

EXHIBIT NO. 1

13
1-24-12

City of Alexandria

MEMORANDUM

DATE: JANUARY 23, 2011
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER *RY*
SUBJECT: RECOMMENDATIONS AND STATUS REPORT (NO. 1) ON LEGISLATION INTRODUCED AT THE 2012 GENERAL ASSEMBLY SESSION

ISSUE: Recommendations and status report (No. 1) on legislation introduced at the 2012 General Assembly Session.

RECOMMENDATION: That City Council:

- (1) 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 (Vice Mayor Donley and Councilman Smedberg);
- (2) Oppose proposals by the Governor to transfer general fund revenues, which are traditionally used for core programs that have little or no dedicated funds (such as education, mental health, and public safety) to the transportation budget, which is funded primarily by motor fuel, motor vehicle sales tax, and the special sales tax created for transportation in 1986; and
- (3) Support amendments to the Governor's proposed budget that will address reductions to City programs listed in Attachment 2 (Proposed Budget Reductions Affecting City programs), as also recommended by City Council's Legislative Subcommittee.

DISCUSSION: The 2011 General Assembly Session began on January 11 and is scheduled to adjourn on March 10. The deadline for introduction of legislation was Friday, January 20.¹ As of that day, at least 1,950 bills and 387 resolutions had been introduced (it is possible that additional bills and resolutions were introduced but have not yet appeared on the State's Legislative Information System).

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

City Package. The following are bills from the City's legislative package that the City asked members of the City's delegation to introduce or support (Attachment 3 is a status report on "City Package" bills):

- At least 12 bills have been introduced to change state law regarding the opening day of school. Currently, no school system can open prior to Labor Day unless it has been given a waiver by the State Board of Education. This prohibition is commonly referred to as the "King's Dominion Law," since that theme park successfully sought this legislation a number of years ago so that it would have high school workers through the end of the summer. The Code of Virginia sets out several reasons why the Board of Education might grant a waiver to the law for a specific school system, and most waivers are given because of a past history of bad weather in a locality. The 2012 proposed legislation (including Senator Ebbin's SB 257) would allow each local school board to determine the opening day of school. The Governor announced his support for legislation to abolish the "King's Dominion Law," and it looks as if this legislation might pass this Session.
- HB 144 and SB 261, introduced by Delegate Englin and Senator Ebbin, seek to create a grant program to improve preschool programs, using unused moneys that have been appropriated to the Virginia Preschool Initiative. Grants would be awarded by the State pursuant to a competitive process. HB 144 was approved by a House Education Subcommittee last week; the Subcommittee also recommended that the full committee send the bill to the House Appropriations Committee for its consideration. SB 261 has not been heard in committee.
- HB 312/HB 894/SB 493 are identical bills that direct the State Corporation Commission to evaluate potential energy saving and conservation projects based on the total energy savings and return on investment they create for the entire state. Virginia currently uses a formula that evaluates potential energy saving and conservation projects based on how they impact energy users who do not participate in the conservation program. This approach makes it much harder to justify the return on investment for a project. None of these bills has yet been considered in committee.
- SB 263 (Ebbin) prohibits discrimination against public employees based on sexual orientation. It has not yet been heard in committee.
- HB 1099 (Delegate Herring) would amend the Virginia Human Rights Act to prohibit discriminatory actions with respect to hiring or the terms and conditions of employment; and prohibit the various types of employment discrimination, including age discrimination, for any employer with five or more employees. The bill has been referred to the General Laws Committee, but has not yet been heard.
- HB 1027 would allow two or more localities to enact a new 2.1 percent motor fuels tax to pay for the construction and operation of one or more high capacity transit lines. HJ 146

(Delegate Herring) and SJ 52 (Senator Ebbin) ask the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth. None of these legislative proposals have yet been discussed in committee.

- Budget amendments have been introduced to increase funding for the Aids Drug Assistance Program (ADAP); to pay for psychiatric beds at the Northern Virginia Mental Health Institute that are needed for persons with mental health emergencies; for CSB pilot programs that will offer a full array of Crisis Stabilization services for children undergoing acute crises; and for psychiatric services for children.

Eminent Domain. Legislation has been introduced to continue the effort to amend Virginia's Constitution with respect to eminent domain (this is step 2 of a 3-step process that began with legislation enacted last year and will end, if not halted this Session, with a November voter referendum on the proposed amendment). Local governments and members of the business community are working together to defeat the proposal; it is uncertain at this point what the outcome will be. None of the legislative proposals this year have yet been scheduled for committee action.

Local Aid to the State. One of the City's top priorities this Session is the elimination of the Local Aid to the State Program. A provision of the State Budget requires localities statewide to make a \$60 million annual "contribution" to the State. The City share of this \$60 million is about \$1.25 million annually. While the Governor did not eliminate the program, he reduced it to \$50 million in FY 2013, and \$45 million in FY 2014. If this provision is retained in the budget as recommended by the Governor, it should reduce the cost to the City to slightly more than \$1 million in FY 2013.

Regional Transportation Governance. Bills have been introduced in both houses on behalf of the Governor to combine the Northern Virginia Transportation Authority (NVTA) and the Northern Virginia Transportation Commission (NVTC). The City has opposed similar proposals in the past, citing problems with the proposals (including the fact that the two bodies do not even have the same membership). Council's Legislative Subcommittee has recommended that the City oppose the Governor's proposal.

Transportation Funding. As usually happens, a number of bills have been introduced to address the continuing lack of sufficient transportation revenue by increasing the gas tax or converting it to a sales tax. None of these is expected to be approved by the House of Delegates.

The Governor has proposed a transportation funding package with several components, including the sale of naming rights for transportation infrastructure (e.g., highways, bridges, and interstate interchanges). The most controversial component of the Governor's proposal would transfer general fund sales tax revenue (which is used for programs without dedicated funding such as education, public safety, and mental health) to the Transportation Trust Fund. Although a portion (one-half percent) of the State sales tax is now used for transportation, this one half

percent levy was created for that specific purpose by the 1986 General Assembly. Council's Legislative Subcommittee has recommended that the City continue its traditional opposition to any legislation that would redirect general fund appropriations away from general fund programs.

State Budget. The Governor's Proposed Biennial Budget was released on December 19, 2011. Like the City of Alexandria, the Commonwealth's revenues are slowly improving. Nonetheless, the Governor's proposal included a number of reductions in funding for City programs. A list of these is found in Attachment 2. Amendments have been submitted to restore each of these reductions, and Council's Legislative Subcommittee recommends that the City support these amendments.

While ACPS received reductions in specific programs, such as cost of competing, the Governor's budget proposes an increase to the school system's total budget.

- FY 2012 State funding for Alexandria City Public Schools, as projected at the end of the 2011 Session, was \$31,912,305. This included \$24.7M in Standards of Quality (SOQ) programs (these are the programs where most state funding is directed), and \$4.6M for other programs (such as technology, ESL, and some special education, but not including the Virginia Preschool Initiative [VPI]). VPI was allotted \$2.6M (although few localities ever use their full VPI allotment, because of the high local match requirements).
- For FY 2013, \$32,768,580 is proposed for ACPS. This includes \$27.4M in SOQ aid and \$4.3M for other programs, not including VPI. VPI is allotted only \$1.1M in FY 2013.
- State funding proposed for FY 2014 is \$33,722,906, with \$28.2 requested for SOQ, and \$5.52M for other programs. VPI is allotted \$1.17M.

The table below illustrates this data more concisely:

State Funding for Alexandria City Public Schools, FY2012, 2013, and 2014

| | FY 2012 (\$M) | FY 2013 (\$M) | FY 2014 (\$M) |
|------------------------------------|---------------|---------------|---------------|
| SOQ Funding | 24.7 | 27.4 | 28.2 |
| Other Programs (not including VPI) | 4.6 | 4.3 | 4.3 |
| VPI | 2.6 | 1.1 | 1.2 |
| Total Funding | 31.9 | 32.8 | 33.7 |

The House Appropriations and Senate Finance Committees will make their budget recommendations on February 19, and the General Assembly will spend the remainder of Session negotiating their differences. An approved budget bill must receive a majority vote in both the House and the Senate. In the Senate, the Lieutenant Governor cannot vote to break a tie on the budget; this could lead to a 20-20 vote on in that body, since there are equal numbers of Democrats and Republicans. Traditionally, the budget is one of the last measures to come out of the Session. Staff will continue to report on the budget in future General Assembly updates.

Virginia Retirement System (VRS). As expected, major changes to the Virginia Retirement System have been proposed again this Session. Among the proposals that have been put forward are bills to do the following:

- Make major changes to the current defined benefit plan for Pre-2010 (Plan A) employees, including a lengthier period of time for calculation of average final pay; less generous cost of living adjustments; and, for new hires, a reduced multiplier (the percentage of average salary multiplied by years of service to determine retirement benefits).
- Require local government and school board Pre-2010 (Plan A) employees to pay the 5 percent employee contribution for their retirement (although school boards may phase in this match requirement over a 5-year period for their employees).
- Require VRS to conduct a fiscal impact analysis whenever the Governor's proposed employer contribution rates are less than the VRS Board-certified contribution rate, or when either the House or the Senate proposes such a lesser rate.
- Amend the Virginia Constitution to require the General Assembly to make annual employee contributions to VRS as recommended by the VRS Board.
- Authorize localities and school boards to create defined contribution plans for new employees.
- Allow localities with supplemental retirement plans for their deputy sheriffs to allow those who are newly hired to retire at age 50 with 25 years of service.
- Create a new optional hybrid retirement plan for state employees with both defined benefit and defined contribution components.
- Add Attorneys for the Commonwealth to those covered by the more generous (and more expensive) Virginia Law Officers Retirement System.
- Permit localities to allow their employees to join the State Deferred Compensation Plan (this would be in addition to regular VRS Retirement membership).

In his introduced budget, the Governor proposed a modification to the VRS Board's recommended funding rates for State employees and teachers (the Governor's budget never addresses funding for local-employee VRS programs). The Governor proposed using a higher investment rate of return (8 percent) than that recommended by the VRS Board and its actuary (7 percent). This saves the State (and localities for their school employees) money, but it also leads to a greater unfunded liability for the retirement system.

VRS staff is expected to provide additional information on all legislative proposals in the coming week. Council's Legislative Committee will review those proposals that are relevant to the City at its next meeting. Staff will continue to report on VRS legislation in future updates.

ATTACHMENTS:

Attachment 1: Recommended Positions on Bills of Importance to the City, January 21, 2012

Attachment 2: Budget Amendments Recommended for Support by City Council's Legislative Subcommittee

Attachment 3: Current Status of City Package Bills, January 21, 2012

STAFF: Bernard Caton, Legislative Director

**Recommended Positions on Bills of Importance to the City of Alexandria
January 21, 2012**

HB 10 BPOL tax; maximum fee and tax rates established by a locality.

Patrons: Cole and Watson

A BILL to amend and reenact § 58.1-3706 of the Code of Virginia, relating to the rates of the local license fee and the local license tax imposed by localities.

Summary as introduced:

BPOL tax; maximum fee and tax rates established. Precludes a locality from increasing its local license (BPOL) fees or taxes above the rates of its BPOL fees and taxes imposed for the 2011 license year. The bill also provides that a locality that elects to impose a BPOL tax on Virginia taxable income may not thereafter impose the tax on gross receipts.

12/01/11 House: Referred to Committee on Finance

01/12/12 House: Assigned Finance sub: Subcommittee #2

Notes: Position: Oppose

HB 20 Emergency Services & Disaster Law; shall not be interpreted to prohibit carrying, etc., of firearms.

Patrons: Wilt and Watson

A BILL to amend and reenact § 44-146.15 of the Code of Virginia, relating to emergency services and disasters; constitutional rights.

Summary as introduced:

Emergency services and disasters; constitutional rights. Provides that nothing in the Emergency Services and Disaster Law shall be interpreted to limit or prohibit the possession, carrying, transportation, sale, or transfer of firearms.

12/06/11 House: Referred to Committee on Militia, Police and Public Safety

Notes: Oppose

HB 23 Transportation Trust Fund; increases amount of sales and use tax revenue dedicated to Fund.

Patron: Cole

A BILL to amend and reenact §§ 33.1-23.03:1 and 58.1-638 of the Code of Virginia, relating to sales and use tax revenue dedicated to the Transportation Trust Fund.

Summary as introduced:

Sales and use tax revenue dedicated to the Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a one percent tax rate, phased in by a 0.1 percent increase each year for five years, or over a longer period of time if there is a lack of growth in general fund revenues.

12/07/11 House: Referred to Committee on Finance

01/12/12 House: Assigned Finance sub: Subcommittee #1

Notes: Position: Oppose

HB 31 Real property tax valuation; fair market value shall be based on non-restricted uses.

Patron: Marshall, R.G.

A BILL to amend the Code of Virginia by adding in Article 7 of Chapter 32 of Title 58.1 a section numbered 58.1-3296, relating to real property tax valuation; property's use restricted by law.

Summary as introduced:

Real property tax valuation; property's use restricted by law. Prohibits attributing any value to any unlawful use of real property when determining fair market value

12/08/11 House: Referred to Committee on Finance

01/12/12 House: Assigned Finance sub: Subcommittee #1

Notes: Position: Oppose

HB 72 Highway work zones; required to be clearly marked with warning signs and flashing lights.

Patron: Bell, Richard P.

A BILL to amend and reenact § 46.2-878.1 of the Code of Virginia, relating to highway work zones.

Summary as introduced:

Highway work zones. Requires highway work zones to be clearly marked with warning signs and flashing lights.

12/21/11 House: Referred to Committee on Transportation

01/13/12 House: Assigned Transportation sub: #2

01/18/12 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

Notes: Position: Support

HB 73 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.

Patron: Bell, Richard P.

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare Program; screening and assessment for use of illegal substances.

Summary as introduced:

Substance abuse screening and assessment of public assistance applicants and recipients.

Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits.

12/21/11 House: Referred to Committee on Health, Welfare and Institutions

01/18/12 House: Impact statement from DHCD (HB0073)

01/20/12 House: Assigned HWI sub: #1
Notes: Position: Oppose

HB 74 Child abuse or neglect; reduces mandatory time limit for reporting, requirements of certain persons.

Patron: Bell, Richard P.

A BILL to amend and reenact § 63.2-1509 of the Code of Virginia, relating to mandatory reporting of suspected child abuse; time limit.

Summary as introduced:

Mandatory report of suspected child abuse; time limit. Reduces the time limit for reporting suspected child abuse or neglect by mandated reporters from 72 hours to 24 hours.

01/19/12 House: Committee substitute agreed to 12104326D-H1

01/19/12 House: Engrossed by House - committee substitute HB74H1

01/20/12 House: Read third time and passed House (96-Y 0-N)

01/20/12 House: VOTE: PASSAGE (96-Y 0-N)

Notes: Position: Support

HB 89 Citizenship of arrestee; if accused is not committed to jail, arresting officer to ascertain.

Patron: Albo

A BILL to amend and reenact §§ 19.2-80 and 19.2-82 of the Code of Virginia, relating to determination of citizenship of arrestee by arresting officer.

Summary as introduced:

Arresting officer to ascertain citizenship of arrestee. Supplements the existing law that requires sheriffs to make a query into legal presence when a person is "taken into custody" at a jail. This bill expands such inquiries by requiring inquiries of everyone arrested, and requires that an arresting officer inquire of every arrestee whether he (i) was born in a country other than the United States and (ii) is a citizen of a country other than the United States.

12/22/11 House: Referred to Committee for Courts of Justice

01/16/12 House: Assigned Courts sub: #3 Immigration

Notes: Position: Oppose

HB 97 Motorcycles; driving two abreast in a single lane.

Patrons: Wilt and Webert

A BILL to amend and reenact § 46.2-857 of the Code of Virginia, relating to driving two abreast in a single lane.

Summary as introduced:

Driving two abreast in a single lane. Allows motorcycles to drive two abreast in a single lane.

12/28/11 House: Referred to Committee on Transportation

01/13/12 House: Assigned Transportation sub: #2

01/18/12 House: Subcommittee recommends reporting (5-Y 2-N)

Notes: Position: Oppose

HB 117 Local taxes; interest on refunds and delinquent taxes.

Patron: Wilt

A BILL to amend and reenact §§ 58.1-3916 and 58.1-3918 of the Code of Virginia, relating to local taxes; interest on refunds and delinquent taxes.

Summary as introduced:

Local taxes; interest on refunds and delinquent taxes. Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer. This bill has technical amendments.

01/03/12 House: Referred to Committee on Finance

01/12/12 House: Assigned Finance sub: Subcommittee #1

Notes: Position: Support

HB 121 Virginia Housing Trust Fund Authority; created, report.

Patron: Morrissey

A BILL to amend the Code of Virginia by adding in Chapter 22 of Title 2.2 an article numbered 11, consisting of sections numbered 2.2-2351 through 2.2-2362, relating to the creation of the Virginia Housing Trust Fund Authority.

Summary as introduced:

Virginia Housing Trust Fund Authority. Creates the Virginia Housing Trust Fund Authority to administer the Virginia Housing Trust Fund also created by the bill to assist in increasing the capacity of community housing organizations and encourage private sector businesses and individuals to contribute capital to community-based housing organizations and assist them in providing safe, decent, and affordable housing to Virginia citizens. The bill sets the powers and duties of the Authority and its Board of Directors, and the lawful purposes for which the Fund may be used.

01/04/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 142 Smoking; allows localities to ban in designated public parks.

Patron: Englin

A BILL to amend and reenact § 15.2-2830 of the Code of Virginia, relating to smoking in public parks.

Summary as introduced:

Smoking in public parks. Allows localities to ban smoking in designated public parks.

01/05/12 House: Referred to Committee on Counties, Cities and Towns

Notes: Position: Support

HB 147 Statewide fraud control program; medical assistance overpayment moneys to be paid into Fund.

Patron: Toscano

A BILL to amend and reenact § 63.2-526 of the Code of Virginia, relating to statewide fraud control program; medical assistance.

Summary as introduced:

Statewide fraud control program; medical assistance. Provides that all overpayment moneys collected or recovered from recipients of medical assistance by local departments of social services shall be paid into the Fraud Recovery Special Fund and made available to local

departments for fraud control activities. Currently, only overpayment moneys collected or recovered from recipients of food stamp, Temporary Assistance for Needy Families, and other federal programs administered by the Department of Social Services must be paid into the Fraud Recovery Special Fund.

01/05/12 House: Referred to Committee on Health, Welfare and Institutions

Notes: Position: Support

HB 155 Revenue sharing funds for highways; funds provided to localities are a grant, etc.

Patron: Ware, R.L.

A BILL to amend and reenact § 33.1-23.05 of the Code of Virginia, relating to revenue sharing funds for highways in certain counties, cities, or towns.

Summary as introduced:

Revenue sharing funds for highways in certain localities. Provides that funds provided to localities are a grant and that the Department of Transportation shall not have administrative oversight on local projects. Requires localities to certify in writing to the Department that the funds were used as intended.

01/05/12 House: Referred to Committee on Transportation

01/13/12 House: Assigned Transportation sub: #4

Notes: Position: Support

HB 157 Party identification on ballots; requirement extends to local elections.

Patrons: Greason and Surovell

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections; party identification of candidates on ballots.

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections.

01/06/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Support

HB 164 Virginia Indoor Clean Air Act; smoking in public buildings prohibited, penalty.

Patron: Hope

A BILL to amend and reenact §§ 15.2-2820, 15.2-2824, 15.2-2826, 15.2-2829, and 15.2-2830 of the Code of Virginia and to repeal § 15.2-2823 of the Code of Virginia, relating to the Virginia Indoor Clean Air Act; smoking in public buildings prohibited; penalty.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in public buildings prohibited; penalty. Prohibits smoking in any building owned or leased by the Commonwealth or any agency thereof or any locality. The bill contains numerous technical amendments.

01/06/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 166 Zoning administrator decisions; narrows instances in which administrator may modify certain orders.

Patron: Cosgrove

A BILL to amend and reenact § 15.2-2311 of the Code of Virginia, relating to board of zoning appeals; decisions of zoning administrator.

Summary as introduced:

Decisions of zoning administrator. Narrows the instances in which a zoning administrator may modify certain previously issued written orders outside a 60-day time period by deleting the phrase “or other nondiscretionary” from the provision that currently excludes “clerical or other nondiscretionary errors” from the 60-day limitation.

01/09/12 House: Referred to Committee on Counties, Cities and Towns

01/13/12 House: Assigned CC & T sub: #2

01/19/12 House: Subcommittee recommends reporting (11-Y 0-N)

01/20/12 House: Reported from Counties, Cities and Towns (21-Y 0-N)

Notes: Position: Oppose

HB 176 Nutrient credit certification; regulations.

Patron: Knight

A BILL to amend and reenact §§ 62.1-44.19:13, 62.1-44.19:15, and 62.1-44.19:18 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 10.1-603.8:2 and 10.1-603.8:3 and by adding in Article 4.02 of Chapter 3.1 of Title 62.1 a section numbered 62.1-44.19:20, relating to the expansion of the nutrient credit exchange program for Chesapeake Bay Total Maximum Daily Load implementation.

Summary as introduced:

Regulation of nutrient credit certification. Directs the Virginia Soil and Water Conservation Board to adopt regulations governing the certification of certain nutrient credits. Referring to the Chesapeake Bay Total Maximum Daily Load (TMDL), the legislation sets out certain requirements of the regulations, permits the Department of Conservation and Recreation to establish an online registry of certified credits, and allows municipal separate storm sewer systems to acquire and use credits under certain conditions.

01/09/12 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/18/12 House: Assigned ACNRsub: Chesapeake

Notes: Position: Support

HB 215 Child abuse and neglect; mandatory reporting, penalties.

Patron: Miller

A BILL to amend and reenact § 63.2-1509 of the Code of Virginia, relating to suspected child abuse and neglect; mandatory reporting; penalties.

Summary as introduced:

Suspected child abuse and neglect; mandatory reporting; penalties. Reduces the time allowed for reporting suspected child abuse or neglect by a mandated reporter from 72 hours to 24 hours and provides that failure to report is punishable as a Class 1 misdemeanor for the first failure and a Class 6 felony for a second or subsequent offense. Current law imposes a fine of not more than \$500 for a first offense and not less than \$100 nor more than \$1,000 for a second or subsequent offense.

01/09/12 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 221 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.

Patron: Head

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare Program; screening and assessment for use of illegal substances.

Summary as introduced:

Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program.

01/10/12 House: Referred to Committee on Health, Welfare and Institutions

01/20/12 House: Assigned HWI sub: #1

Notes: Position: Oppose

HB 222 Legal notices; allows localities to meet notice requirements by utilizing their web sites, etc.

Patron: Head

A BILL to amend and reenact § 15.2-107.1 of the Code of Virginia, relating to legal notices.

Summary as introduced:

Legal notices. Allows localities to meet certain notice requirements by utilizing their web sites, radio or television rather than a newspaper of general circulation.

01/10/12 House: Referred to Committee for Courts of Justice

01/13/12 House: Assigned Courts sub: Civil

Notes: Position: Support

HB 249 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.

Patrons: Cline and Edmunds

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare Program; screening and assessment for use of illegal substances.

Summary as introduced:

Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a

screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.

01/10/12 House: Referred to Committee on Health, Welfare and Institutions

01/20/12 House: Assigned HWI sub: #1

Notes: Position: Oppose

HB 309 Absentee voting; persons age 65 and older on day of an election are entitled to vote absentee.

Patron: Crockett-Stark

A BILL to amend and reenact §§ 24.2-700 and 24.2-701 of the Code of Virginia, relating to elections; absentee voting; persons 65 and older.

Summary as introduced:

Elections; absentee voting. Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee.

01/10/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Elections Subcommittee

Notes: Position: Support

HB 327 Historic structures; demolition.

Patrons: Peace and Surovell

A BILL to amend and reenact § 36-105 of the Code of Virginia, relating to historic structures.

Summary as introduced:

Historic structures; demolition. Provides that a locality may require by ordinance that certain structures within a historic district not be demolished except in compliance with the local ordinance, unless the local building department determines that it constitutes such a hazard that it shall be razed and removed.

01/10/12 House: Referred to Committee on General Laws

01/13/12 House: Assigned GL sub: #1 Housing

Notes: Position: Support

HB 351 Party identification on ballots; extends option in local elections.

Patrons: Cox, J.A., Peace and Surovell

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections; ballots; party identification of candidates on ballots.

Summary as introduced:

Elections; party identification on ballots; local elections. Gives candidates in local elections the option to be identified by party on the ballot. Currently, only federal, statewide, and General Assembly candidates who are nominated by a political party or in a primary are required to be identified by party on the ballot.

01/10/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Support

HB 361 Stalking; enhanced penalties.

Patrons: McClellan, Filler-Corn, Hope and Watts

A BILL to amend and reenact §§ 18.2-60.3 and 18.2-308.1:4 of the Code of Virginia, relating to felony penalty for stalking.

Summary as introduced:

Stalking; enhanced penalties. Provides that any person who commits a second or subsequent offense of stalking within five years of a conviction of a prior offense is guilty of a Class 6 felony. Currently, the Class 6 felony applies for a third or subsequent offense. The bill also provides that any person who commits an offense of stalking is guilty of a Class 6 felony when, at the time of the offense, there is in effect any court order prohibiting contact between the defendant and the victim or the victim's family or household member.

01/10/12 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 363 Protective orders; animals.

Patrons: McClellan, Hope and Scott, J.M.

A BILL to amend and reenact §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia, relating to protective orders; animals.

Summary as introduced:

Protective orders; animals. Provides that a court may include in a protective order provisions granting to the petitioner the care, custody, and control of an animal owned, possessed, or kept by either the petitioner, the respondent, or a child residing in the household.

01/10/12 House: Referred to Committee for Courts of Justice

01/20/12 House: Assigned Courts sub: #1 Criminal

Notes: Position: Support

HB 374 Party identification on ballots; requirement extends to local elections.

Patron: Pogge

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections; party identification of candidates on ballots.

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections.

01/10/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Support

HB 401 Landlord and tenant law; landlord obligations, receipt required for certain rent payments.

Patron: Hope

A BILL to amend and reenact § 55-248.7 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-225.15 and by adding in Article 2 of Chapter 13.2 of Title 55 a section numbered 55-248.15:3, relating to landlord and tenant laws; landlord obligations; receipt required for cash payments.

Summary as introduced:

Landlord and tenant law; landlord obligations; receipt required for certain rent payments. Requires a landlord to provide, upon request, a written receipt whenever a tenant pays rent in the form of cash or money orders. The bill also requires written rental or lease agreements to include a notice of the tenant's right to receive the written receipt beginning January 1, 2013. The notice is not required for leases entered into prior to January 1, 2013, that are subsequently renewed by the parties.

01/10/12 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 415 Wireless telecommunications device; prohibits using while operating a moving motor vehicle, penalty.

Patron: Watts

A BILL to amend and reenact § 46.2-1078.1 of the Code of Virginia, relating to operating moving motor vehicles while engaged in other activities; penalties.

Summary as introduced:

Operation of moving motor vehicle while distracted; penalties. Prohibits the operation of a moving motor vehicle while engaged in other activities, such as using a wireless telephone or other wireless telecommunications device without a hands-free apparatus, searching for an item,

or personal grooming. Current law specifically prohibits the use of a handheld personal communications device to send or read an email or text message while operating a moving motor vehicle. The bill allows for certain exceptions, including the use of a citizens band radio. The offense would be a secondary offense punishable by a \$40 fine on the first offense and a \$100 fine for each subsequent offense.

01/10/12 House: Referred to Committee on Militia, Police and Public Safety

Notes: Position: Support

HB 475 Involuntary commitment; alters criteria for ordering mandatory outpatient treatment.

Patron: Albo

A BILL to amend and reenact § 37.2-817 of the Code of Virginia, relating to involuntary commitment; mandatory outpatient treatment.

Summary as introduced:

Involuntary commitment; mandatory outpatient treatment. Alters the criteria for ordering a person to mandatory outpatient treatment, replacing the requirements that the person has the capacity to understand and comply with the treatment, has expressed an interest in outpatient treatment, and has agreed to comply with the treatment with a requirement that the person, if left untreated, is reasonably likely to meet the criteria for involuntary commitment and whose mental illness has caused the person to refuse treatment on more than one previous occasion. The bill also eliminates the requirement that the treating physician determine that the person has the capacity to understand and comply with the treatment, has expressed an interest in outpatient treatment, and has agreed to comply with the treatment before discharging a person for a period of mandatory outpatient treatment following involuntary commitment. The bill also provides that the duration of mandatory outpatient treatment following involuntary commitment shall not exceed 90 days, unless the order is continued. The bill also eliminates the requirement that providers of mandatory outpatient treatment services must have actually agreed to deliver such services before mandatory outpatient treatment may be ordered. The bill also eliminates certain types of evidence that the judge or special justice was required to consider before ordering involuntary commitment. The bill also provides that mandatory outpatient treatment shall be provided in the least restrictive appropriate manner and that treatment with anti-psychotic medication does not include the use of force or restraint in administering such medication.

01/10/12 House: Referred to Committee for Courts of Justice

01/16/12 House: Assigned Courts sub: #5 Mental Health

Notes: Position: Oppose

HB 489 Fees; additional fees for conviction. Domestic violence offenses;

Patron: Ware, O.

A BILL to amend and reenact §§ 16.1-69.48:1.01 and 17.1-275.11 of the Code of Virginia, relating to additional fees for conviction of domestic violence offenses.

Summary as introduced:

Fees; additional fees for conviction of domestic violence offenses. Assesses an additional \$50 fee for conviction of domestic violence offenses to be retained by the locality to support investigation and prosecution of domestic violence cases and to provide services to victims in such cases. This is in addition to the fees, available to localities, assessed to support the Virginia Sexual and Domestic Violence Victim Fund.

01/10/12 House: Referred to Committee for Courts of Justice

01/13/12 House: Assigned Courts sub: Criminal

Notes: Position: Support

HB 491 Derelict and blighted buildings; authorizes locality to serve as receiver to repair.

Patrons: Dance, Marshall, D.W., Carr, McClellan, McQuinn, Morrissey and Spruill

A BILL to amend the Code of Virginia by adding a section numbered 15.2-907.2, relating to receivership of derelict and blighted buildings.

Summary as introduced:

Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission.

01/10/12 House: Referred to Committee on Counties, Cities and Towns

01/13/12 House: Assigned CC & T sub: #2

01/19/12 House: Subcommittee recommends reporting (11-Y 0-N)

01/20/12 House: Reported from Counties, Cities and Towns (21-Y 0-N)

Notes: Position: Support

HB 499 Vacant building registration; increases annual fee.

Patron: Dance

A BILL to amend and reenact § 15.2-1127 of the Code of Virginia, relating to vacant building registration.

Summary as introduced:

Vacant building registration. Increases the annual registration fee that cities may charge to owners of property that has been vacant for 12 months or more from \$25 to \$200.

01/10/12 House: Referred to Committee on Counties, Cities and Towns

01/13/12 House: Assigned CC & T sub: #2

01/19/12 House: Subcommittee recommends laying on the table

01/20/12 House: Tabled in Counties, Cities and Towns

Notes: Position: Support

HB 502 Landlord and tenant laws; receipt required for payments in form of cash or money order.

Patrons: Dance and Spruill

A BILL to amend and reenact § 55-248.7 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-225.15, relating to written receipt for cash or money order payments of rent.

Summary as introduced:

Receipt required for certain rental payments; upon request. Provides a tenant with a written receipt from the landlord, upon the tenant's request, whenever the tenant pays rent in the form of cash or a money order. This bill is recommended by the Virginia Housing Commission.

01/10/12 House: Referred to Committee on General Laws

01/13/12 House: Assigned GL sub: #1 Housing
01/18/12 House: Subcommittee recommends reporting (7-Y 0-N)
01/19/12 House: Reported from General Laws (22-Y 0-N)
Notes: Position: Support

HB 546 Gang crimes; includes definition of predicate criminal act.

Patrons: Comstock, Albo, Bell, Robert B., Farrell, Hugo, Iaquinto, Kilgore and Villanueva;
Senator: Garrett

A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by gangs; predicate criminal act; prostitution; penalty.

Summary as introduced:

Crimes by gangs. Includes within the definition of "predicate criminal act" the offenses of the taking or detaining of any person into a place for the purpose of prostitution and the receiving of money from earnings of any person engaged in prostitution.

01/10/12 House: Referred to Committee for Courts of Justice

01/20/12 House: Assigned Courts sub: #1 Criminal

Notes: Position: Support

HB 599 Northern Virginia Transportation District; establishes responsibilities for various entities.

Patrons: LeMunyon, Albo, Bulova, Comstock, Hugo, Keam, Miller, Minchew, Ramadan and Rust

A BILL to amend the Code of Virginia by adding a section numbered 33.1-13.03:1, relating to evaluation of transportation projects in the Northern Virginia Transportation District; reports.

Summary as introduced:

Northern Virginia Transportation District; long-range planning. Establishes responsibilities for various entities for long-range transportation planning for the Northern Virginia Transportation District.

01/10/12 House: Referred to Committee on Transportation

01/20/12 House: Assigned Transportation sub: #4

Notes: Position: Oppose

HB 613 Public employment; prohibits discrimination.

Patron: LeMunyon

A BILL to amend and reenact §§ 2.2-3004, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to nondiscrimination in public employment.

Summary as introduced:

Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to qualifications, ability, or performance. The bill contains technical amendments.

01/10/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 615 Zoning; clarifies that localities may approve by special exception all modifications to property.

Patron: LeMunyon

A BILL to amend and reenact § 15.2-2201 of the Code of Virginia, relating to zoning; special exceptions.

Summary as introduced:

Zoning; special exceptions. Clarifies that localities may approve by special exception all modifications to property that may currently also be granted by variance.

01/10/12 House: Referred to Committee on Counties, Cities and Towns

01/17/12 House: Assigned CC & T sub: #2

Notes: Position: Support

HB 622 Elections; party identification on ballots in local elections.

Patron: LeMunyon

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections; form of ballots; party designation on ballot.

Summary as introduced:

Elections; form of ballots; local elections. Authorizes any locality to provide for party identification of candidates for local offices who are nominated by a political party or in a primary. Currently, party identification on the ballot applies only to ballots for federal, statewide, and General Assembly elections.

01/10/12 House: Referred to Committee on Privileges and Elections

01/16/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Support

HB 667 Political contributions; prohibitions during procurement process.

Patron: Surovell

A BILL to amend and reenact §§ 2.2-3104.01, 2.2-4376.1, 56-573.3, and 56-575.17:1 of the Code of Virginia, relating to political contributions; prohibitions during procurement process.

Summary as introduced:

Political contributions; prohibitions during procurement process. Includes the mayor or chief executive officer of a locality, school superintendent, and any member of a local governing body, planning commission, or school board in the current prohibition against knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$50 from any bidder, offeror, or private entity who has submitted a bid or proposal pursuant to the Virginia Public Procurement Act, the Public-Private Transportation Act, or the Public-Private Education Facilities and Infrastructure Act during the bidding period. The restrictions only apply if the stated or expected value of the contract is \$5 million or more and do not apply to contracts awarded as the result of competitive sealed bidding. Furthermore, no bidder, offeror, or private entity who has submitted a bid or proposal under such acts shall offer or promise to make such a gift to the mayor or chief executive officer of a locality, school superintendent, or any member of a local governing body, planning commission, or school board. Any violation shall be subject to a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater.

01/11/12 House: Referred to Committee on General Laws

01/17/12 House: Assigned GL sub: #2 FOIA/Procurement

Notes: Position: Oppose

HB 669 Absentee voting; persons age 65 and older on day of election may vote absentee.

Patron: Surovell

A BILL to amend and reenact §§ 24.2-700 and 24.2-701 of the Code of Virginia, relating to elections; absentee voting; persons 65 and older.

Summary as introduced:

Elections; absentee voting. Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee.

01/11/12 House: Referred to Committee on Privileges and Elections

01/17/12 House: Assigned P & E sub: Elections Subcommittee

Notes: Position: Support

HB 674 Protective orders; minor may petition on his own behalf without consent of parent or guardian.

Patrons: Surovell and Kory; Senator: Petersen

A BILL to amend and reenact § 16.1-241 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-279.2, relating to protective orders; minors; jurisdiction.

Summary as introduced:

Protective orders; minors; jurisdiction. Provides that a minor may petition for a protective order on his own behalf without the consent of a parent or guardian. The bill also provides that protective orders sought against individuals who are not family or household members of the person seeking the order may be brought in juvenile and domestic relations district court where the person seeking the order or the respondent is a juvenile.

01/11/12 House: Referred to Committee for Courts of Justice

01/16/12 House: Assigned Courts sub: #1 Criminal

Notes: Position: Oppose

HB 694 Virginia Human Rights Act; policy of State.

Patron: Plum

A BILL to amend and reenact § 2.2-3900 of the Code of Virginia, relating to the Virginia Human Rights Act; policy of the Commonwealth.

Summary as introduced:

Virginia Human Rights Act; policy of the Commonwealth. Adds sexual orientation and gender identity to the safeguards for all individuals in the Commonwealth from unlawful discrimination. The bill defines sexual orientation and gender identity.

01/11/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 769 Elections; party identification on ballots in local elections.

Patron: Landes

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections; ballots; party identification of candidates on ballots.

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections.

01/11/12 House: Referred to Committee on Privileges and Elections

01/17/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Support

HB 773 Local government; publication of notices for charter changes, etc.

Patron: Landes

A BILL to amend and reenact §§ 15.2-201, 15.2-202, 15.2-619, 15.2-903, 15.2-909, 15.2-951, 15.2-1201, 15.2-1301, 15.2-1416, 15.2-1719, 15.2-1720, 15.2-1813, 15.2-2108.7, 15.2-2114, 15.2-2204, 15.2-2214, 15.2-2316.2, 15.2-2400, 15.2-2401, 15.2-2506, 15.2-2507, 15.2-2606, 15.2-3107, 15.2-3400, 15.2-3537, 15.2-3913, 15.2-4528, 15.2-5104, 15.2-5403, 15.2-5431.5, 15.2-5602, 15.2-5702, and 15.2-5711 of the Code of Virginia, relating to local government; publication of notices for charter changes, referenda, and public hearings, etc.; alternatives.

Summary as introduced:

Local government; publication of notices for charter changes, referenda, and public hearings, etc.; alternatives. Gives localities alternatives to publication in a newspaper of general circulation in the locality for legal ads and other notices of proposed action. These alternatives include publication in at least two of the following forms of publication: (i) in a newspaper of general circulation in the locality, including such newspaper's online publication, if any; (ii) on the locality's website; (iii) on any public access channel operated by the locality, to be aired during prime-time programming and at least two other times during the day; (iv) using any automated voice or text alert systems used by the locality; or (v) posting at the local public library established pursuant to § 42.1-33, if any. In addition, the bill provides that any resident of the locality annually filing a written request for notification with the locality shall be provided notice by the locality in a manner mutually agreed upon by the locality and such individual. The request shall include the resident's name, address, zip code, daytime telephone number, and electronic mail address, if available. In selecting the methods of publication, the bill requires the locality to publish and advertise in a manner gauged to ensure that the maximum number of persons within the locality are likely to be informed of the existence and content of the proposed action. The bill contains technical amendments.

01/11/12 House: Referred to Committee on Counties, Cities and Towns

01/17/12 House: Assigned CC & T sub: #2

Notes: Position: Support

HB 779 In-state tuition; undocumented persons eligibility.

Patron: Lopez

A BILL to amend the Code of Virginia by adding a section numbered 23-7.4:01, relating to in-state tuition; undocumented persons.

Summary as introduced:

In-state tuition; undocumented persons. Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in this state; (ii) he has graduated

from a public or private high school in Virginia or has received a General Education Development (GED) certificate in Virginia; (iii) he has resided in the Commonwealth for at least three years since the date he graduated from high school, or for one year if a veteran or an active duty member of the United States armed forces; (iv) he has registered as an entering student in an institution of higher education; (v) he has provided an affidavit to the institution 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) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

01/11/12 House: Referred to Committee for Courts of Justice

01/16/12 House: Assigned Courts sub: #3 Immigration

Notes: Position: Support

HB 806 Overweight and oversize vehicle permits and fees; provides a method of assigning cost-based fees.

Patrons: May and Keam

A BILL to amend and reenact §§ 46.2-652, 46.2-685, 46.2-1128, 46.2-1129, 46.2-1139, 46.2-1140 through 46.2-1145, 46.2-1147 through 46.2-1149.1, 46.2-1149.3, 46.2-1149.4, and 46.2-1149.5 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-652.1, 46.2-1140.1, and 46.2-1144.2, relating to overweight and oversize vehicle permits and fees.

Summary as introduced:

Overweight vehicle permits and fees. Provides a uniform method of assigning cost-based fees based on the amount that a vehicle is overweight. The bill also allocates payment of fees into specific funds. The bill has a delayed effective date of January 1, 2013.

01/11/12 House: Referred to Committee on Transportation

01/20/12 House: Assigned Transportation sub: #4

Notes: Position: Support

HB 894 Electric and natural gas utilities; energy efficiency programs.

Patrons: Ware, R.L., Cosgrove, Alexander, Englin, Joannou, Lewis, McClellan, Plum, Purkey, Tyler and Ward

A BILL to amend and reenact §§ 56-576 and 56-600 of the Code of Virginia, relating to electric and natural gas utilities; energy efficiency programs.

Summary as introduced:

Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency

program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

01/11/12 House: Referred to Committee on Commerce and Labor

01/19/12 House: Impact statement from SCC (HB894)

01/19/12 House: Reported from Commerce and Labor (21-Y 0-N)

Notes: Position: Support

HB 931 Elections; party identification on ballots in local elections.

Patron: Lingamfelter

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections; party identification of candidates on ballots.

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections.

01/11/12 House: Referred to Committee on Privileges and Elections

01/17/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Support

HB 977 Virginia Human Rights Act; prohibits discrimination employment based on sexual orientation.

Patrons: Scott, J.M., Hope and McClellan

A BILL to amend and reenact §§ 2.2-2639, 2.2-3004, 2.2-3900, 2.2-3901, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to the Virginia Human Rights Act; prohibited discrimination in employment; sexual orientation.

Summary as introduced:

Virginia Human Rights Act; prohibited discrimination; sexual orientation. Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

01/11/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 983 Motor fuels tax rate; converts rate from cents per gallon to a percentage rate.

Patron: Scott, J.M.

A BILL to amend and reenact §§ 58.1-2217, 58.1-2249, 58.1-2289, as it may become effective, 58.1-2701, as it is currently effective and as it may become effective, and 58.1-2706 of the Code of Virginia, relating to motor fuels tax rate.

Summary as introduced:

Motor fuels tax rate. Converts the rate of taxation on motor fuels from cents per gallon to a percentage rate. The bill provides that the Commissioner of the Department of Motor Vehicles shall calculate the percentage rate in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill.

Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Department of Motor Vehicles over rolling six-month periods, to determine the cents to be charged.

01/11/12 House: Referred to Committee on Finance

01/20/12 House: Assigned Finance sub: #2

Notes: Position: Support

HB 1038 Overweight and oversize vehicle permits and fees; provides a method of assigning cost-based fees.

Patron: Keam

A BILL to amend and reenact §§ 46.2-652, 46.2-685, 46.2-1128, 46.2-1129, 46.2-1139, 46.2-1140 through 46.2-1145, 46.2-1147 through 46.2-1149.1, 46.2-1149.3, 46.2-1149.4, and 46.2-1149.5 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-652.1, 46.2-1140.1, and 46.2-1144.2, relating to overweight and oversize vehicle permits and fees.

Summary as introduced:

Overweight and oversize vehicle permits and fees. Allows temporary registration of overweight and oversize vehicles and assigns fees based on the amount that a vehicle is overweight or oversize. The bill also designates fees into specific funds. The bill has a delayed effective date of January 1, 2013.

01/11/12 House: Referred to Committee on Transportation

01/20/12 House: Assigned Transportation sub: #4

Notes: Position: Support

HB 1051 Primary elections; adds party affiliation to application when registering to vote.

Patron: Anderson

A BILL to amend and reenact §§ 24.2-530 and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.2, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party; primary elections.

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary.

01/11/12 House: Referred to Committee on Privileges and Elections

01/17/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Oppose

HB 1069 Primary elections; adds party affiliation to application when registering to vote.

Patron: Hugo

A BILL to amend and reenact §§ 24.2-530 and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.2, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party; primary elections.

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary.

01/11/12 House: Referred to Committee on Privileges and Elections

01/17/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Oppose

HB 1098 Civil rights; automatically restored to certain persons for eligibility to register to vote.

Patron: Herring

A BILL to amend and reenact § 53.1-231.2 of the Code of Virginia, relating to restoration of civil rights.

Summary as introduced:

Restoration of civil rights. Provides for the automatic restoration of civil rights to persons convicted of nonviolent felonies (excepting election fraud crimes) upon completion of sentence, including any term of probation or parole, and the payment of all restitution, fines, costs, and fees assessed as a result of the felony conviction.

01/11/12 House: Referred to Committee on Militia, Police and Public Safety

Notes: Position: Support

HB 1105 Freedom of Information Act; electronic communication meetings.

Patron: Greason

A BILL to amend and reenact § 2.2-3708 of the Code of Virginia, relating to the Virginia Freedom of Information Act; electronic communication meetings.

Summary as introduced:

Virginia Freedom of Information Act; electronic communication meetings. Revises the rules for which meetings of state public bodies may be conducted by audio or video means. The bill provides that (i) at least one member of the public body must be physically assembled at the principal meeting location, (ii) the quorum of the public body is determined by members participating in person or by electronic means in the meeting, (iii) a member of the public shall pay for the documented marginal cost that a public body may incur in expanding public participation to the meeting, and (iv) the number of meetings a public body may conduct through electronic communications means is limited to 50 percent of its regular meetings in any calendar year. The bill contains technical amendments.

01/11/12 House: Referred to Committee on General Laws
01/17/12 House: Assigned GL sub: #2 FOIA/Procurement
Notes: Position: Oppose

HB 1122 Derelict and blighted buildings; authorizes locality to serve as receiver to repair.

Patron: Morrissey

A BILL to amend the Code of Virginia by adding a section numbered 15.2-907.2, relating to receivership of derelict and blighted buildings.

Summary as introduced:

Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission.

01/11/12 House: Referred to Committee on Counties, Cities and Towns

01/20/12 House: Assigned CC & T sub: #2

Notes: Position: Support

HB 1137 Historic districts; owner of buildings, etc., shall be given notice of public hearing.

Patron: Marshall, D.W.

A BILL to amend and reenact § 15.2-2306 of the Code of Virginia, relating to designation of historic landmarks.

Summary as introduced:

Designation of historic districts. Provides that before any locality designates by ordinance any building, structure, district, object, or site as part of a local historic district, the owners of such property proposed for designation shall be given written notice of the public hearing on the ordinance. If a majority of the owners of the property within the proposed new local historic district or amended existing local historic district object, the locality shall not include the properties of the objecting owners in the proposed local historic district.

01/13/12 House: Referred to Committee on Counties, Cities and Towns

01/20/12 House: Assigned CC & T sub: #2

Notes: Position: Oppose

HJ 17 Constitutional amendment; restoration of civil rights to persons convicted of felonies, etc.

Patron: Morrissey

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

01/03/12 House: Referred to Committee on Privileges and Elections
Notes: Position: Support

HJ 49 Governor's Executive Reorganization Plan; approval by each house of General Assembly.

Patrons: Gilbert, Albo, Anderson, Bell, Richard P., Cole, Cox, J.A., Dudenhefer, Farrell, Garrett, Greason, Habeeb, Head, Helsel, Hodges, Ingram, Jones, Kilgore, Knight, Landes, Lingamfelter, Marshall, D.W., Merricks, Minchew, Morris, O'Bannon, O'Quinn, Peace, Pogge, Poindexter, Ramadan, Robinson, Rush, Scott, E.T., Sherwood, Stolle, Villanueva, Watson, Wilt, Wright and Yancey

Approving the Executive Reorganization Plan submitted by the Governor.

Summary as introduced:

Governor's Executive Reorganization Plan. Sets out the Governor's executive reorganization plan dated November 25, 2011, for approval by each house of the General Assembly. The resolution sets out the pertinent details of the plan.

01/20/12 House: VOTE: ADOPTION (69-Y 27-N)

01/20/12 House: Engrossed by House as amended HJ49E

01/20/12 House: Agreed to by House (69-Y 27-N)

01/20/12 House: VOTE: AGREE TO MOTION (69-Y 27-N)

Notes: Position: Oppose

HJ 125 Constitutional amendment; restoration of civil rights to persons convicted of felonies, etc.

Patron: Carr

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. Currently the Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

01/11/12 House: Referred to Committee on Privileges and Elections

Notes: Position: Support

SB 6 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.

Patrons: Martin; Delegate: Peace

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare Program; screening and assessment for use of illegal substances.

Summary as introduced:

Substance abuse screening and assessment of public assistance applicants and recipients.

Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal

substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits.

12/05/11 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: Position: Oppose

SB 22 Real estate tax; exemption for disabled veterans.

Patrons: Stuart and McDougle

A BILL to amend and reenact §§ 58.1-3219.5, relating to real property tax exemption for disabled veterans.

Summary as introduced:

Real property tax; exemption for disabled veterans. Provides that the real property tax exemption for veterans whose disability rating occurs after January 1, 2011, begins on the date of the rating.

01/20/12 Senate: Reading of amendment waived

01/20/12 Senate: Committee amendment agreed to

01/20/12 Senate: Engrossed by Senate as amended

Notes: Position: Support

SB 34 Rental payments; landlord accounting of tenant credits and debits upon written request.

Patron: Locke

A BILL to amend and reenact § 55-248.7 of the Code of Virginia, relating to the accounting of rental payments.

Summary as introduced:

Landlord accounting of tenant credits and debits; upon request. Compels a landlord, upon the written request of a tenant, to produce a written accounting of charges and payments from the tenant over the tenancy or the past 12 months, whichever is shorter. This bill is recommended by the Virginia Housing Commission.

12/28/11 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

SB 35 Landlords; recovery of possession limited.

Patron: Locke

A BILL to amend and reenact §§ 55-225.1 and 55-225.8 of the Code of Virginia, relating to recovery of possession by a landlord.

Summary as introduced:

Recovery of possession by landlord. Clarifies that an unlawful detainer action and the execution of a writ of possession is needed to evict a tenant from a residential rental unit. A provision in a rental agreement saying otherwise is unenforceable. "Dwelling unit" and

"residential dwelling unit" are defined. This bill is recommended by the Virginia Housing Commission.

12/28/11 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

SB 48 Residential rental properties; establishes criteria by which an assessor determines market value.

Patron: Watkins

A BILL to amend the Code of Virginia by adding in Article 7 of Chapter 32 of Title 58.1 a section numbered 58.1-3295.1, relating to assessment of real property; residential rental housing.

Summary as introduced:

Assessment of residential rental properties. Establishes criteria by which an assessor shall determine fair market value for real estate used in whole or in part as residential rental property as defined by ordinance or the locality. Criteria include actual gross income generated, losses due to vacancies, collection losses, and rent concessions as well as actual operating expenses and expenditures. Evidence as to fair market value presented by the property owner shall be considered by the real estate assessor in his property assessment.

01/04/12 Senate: Referred to Committee on Finance

Notes: Position: Oppose

SB 62 Primary elections; adds party affiliation to information an applicant to provide when registering.

Patron: Stanley

A BILL to amend and reenact §§ 24.2-530 and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.2, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party; primary elections.

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary.

01/05/12 Senate: Referred to Committee on Privileges and Elections

01/17/12 Senate: Assigned to P&E sub: Campaigns and Elections

Notes: Position: Oppose

SB 73 Residential rental properties; establishes criteria by which an assessor determines market value.

Patron: Watkins

A BILL to amend the Code of Virginia by adding in Article 7 of Chapter 32 of Title 58.1 a section numbered 58.1-3295.1, relating to assessment of real property; residential rental housing.

Summary as introduced:

Assessment of residential rental properties. Establishes criteria by which an assessor shall determine fair market value for real estate used in whole or in part as residential rental property as defined by ordinance or the locality. Criteria include actual gross income generated, losses due to vacancies, collection losses, and rent concessions as well as actual operating expenses and expenditures. Evidence as to fair market value presented by the property owner shall be considered by the real estate assessor in his property assessment.

EMERGENCY

01/05/12 Senate: Referred to Committee on Finance

Notes: Position: Oppose

SB 83 VIEW; screening and assessment of public assistance recipients for use of illegal substances.

Patron: McWaters

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare (VIEW); screening and assessment for use of illegal substances.

Summary as introduced:

Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each participant in the Virginia Initiative for Employment Not Welfare (VIEW) to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. In cases in which drug testing is required, the participant shall pay the cost of such testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits.

01/09/12 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: Position: Oppose

SB 84 Foster care; extends option of independent living services to any person on 18th birthday, etc.

Patron: Favola

A BILL to amend and reenact § 63.2-905.1 of the Code of Virginia, relating to foster care; independent living services.

Summary as introduced:

Foster care; independent living services. Extends the option of receipt of independent living services to any person who was in foster care on his eighteenth birthday and who has not reached the age of 21 years, regardless of whether the individual has previously terminated receipt of independent living services. Under current law, an individual who was receiving independent living services may request reestablishment of services if under age 21 and if less than 60 days has elapsed from when the individual initially terminated independent living services.

01/09/12 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: Position: Support

SB 107 Freedom of Information Act; criminal investigative records.

Patron: Edwards

A BILL to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Freedom of Information Act; access to criminal investigative records.

Summary as introduced:

Freedom of Information Act; criminal investigative records. Amends the definition of "criminal investigative file" so that the exemption applies to records relating to active or ongoing investigations or prosecutions.

01/09/12 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Oppose

SB 122 Derelict and blighted buildings; authorizes locality to serve as receiver to repair.

Patron: Watkins

A BILL to amend the Code of Virginia by adding a section numbered 15.2-907.2, relating to receivership of derelict and blighted buildings.

Summary as introduced:

Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission.

01/10/12 Senate: Referred to Committee on Local Government

Notes: Position: Support

SB 224 Assault and battery; Class 1 misdemeanor against a family or household member.

Patron: Herring

A BILL to amend and reenact §§ 18.2-57.2, 19.2-120, 19.2-120.1, and 37.2-506 of the Code of Virginia, relating to assault and battery against a family or household member; penalty.

Summary as introduced:

Assault and battery of a family or household member; penalties. Provides for a Class 1 misdemeanor for the assault followed by a battery through the application of physical force against a member of a family or household member. The bill addresses the decision in U.S. v. White from the Fourth Circuit Court of Appeals in 2010.

01/10/12 Senate: Referred to Committee for Courts of Justice

Notes: Position: Oppose

SB 231 Taxicabs; local regulation.

Patron: Herring

A BILL to amend and reenact § 46.2-2067 of the Code of Virginia, relating to local regulation of taxicabs.

Summary as introduced:

Local regulation of taxicabs. Disallows counties, cities, and towns from reducing the number of taxicabs that are permitted or authorized under the local ordinance, unless there is non-use or cause.

01/10/12 Senate: Referred to Committee on Transportation

01/18/12 Senate: Reported from Transportation (14-Y 0-N)

01/20/12 Senate: Constitutional reading dispensed (39-Y 0-N)

Notes: Position: Oppose

SB 244 Primary elections; adds party affiliation to information an applicant to provide when registering.

Patron: Obenshain

A BILL to amend and reenact §§ 24.2-101, 24.2-521, 24.2-530, and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.2, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party; primary elections, and definitions.

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. The bill requires the State Board of Elections, in September 2012, to notify all registered voters of the new party registration law and send them a return card to indicate their party affiliation or independent status. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed in advance of an election. The state party chairman must notify the State Board by January 31 of each year whether the party will close or open its primaries. Further, the bill (i) adds a requirement that primary candidate petitions must be signed by voters registered as members of the party conducting the primary, (ii) sets the required number of petition signatures at one percent of the number of voters registered as members of the party in the election district where the primary is being held, and (iii) allows an official political party to retain that status so long as at least 15 percent of the Commonwealth's registered voters are registered as members of that party.

01/10/12 Senate: Referred to Committee on Privileges and Elections

Notes: Position: Oppose

SB 252 Elections; party identification on ballots in local elections.

Patron: Martin

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections; ballots; party identification of candidates on ballots.

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections.

01/10/12 Senate: Referred to Committee on Privileges and Elections

Notes: Position: Support

SB 468 Virginia Indoor Clean Air Act; smoking in public buildings prohibited, penalty.

Patron: Northam

A BILL to amend and reenact §§ 15.2-2820, 15.2-2824, 15.2-2826, 15.2-2829, and 15.2-2830 of the Code of Virginia, and to repeal § 15.2-2823 of the Code of Virginia, relating to the Virginia Clean Indoor Air Act; smoking in public buildings prohibited; penalty.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in public buildings prohibited; penalty. Prohibits smoking in any building owned or leased by the Commonwealth or any agency thereof or any locality. The bill contains numerous technical amendments.

01/11/12 Senate: Referred to Committee on Local Government

Notes: Position: Support

SB 531 Northern Virginia Transportation District; establishes responsibilities for various entities.

Patron: Marsden

A BILL to amend the Code of Virginia by adding a section numbered 33.1-13.03:1, relating to evaluation of transportation projects in the Northern Virginia Transportation District; reports.

Summary as introduced:

Northern Virginia Transportation District; long-range planning. Establishes responsibilities for various entities for long-range transportation planning for the Northern Virginia Transportation District.

01/11/12 Senate: Referred to Committee on Transportation

Notes: Position: Oppose

SB 554 Firearms; possession within residence of victim by persons subject to protective orders.

Patron: Favola

A BILL to amend and reenact § 18.2-308.1:4 of the Code of Virginia, relating to transportation and possession of firearms; persons subject to certain emergency protective orders.

Summary as introduced:

Transportation or possession of firearms; certain emergency protective orders; penalty.

Creates a Class 1 misdemeanor for the transportation or possession of firearms within the residence of the alleged victim by persons subject to emergency protective orders issued as a result of an assault and battery against a family or household member.

01/16/12 Senate: Referred to Committee for Courts of Justice

Notes: Position: Support

Attachment 2

Budget Reductions to City Programs as Proposed by the Governor; Council's Legislative Subcommittee Recommends Support for Amendments to Reverse These Reductions

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|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Reduce Alexandria Schools funding by eliminating Inflation for non-personal costs (Reduction: \$179,327) |
| 2. Eliminate Funding for Project Discovery (exact reduction amount to City unknown) |
| 3. Eliminate funding for Cost of Competing for non-instructional staff in Northern Virginia (Reduction: \$527,726) |
| 4. Reduce aid related to federal revenue (Reduction: 93,598) |
| 5. Eliminate State funding for the City's teen pregnancy initiative (Reduction: \$65,000) |
| 6. Reduce funding for Alexandria Neighborhood Health Services, Inc. (Reduction: \$35000) |
| 7. Eliminate funding for child advocacy centers (exact reduction amount to City unknown) |
| 8. Reductions to Comprehensive Services Act (exact amount unknown) |
| 9. Various reductions to community corrections, litter control grants, administrative services for social services departments, and state aid to libraries |

Current Status of City Package Bills January 21, 2012

HB 5 Constitutional amendment; taking or damaging of private property for public use (voter referendum).

Patrons: Bell, Robert B., Cole and Joannou

A BILL to provide for the submission to the voters of a proposed amendment to Section 11 of Article I of the Constitution of Virginia, relating to taking or damaging of private property.

Summary as introduced:

Constitutional amendment (voter referendum); taking or damaging of private property; public use. Provides for a referendum at the November 6, 2012, election to approve or reject an amendment eliminating the General Assembly's authority to define a public use for which private property may be taken or damaged and providing that no private property shall be taken or damaged for a public use without just compensation to the property owner and that only so much of the property as is necessary to achieve the public use is taken or damaged.

11/22/11 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Oppose

HB 15 School calendar; local school boards responsible for setting and determining opening of school year.

Patrons: Habeeb, Greason, Albo, Anderson, BaCote, Brink, Bulova, Carr, Cline, Comstock, Cox, M.K., Crockett-Stark, Dance, Dudenhefer, Edmunds, Englin, Fariss, Filler-Corn, Garrett, Head, Helsel, Herring, Hodges, Hope, Howell, A.T., Johnson, Keam, Kilgore, Kory, LeMunyon, Lopez, Marshall, D.W., May, McClellan, McQuinn, Merricks, Minchew, Morefield, Morrissey, O'Quinn, Orrock, Plum, Putney, Ramadan, Robinson, Rush, Rust, Scott, J.M., Stolle, Surovell, Tata, Torian, Toscano, Tyler, Ward, Ware, O., Ware, R.L., Webert, Wilt, Wright and Yost
A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

12/02/11 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 43 School calendar; local school boards responsible for setting and determining opening of school year.

Patrons: Tata and Kory

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

Public schools; opening of the school year. Allows local school boards to set the school calendar so that the first day students are required to attend school shall be no earlier than two weeks prior to Labor Day and no later than the day after Labor Day.

12/14/11 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 86 School calendar; local school boards responsible for setting and determining opening of school year.

Patrons: Greason and Surovell

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

12/21/11 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 113 School calendar; local school boards responsible for setting and determining opening of school year.

Patron: Morrissey

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

01/03/12 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 144 Virginia Preschool Initiative Local Grant Program; created.

Patrons: Englin, Filler-Corn and Surovell

A BILL to amend and reenact § 22.1-199.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 22.1-199.1:1, relating to a Virginia Preschool Initiative Local Grant Program.

Summary as introduced:

Virginia Preschool Initiative Local Grant Program. Creates a grant program to be administered by the Virginia Department of Education to improve training for preschool educators; create, outfit, or expand preschool classrooms; implement the Virginia Quality Rating and Improvement System; ensure the availability of preschool education for the children of veterans; and create

innovative early childhood programs for rural communities where access to services is difficult. The grant program shall be funded by the unused moneys allocated by the General Assembly towards the Virginia Preschool Initiative, which requires a local match in order for such funds to be utilized. Grants shall be awarded pursuant to a competitive request for proposals process designed to ensure that all service providers in the Commonwealth, regardless of size or geographic location, are afforded the opportunity to apply for funds.

01/05/12 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Students and Early Education

01/19/12 House: Subcommittee recommends reporting (7-Y 1-N)

01/19/12 House: Subcommittee recommends referring to Committee on Appropriations

Notes: Position: Support

HB 254 School calendar; local school boards allowed to set opening of school year.

Patrons: Stolle and Surovell

A BILL to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

Public schools; opening of the school year. Allows local school boards, for years in which Labor Day falls on September 5 or later, to set the school calendar so that the first day students are required to attend school shall be no earlier than one week before Labor Day.

01/10/12 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 312 Electric and natural gas utilities; energy efficiency programs.

Patron: Ware, R.L.

A BILL to amend and reenact §§ 56-576 and 56-600 of the Code of Virginia, relating to electric and natural gas utilities; energy efficiency programs.

Summary as introduced:

Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

01/10/12 House: Referred to Committee on Commerce and Labor

01/19/12 House: Stricken from docket by Commerce and Labor

Notes: Position: Support

HB 434 School calendar; local school boards responsible for setting and determining opening of school year.

Patrons: Tata and Surovell

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

01/10/12 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 602 School calendar; local school divisions to set.

Patron: LeMunyon

A BILL to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

Public schools; opening of the school year. Allows local school divisions to set the school calendar so that the first day students are required to attend must be no earlier than the fourth Monday in August. Current law requires the first day to be after Labor Day unless a waiver is granted for good cause shown.

01/10/12 House: Referred to Committee on Education

01/18/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Positon: Support

HB 613 Public employment; prohibits discrimination.

Patron: LeMunyon

A BILL to amend and reenact §§ 2.2-3004, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to nondiscrimination in public employment.

Summary as introduced:

Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to qualifications, ability, or performance. The bill contains technical amendments.

01/10/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 653 School calendar; local school boards responsible for setting and determining opening of school year.

Patrons: Kory, Albo, Brink, Bulova, Filler-Corn, Scott, J.M. and Surovell; Senators: Ebbin, Favola and Petersen

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

01/11/12 House: Referred to Committee on Education

01/18/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 692 Public employment; prohibits discrimination based on sexual orientation, race, etc.

Patrons: Plum and Scott, J.M.

A BILL to amend and reenact §§ 2.2-3004, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to nondiscrimination in public employment.

Summary as introduced:

Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, political affiliation, age, marital status, disability, sexual orientation, or status as a veteran. The bill contains technical amendments.

01/11/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 894 Electric and natural gas utilities; energy efficiency programs.

Patrons: Ware, R.L., Cosgrove, Alexander, Englin, Joannou, Lewis, McClellan, Plum, Purkey, Tyler and Ward

A BILL to amend and reenact §§ 56-576 and 56-600 of the Code of Virginia, relating to electric and natural gas utilities; energy efficiency programs.

Summary as introduced:

Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

01/11/12 House: Referred to Committee on Commerce and Labor

01/19/12 House: Reported from Commerce and Labor (21-Y 0-N)

Notes: Position: Support

HB 977 Virginia Human Rights Act; prohibits discrimination employment based on sexual orientation.

Patrons: Scott, J.M., Hope and McClellan

A BILL to amend and reenact §§ 2.2-2639, 2.2-3004, 2.2-3900, 2.2-3901, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to the Virginia Human Rights Act; prohibited discrimination in employment; sexual orientation.

Summary as introduced:

Virginia Human Rights Act; prohibited discrimination; sexual orientation. Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. the bill also codifies existing prohibited discrimination in employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

01/11/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 1003 Employment discrimination; no employer shall discharge on basis of age.

Patron: Ramadan

A BILL to amend and reenact § 2.2-2639 of the Code of Virginia, relating to the Human Rights Council; causes of action for discrimination.

Summary as introduced:

Human Rights Council; causes of action for discrimination. Provides that no employer employing more than five but less than 20 persons shall discharge any such employee on the basis of age if the employee is 40 years of age or older. Currently, the protection against age discrimination applies to an employer employing more than five but less than 15 persons.

Federal law applies to workplaces with 20 or more employees.

01/11/12 House: Referred to Committee on General Laws

Notes: Position: Support

HB 1027 Motor fuels tax; permits two or more localities to impose.

Patron: Englin

A BILL to amend the Code of Virginia by adding in Article 8 of Chapter 38 of Title 58.1 a section numbered 58.1-3844, relating to local motor fuels sales tax authorized in certain localities.

Summary as introduced:

Local motor fuels tax. Permits two or more localities that are constructing or operating high capacity transit systems to impose a local motor fuels tax at the rate of 2.1 percent of the wholesale price of fuels sold to retailers. The revenue generated from the tax shall be used to construct or operate high capacity transit systems.

01/11/12 House: Referred to Committee on Finance

01/20/12 House: Assigned Finance sub: #2

Notes: Position: Support

HB 1063 School calendar; local school boards responsible for setting and determining opening of school year.

Patrons: Tata, Robinson and Wright

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

01/11/12 House: Referred to Committee on Education

01/18/12 House: Assigned Education sub: Teachers and Admin. Action

Notes: Position: Support

HB 1099 Employment discrimination; expands circumstances creating an individual cause of action.

Patron: Herring (by request)

A BILL to amend and reenact § 2.2-2639 of the Code of Virginia, relating to the Virginia Human Rights Council; causes of action in employment discrimination.

Summary as introduced:

Employment discrimination; liability. Expands the circumstances creating an individual cause of action regarding employment discrimination by employers with more than five but fewer than 15 employees. Currently, discharging an employee on the basis of race, national origin, sex, and other status is actionable; the measure adds that the failure or refusal to hire or other discrimination against an individual on such a basis is actionable, and prohibits discrimination based on sexual orientation. Currently, discrimination against employees 40 years old or older is actionable if the employer has fewer than 15 employees; this measure increases the maximum to 20 employees. The measure adds that demonstrated compliance by an employer with any federal law or regulation is an affirmative defense to any claim. Remedies for cases involving violations other than those involving discharging employees are expanded to include injunctions and other equitable relief.

01/11/12 House: Referred to Committee on General Laws

Notes: Position: Support

HJ 3 Constitutional amendment; taking or damaging of private property for public use (second reference).

Patrons: Bell, Robert B. and Cole

Proposing an amendment to Section 11 of Article I of the Constitution of Virginia, relating to taking or damaging of private property.

Summary as introduced:

Constitutional amendment (second resolution); taking or damaging of private property; public use. Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must

equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is.

11/22/11 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: Position: Oppose

HJ 146 High capacity transit; Transportation Board to make priority for funding by State.

Patrons: Herring and Kory

Requesting the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

Summary as introduced:

High capacity transit. Requests the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

01/11/12 House: Referred to Committee on Appropriations

01/16/12 House: Assigned App. sub: Transportation

Notes: Position: Support

SB 240 Constitutional amendment; taking or damaging of private property for public use (voter referendum).

Patrons: Obenshain; Delegate: Joannou

A BILL to provide for the submission to the voters of a proposed amendment to Section 11 of Article I of the Constitution of Virginia, relating to taking or damaging of private property.

Summary as introduced:

Constitutional amendment (voter referendum); taking or damaging of private property; public use. Provides for a referendum at the November 6, 2012, election to approve or reject an amendment eliminating the General Assembly's authority to define a public use for which private property may be taken or damaged and (i) requiring that eminent domain be exercised for public uses and not for the primary purpose of private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development; (ii) defining what is to be included in determining just compensation for permissible takings; and (iii) prohibiting the taking of more private property than is necessary for the stated public use.

01/10/12 Senate: Referred to Committee on Privileges and Elections

Notes: Position: Oppose

SB 257 School calendar; local school boards responsible for setting and determining opening of school year.

Patron: Ebbin

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

01/10/12 Senate: Referred to Committee on Education and Health

Notes: Position: Support

SB 261 Virginia Preschool Initiative Local Grant Program; created.

Patron: Ebbin

A BILL to amend and reenact § 22.1-199.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 22.1-199.1:1, relating to a Virginia Preschool Initiative Local Grant Program.

Summary as introduced:

Virginia Preschool Initiative Local Grant Program. Creates a grant program to be administered by the Virginia Department of Education to improve training for preschool educators; create, outfit, or expand preschool classrooms; implement the Virginia Quality Rating and Improvement System; ensure the availability of preschool education for the children of veterans; and create innovative early childhood programs for rural communities where access to services is difficult. The grant program shall be funded by the unused moneys allocated by the General Assembly towards the Virginia Preschool Initiative, which requires a local match in order for such funds to be utilized. Grants shall be awarded pursuant to a competitive request for proposals process designed to ensure that all service providers in the Commonwealth, regardless of size or geographic location, are afforded the opportunity to apply for funds.

01/10/12 Senate: Referred to Committee on Education and Health

01/19/12 Senate: Assigned Education sub: Public Education

Notes: Position: Support

SB 263 Public employment; prohibits discrimination based on sexual orientation, race, etc.

Patrons: Ebbin, McEachin and Herring

A BILL to amend and reenact §§ 2.2-3004, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to nondiscrimination in public employment.

Summary as introduced:

Public employment; nondiscrimination. Prohibits discrimination in public employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments. The bill also codifies existing prohibitions against discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

01/10/12 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

SB 456 School calendar; allows local school boards to set date.

Patron: Vogel

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to setting the school calendar.

Summary as introduced:

School calendar; allows local school boards to set. Allows local school boards to determine the opening date of the school year.

01/11/12 Senate: Referred to Committee on Education and Health

Notes: Position: Support

SB 457 School calendar; local school boards responsible for setting and determining opening of school year.

Patrons: Marsden and Petersen

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

01/11/12 Senate: Referred to Committee on Education and Health

Notes: Position: Support

SJ 3 Constitutional amendment; taking or damaging of private property for public use (second reference).

Patrons: Obenshain and Stuart; Delegate: Cole

Proposing an amendment to Section 11 of Article I of the Constitution of Virginia, relating to taking or damaging of private property.

Summary as introduced:

Constitutional amendment (second resolution); taking or damaging of private property; public use. Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is.

11/21/11 Senate: Referred to Committee on Privileges and Elections

Notes: Position: Oppose

SJ 52 High capacity transit; Transportation Board to make priority for funding by State.

Patron: Ebbin

Requesting the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

Summary as introduced:

High capacity transit. Requests the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

01/10/12 Senate: Referred to Committee on Rules

Notes: Position: Support