to the Mirant Potomac River Generating Station, it is my understanding that the Air Pollution Control Board is scheduled to complete its consideration of permitting issues for the Mirant plant in June of this year. Although the House and Senate versions of the bill differ, at present, over its effective date, the earliest this legislation could become law under either version is July 1. If the legislature sends either of these two bills to my desk, and you believe that the legislation is likely to affect the permit for the Mirant Potomac River Generating Station, please let me know.

The Honorable William D. Euille
February 12, 2007
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Thank you again for contacting me.

Sincerely,


Timothy M. Kaine

LBPJr/cbd

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2-15-07

1. Major Differences Between Latest House and Senate Transportation Funding Proposals

Statewide Issues

- House relies on General Fund transfers exceeding \$250 million annually.
- Senate transfers no General Fund money after the current biennium; it proposes a \$150 initial registration fee on all vehicles when they are first registered. This is expected to generate over \$300 million annually.
- Senate gives all localities the option of levying a 10¢ increase in the grantor's (recording) tax to be used for transportation.

Northern Virginia

- House funding sources are increases in the car rental tax, commercial real estate taxes, new drivers license fees, and the grantor's tax.
- Senate funding sources are increases in the transient occupancy tax and the car rental tax, a 1/2¢ local sales tax, a local initial registration fee on all vehicles, and a 40¢ increase in the grantor's tax.

2. Similarities in the Latest House and Senate Transportation Funding Proposals

- Both rely on abusive driver fees, increased annual vehicle registration fees, increased fees for violations of truck weight limits, proceeds from the tax on auto insurance premiums, and increased taxes on diesel fuels.
- Both authorize \$2 billion in bonds.
- Both use a one-time infusion of general funds in the current biennium.