



# **YEAS & NAYS REPORT**

**With Capital Region Caucus Voting**

*~A Summary of Legislation~*

**2007 General Assembly Session**

**May 2007**



Planning District Commission

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The Richmond Regional Planning District Commission is pleased to provide its member jurisdictions with the following *Yeas and Nays Report*. Legislation is grouped by the House or Senate committee to which the bill was referred.

Given the length of the report, **only legislation which was approved/enacted has been incorporated into the document**; failed legislation has not been documented; however, legislation that passed both chambers but was vetoed by the Governor has been included. Vetoed legislation is marked as such.

Also included in the *Yeas and Nays Report* is our local legislators' (Capital Region Caucus members) voting record for each bill listed. This is highlighted following each piece of legislation.

Unless otherwise mentioned, legislation is effective as of July 1, 2007. Emergency legislation is effective upon the Governor's signature.

The *Yeas and Nays Report* is also posted to the Richmond Regional PDC web site and can be accessed by visiting [www.richmondregional.org](http://www.richmondregional.org). In addition, detailed information, wording, and actions on individual bills can be found at the Virginia Legislative Information System's web site at <http://leg1.state.va.us/071/lis.htm>.



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<i>SB 1312 Transportation Commissioner; develop/ implement highway access management standards for highways. ....</i>	<i>145</i>
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## HOUSE AGRICULTURE

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### **HB 1689 Municipal solid waste; regulation thereof.**

*Summary as passed House:*

**Regulation of municipal solid waste.** Repeals two provisions of the solid waste laws enacted in 1999 that were subsequently found to be unconstitutional by the federal court. The bill repeals the authority of the Solid Waste Management Board to develop regulations governing the commercial transport of nonhazardous municipal solid waste by truck. This section was declared unconstitutional because it imposed certain requirements on large trucks carrying solid waste that violated the commerce clause. The federal court found that the statute placed "disproportionate burdens" on trucks carrying waste from outside of Virginia. The second provision found to be unconstitutional under the commerce clause was the 2,000 tons per day cap placed on landfills for accepting municipal solid waste. This is a recommendation of the Virginia Code Commission.

*Patrons:* Landes and Hurt; Senator: Edwards

01/22/07 House: VOTE: PASSAGE (74-Y 22-N)

YEAS--**Dance, Hall, Ingram, Janis, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Reid, Waddell**

NAYS--**Cox, Hargrove, Nixon, Ware, R.L.**

02/07/07 Senate: VOTE: (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/19/07 Governor: Approved by Governor-Chapter 23 (effective 7/1/07)

### **HB 1713 Resources Authority; expands projects that can be financed to include land conserv. & preservation.**

*Summary as introduced:*

**Virginia Resources Authority.** Expands projects that can be financed through the Authority to include programs or projects for land conservation or land preservation. This bill has been incorporated into HB 2694.

*Patron:* Lewis

01/24/07 House: Incorporated by Agriculture, Chesapeake and Natural Resources (HB2694-Cline)

### **HB 1715 Garbage; increases fine for dumping into state waters.**

*Summary as passed House:*

**Casting garbage.** Increases the fine for dumping garbage into the waters of the state from a maximum of \$100 to \$1,000.

*Patron:* Kilgore

01/23/07 House: VOTE: PASSAGE (91-Y 3-N)

**YEAS--Cox, Dance, Hall , Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NAYS--Ware, R.L.**

02/07/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/19/07 Governor: Approved by Governor-Chapter 24 (effective 7/1/07)

### **HB 1823 Right to Farm Act; adds cities and towns to certain provisions.**

*Summary as introduced:*

**Right to Farm Act.** Adds cities and towns to certain provisions of the Right to Farm Act that currently only apply to counties.

*Patrons:* Suit and Saxman

01/22/07 House: VOTE: PASSAGE (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/19/07 Governor: Approved by Governor-Chapter 444 (effective 7/1/07)

### **HB 2079 Sewage sludge; regulation and management of land application thereof.**

*Summary as introduced:*

**Land application of biosolids.** Consolidates the program that regulates the application of biosolids (sewage sludge) under one agency, the Department of Environmental Quality (DEQ). Currently, the responsibility for regulation of the land application of biosolids is split between DEQ and the Department of Health. The bill also requires the on-site presence of state or local officials when biosolids are being applied and assesses a fee of \$7.50 on each dry ton of sewage sludge applied in the Commonwealth. The bill becomes effective on July 1, 2008, provided that adequate funds have been appropriated and adequate positions have been authorized to administer the program. This bill has been incorporated into HB 2802.

*Patrons:* Wittman, Abbitt, Byron, Hogan and Valentine; Senator: Quayle

01/31/07 House: Incorporated by Agriculture, Chesapeake and Natural Resources (HB2802-Byron)

**HB 2180 Stormwater inspectors; removes certification required by Department of Environmental Quality.**

*Summary as introduced:*

**Stormwater inspectors.** Removes the certification of stormwater inspectors required by the Department of Environmental Quality. This requirement is no longer needed because much of the stormwater program has been transferred to the Department of Conservation and Recreation.

*Patron:* Saxman

01/22/07 House: VOTE: PASSAGE (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins.**

03/20/07 Governor: Approved by Governor-Chapter 633 (effective 7/1/07)

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

*Summary as passed House:*

**Donations of food to charitable organizations; deemed exempt from food service regulations.** Exempts charitable organizations that engage in food distribution to the needy from state and local regulations and ordinances that govern food service and preparation. Includes non-profit homeless shelters and hunger prevention programs under the definition of "charitable organizations" for purposes of the exemption. Permits the Board of Health to issue advisory standards for food preparation, handling, protection, and preservation. The bill contains an emergency clause and will take effect upon passage. This bill incorporates HB 2258 (Rust) and is identical to SB 806 (Puller).

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

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/12/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/15/07 Governor: Approved by Governor-Chapter 404 (effective 3/15/07)

**HB 2229 Impaired Waters Clean-up Plan Report; consolidation of various reports into.**

*Summary as introduced:*

**Consolidation of reports.** Consolidates the Tributary Strategy Implementation Report, the Watershed Planning and Permitting Report, and the Water Quality Improvement Fund Annual Report into the Impaired Waters Clean-up Plan Report.

*Patron:* Lewis

01/29/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

02/14/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 637 (effective 7/1/07)

**HB 2247 Biofuels Incentive Grant Program; lowers eligibility requirement of volume of biofuels.**

*Summary as introduced:*

**Biofuels Incentive Grant Program; production eligibility.** Lowers the eligibility requirement of the volume of biofuels produced and sold from ten million gallons to 10,000 gallons per calendar year for a producer to be eligible for a grant. This bill has been incorporated into HB 3089.

*Patron:* Hogan

01/24/07 House: Incorporated by Agriculture, Chesapeake and Natural Resources (HB3089-Nutter)

**HB 2308 Model firearms hunting ordinances; locality may adopt those developed by Board of Game, etc.**

*Summary as passed House:*

**Model firearms hunting ordinances.** Requires the Board of Game and Inland Fisheries to develop, through regulations, model ordinances for hunting with firearms. The ordinances developed by the Board are to address such items as the caliber of the firearm, the type of firearm, and the type of ammunition. A county or city may adopt any of the model ordinances developed by the Board.

*Patron:* Lingamfelter

01/22/07 House: VOTE: PASSAGE (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 642 (effective 7/1/07)

**HB 2309 Shotguns; eliminates certain requirements for hunting migratory game birds.**

*Summary as passed House:*

**Use of shotguns.** Authorizes the Board of Game and Inland Fisheries to change the shotgun shell capacity through regulations. This bill also conforms the hours a person can hunt with a pistol, muzzle-loading pistol or revolver to the hours allowed to hunt with other weapons.

*Patron:* Lingamfelter

01/22/07 House: VOTE: PASSAGE (94-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NOT VOTING--**McEachin**

02/14/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 643 (effective 7/1/07)

**HB 2483 Water quality monitoring; establishes deadline for public to submit its recommendations thereof.**

*Summary as introduced:*

**Water quality monitoring.** Establishes April 30 of each year as the deadline for the public to submit its recommendations of which specific water segments should be included in the State Water Control Board's water quality monitoring plan. The Board is to respond to the recommendations by August 31. Currently, the Board has until April 30 to respond to citizen recommendations that have been submitted by December 31 of the preceding year.

*Patron:* Bulova

01/22/07 House: VOTE: PASSAGE (96-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 655 (effective 7/1/07)

**HB 2493 Farm wineries; establishes criteria for local regulation thereof.**

*Summary as passed House:*

**Farm wineries.** Provides that local restriction upon licensed farm wineries' activities and events to market and sell their products shall be reasonable and shall take into account the economic impact on the farm winery of such restriction and whether such activities and events are usual and customary for farm wineries throughout the Commonwealth. The bill further provides that no local ordinance regulating noise, other than outdoor amplified music, arising from activities and events at farm wineries shall be more restrictive than that in the general noise ordinance. This bill is identical to SB1205.

*Patrons:* Albo, Callahan, Landes and Moran

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: ADOPTION (96-Y 0-N)

YEAS--**Cox, Dance, Hall, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NOT VOTING--**Hargrove**

03/20/07 Governor: Approved by Governor-Chapter 657 (effective 7/1/07)

**HB 2539 Water Resources and Wetlands Protection Program; created.**

*Summary as introduced:*

**Virginia Water Protection Permit.** Restructures the Virginia Water Protection Permit statute by placing the provisions into a separate article of the State Water Control Law titled "Water Resources and Wetlands Protection Program." The provisions are currently included as a section under the general powers of the Water Control Board. Existing permits are exempted from any changes and shall remain in effect until their specified expiration dates or until they are otherwise amended, modified, repealed, or revoked.

*Patrons:* Landes and Bulova

01/29/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NOT VOTING--**Jones, D.C.**

02/14/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 659 (effective 7/1/07)

**HB 2568 Erosion and sediment control; violation of ordinances.**

*Summary as passed:*

**Violation of erosion and sediment control ordinances.** Allows localities to adopt an ordinance that assesses a civil penalty between \$100 and \$1,000 for violation of erosion and sediment control laws. The bill also increases the cap on civil penalties from \$3,000 to \$10,000. This bill is identical to SB 821.

*Patron:* Shannon

02/14/07 Senate: Passed Senate with amendments (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: Senate amendments agreed to by House (96-Y 2-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NAYS—**Janis**

03/09/07 Governor: Approved by Governor-Chapter 204 (effective 7/1/07)

**HB 2694 Resources Authority; expands projects that can be financed to include land conserv. & preservation.**

*Summary as passed House:*

**Virginia Resources Authority.** Expands projects that can be financed through the Authority to include programs or projects for land conservation or land preservation. This bill incorporates HB 1713 and is identical to SB 1211.

*Patrons:* Cline and Scott, E.T.

01/29/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NOT VOTING-- **Jones, D.C.**

02/14/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 663 (effective 7/1/07)

**HB 2695 Dams, low-head; owners to use signs, etc. to warn public of hazards of swimming, etc. posed thereby.**

*Summary as passed House:*

**Liability for owners of low-head dams.** Provides that owners of low-head dams who use signs and buoys to warn the public of the hazards of swimming, fishing, and boating activities near low-head dams will have met the duty of care for warning the public of hazards posed by the dam.

*Patron:* Cline

01/30/07 House: VOTE: PASSAGE (96-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 664 (effective 1/1/08)

**HB 2802 Land application of biosolids; consolidated to be under only Department of Environmental Quality.**

*Summary as passed:*

**Land application of biosolids.** Consolidates the program that regulates the application of biosolids (sewage sludge) under one agency, the Department of Environmental Quality (DEQ). Currently, the responsibility for regulation of the land application of biosolids is split between DEQ and the Department of Health. The bill also requires DEQ to conduct unannounced site inspections while biosolids are being applied. A fee of \$7.50 is assessed on each dry ton of sewage sludge applied in the Commonwealth. The bill becomes effective on January 1, 2008, provided that adequate funds have been appropriated and adequate positions have been authorized to administer the program. This bill is identical to SB 1339 and incorporates HB 2079 and HB 3170.

*Patrons:* Byron, Abbitt, Putney, Valentine and Wittman; Senators: Newman and Quayle

02/14/07 Senate: Passed Senate with amendments (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: VOTE: ADOPTION (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered technical recommendation.**

04/04/07 House: House concurred in Governor's recommendation (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 881 (effective - see bill)

**HB 2825 Land Conservation Fund; disbursement of moneys.**

*Summary as passed:*

**Virginia Land Conservation Fund disbursements.** Establishes a threshold that determines how the unrestricted funds in the Virginia Land Conservation Fund will be expended. If, by September, the new deposits in the Fund are less than \$10 million, 25% of the money in the Fund is allocated to the Open-Space Land Preservation Trust (OSLPTF) Fund and 75% is disbursed in the form of grants equally among the following four uses: natural area protection, open spaces and parks (including land for hunting, fishing or wildlife watching), farmlands and forest preservation, and historic area preservation. If the Fund contains \$10 million or more, the OSLPTF receives 25% of the money in the Fund and the remaining funds are awarded equally in the form of grants among five uses: natural area protection, open spaces and parks (including land for hunting, fishing or wildlife watching), farmland preservation, forestland conservation, and historic area preservation. Any OSLPTF funds not disbursed or committed to a project by the end of the fiscal year reverts to the Virginia Land Conservation Fund to be redistributed among the authorized uses. This bill is identical to SB 942.

*Patrons:* **Ware, R.L.**, Athey, Cosgrove, Lohr, Miller, J.H., **O'Bannon, Peace**, Saxman and Scott, E.T.

01/29/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

02/14/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 673 (effective 7/1/07)

**HB 3089 Biofuels Incentive Grant Program; lowers eligibility requirement therefor.**

*Summary as passed House:*

**Biofuels Incentive Grant Program; production eligibility.** Lowers the eligibility requirement of the volume of biofuels produced and sold from 10 million gallons to two million gallons per calendar year for a producer to be eligible for a grant. The bill also amends the definition of producer to include any agricultural cooperative association, as defined in the Agricultural Cooperative Association Act (§ 13.1-312 et seq.). This bill incorporates HB 2247.

*Patrons:* Nutter, Fralin and Scott, E.T.

01/29/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

02/14/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 684 (effective 7/1/07)

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

*Summary as passed:*

**Department of Environmental Quality.** Consolidates the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board into one eleven-member citizen board--the Virginia Board of Environmental Quality--with the authority to adopt regulations, including general permit regulations. All other responsibilities of the existing boards, including the authority to issue licenses and permits, shall be transferred to the Department of Environmental Quality. The Department will hold public meetings for the presentation of staff recommendations on major permitting decisions. A citizen appeals board is established and granted the authority to hear appeals on decisions of the Director of the Department of Environmental Quality and to recommend reconsideration by the Director. The bill includes a "re-enactment clause" that requires the General Assembly of 2008 to reaffirm the legislation and delays the effective date until July 1, 2008. This bill is identical to SB 1403.

*Patron:* Landes

02/14/07 Senate: Passed Senate with amendments (30-Y 10-N)

YEAS--**Martin, McDougle, Norment, Stosch, Watkins**

NAYS--**Lambert, Marsh**

02/16/07 House: VOTE: ADOPTION (73-Y 23-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, McEachin, Nixon, O'Bannon, Reid, Waddell Ware, R.L.**

NAYS--**Peace**

NOT VOTING--**Jones, D.C., McClellan**

**Governor returned this bill without his signature, as it contains a reenactment clause, which prevents the bill from having any effect.**

03/26/07 House: Bill became law without Governor's signature, Chapter 838 (effective - see bill)

**HB 3120 Farm wineries; no county, city, or town shall adopt an ordinance prohibiting storage, etc.**

*Summary as passed House:*

**Alcoholic beverage control; farm wineries.** Provides that no county, city, or town shall adopt an ordinance or resolution that prohibits or regulates the storage, warehousing, or wholesaling of wine by a licensed farm winery, so long as it is done in accordance with state and federal law and ABC regulations.

*Patrons:* Albo and Moran

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

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

02/13/07 Senate: VOTE: (40-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

03/08/07 Governor: Approved by Governor-Chapter 140 (effective 7/1/07)

**HB 3170 Sewage sludge; person seeking permit to apply to land to identify specific sites it will be applied.**

*Summary as introduced:*

**Sewage sludge applications.** Requires a person seeking permits to apply sewage sludge to land to identify the specific sites where it will be applied. The bill also institutes a \$5,000 Health Department permit fee if an existing permit is amended to include additional acreage that is (i) greater than the acreage in the original permit and (ii) not contiguous to the sites identified in the original permit. Similarly, for permits issued by the Department of Environmental Quality, the addition of acreage greater than the acreage in the original permit would require an amendment to the permit and would be considered a major modification. As a major modification to the permit, the fee would be 50% of the fee charged for the original permit. This bill has been incorporated into HB 2802.

*Patron:* Cline

01/31/07 House: Incorporated by Agriculture, Chesapeake and Natural Resources (HB2802-Byron)

## SENATE AGRICULTURE

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### **SB 798 Sewage overflows; authorizes Water Control Board to issue administrative orders for corrective act.**

*Summary as introduced:*

**Sewage overflows.** Authorizes the State Water Control Board to issue administrative orders to owners of municipal sewer systems that need corrective actions to prevent sanitary sewer overflows. Places a "safe harbor" provision into Virginia law similar to that found in § 309 of the Clean Water Act.

*Patron:* Locke

01/25/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Marsh, Martin, McDougle, Norment, Stosch, Watkins**

NOT VOTING--**Lambert**

02/16/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 144 (effective 7/1/07)

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

*Summary as passed Senate:*

**Donations of food to charitable organizations; deemed exempt from food service regulations.** Exempts charitable organizations that engage in food distribution to the needy from state and local regulations and ordinances that govern food service and preparation. Includes nonprofit homeless shelters and hunger prevention programs under the definition of "charitable organizations" for purposes of the exemption. Permits the Board of Health to issue advisory standards for food preparation, handling, protection, and preservation. The bill contains an emergency clause and will take effect upon passage. In addition, this bill incorporates SB 917 (Howell) and SB 1125 (Cuccinelli) and is identical to HB 2218 (Amundson).

*Patron:* Puller

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 545 (effective 3/19/07)

**SB 821 Erosion and sediment control; violation of ordinances.**

*Summary as passed Senate:*

**Violation of erosion and sediment control ordinances.** Allows localities to adopt an ordinance that assesses a civil penalty between \$100 and \$1,000 for violation of erosion and sediment control laws. The bill also increases the cap on civil penalties from \$3,000 to \$10,000. This bill is identical to HB 2568.

*Patron:* Devolites Davis

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/09/07 House: VOTE: PASSAGE (91-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Janis, Peace**

03/13/07 Governor: Acts of Assembly Chapter text (CHAP0051)

**SB 882 Hunting lands; establishes a policy no net loss of public lands on which hunting occurs.**

*Summary as introduced:*

**Loss of hunting lands.** Establishes a policy that there will be no net loss of public lands on which hunting occurs.

*Patron:* Deeds

01/23/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered technical recommendation that there should be no net loss of hunting lands managed by the Board of Game and Inland Fisheries.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 906 (effective 7/1/07)

**SB 917 Donation of food to charity organizations; regulations for food prepared in his private residence.**

*Summary as introduced:*

**Donation of food to charity organizations.** Provides that the Board of Agriculture and Consumer Services, in conjunction with the Board of Health, shall promulgate regulations permitting any person to donate food prepared in his private residence to any political subdivision or to any charity organization, which is exempt from taxation under 26 U.S.C. § 501 (c) (3), for distribution to needy persons. The bill likewise provides that the Board of Agriculture and Consumer Services, in conjunction with the Board of Health, shall promulgate regulations permitting any political subdivision and any charity organization, which is exempt from taxation under 26 U.S.C. § 501 (c) (3), that is engaged in a food distribution program for needy persons to distribute any food properly donated to it. In addition, the bill prohibits a locality from enacting or enforcing any general law, special act, state regulation, or local ordinance or regulation that imposes conditions or requirements inconsistent with or more stringent than the regulations promulgated by the Board. This bill contains an emergency clause. This bill has been incorporated into SB 806.

*Patrons:* Howell, Devolites Davis, Herring, O'Brien and Puller; *Delegates:* Albo, Amundson, Callahan, Caputo, Marsden, Moran, Plum, Rust, Sickles and Watts

01/15/07 Senate: Incorporated by Agriculture, Conservation and Natural Resources (SB806-Puller)

**SB 942 Land Conservation Fund; disbursement of moneys.**

*Summary as passed Senate:*

**Virginia Land Conservation Fund disbursements.** Establishes a threshold that determines how the unrestricted funds in the Virginia Land Conservation Fund will be expended. If, by September, the new deposits in the Fund are less than \$10 million, 25% of the moneys in the Fund is allocated to the Open-Space Land Preservation Trust Fund (OSLPTF) and 75% is disbursed in the form of grants equally among the following four uses: natural area protection, open spaces and parks (including land for hunting, fishing or wildlife watching), farmlands and forest preservation, and historic area preservation. If the Fund contains \$10 million or more, the OSLPTF receives 25% of the moneys in the Fund and the remaining funds are awarded equally in the form of grants among five uses: natural area protection, open spaces and parks (including land for hunting, fishing or wildlife watching), farmland preservation, forestland conservation, and historic area preservation. Any OSLPTF funds not disbursed or committed to a project by the end of the fiscal year revert to the Virginia Land Conservation Fund to be redistributed among the authorized uses. This bill is identical to HB 2825.

*Patron:* Ticer

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/09/07 House: VOTE: BLOCK VOTE PASSAGE (92-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

NOT VOTING--Peace

02/19/07 Governor: Approved by Governor-Chapter 51 (effective 7/1/07)

**SB 1061 Fertilizers; regulation thereof.**

*Summary as passed Senate:*

**Local regulation of fertilizer.** Prohibits localities from regulating the registration, packaging, labeling, sale, or distribution of fertilizers. Localities are also prohibited from regulating use, application, or storage except by ordinances consistent with certain state laws. Persons aggrieved by development conditions restricting fertilizer use will have the right to bring an action against the locality.

*Patron:* **Watkins**

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 563 (effective 7/1/07)

**SB 1125 Donation of food to charity organizations; regulations for food prepared in his private residence.**

*Summary as introduced:*

**Donation of food to charity organizations.** Provides that the Board of Agriculture and Consumer Services, in conjunction with the Board of Health, shall promulgate regulations permitting any person to donate food prepared in his private residence to any political subdivision or to any charity organization, which is exempt from taxation under 26 U.S.C. § 501 (c) (3), for distribution to needy persons. The bill likewise provides that the Board of Agriculture and Consumer Services, in conjunction with the Board of Health, shall promulgate regulations permitting any political subdivision and any charity organization, which is exempt from taxation under 26 U.S.C. § 501 (c) (3), that is engaged in a food distribution program for needy persons to distribute any food properly donated to it. In addition, the bill prohibits a locality from enacting or enforcing any general law, special act, state regulation, or local ordinance or regulation that imposes conditions or requirements inconsistent with or more stringent than the regulations promulgated by the Board. This bill contains several emergency clauses. This bill has been incorporated into SB 806.

*Patron:* Cuccinelli

01/15/07 Senate: Incorporated by Agriculture, Conservation and Natural Resources (SB806-Puller)

**SB 1205 Farm wineries; establishes criteria for local regulation thereof.**

*Summary as passed Senate:*

**Zoning; licensed farm wineries; local regulation of certain activities.** Provides that local restriction

upon licensed farm wineries' activities and events to market and sell their products shall be reasonable and shall take into account the economic impact on the farm winery of such restriction and whether such activities and events are usual and customary for farm wineries throughout the Commonwealth. The bill further provides that no local ordinance regulating noise, other than outdoor amplified music, arising from activities and events at farm wineries shall be more restrictive than that in the general noise ordinance. This bill is identical to HB 2493.

*Patron:* Hanger

02/16/07 House: Passed House with amendment (97-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 611 (effective 7/1/07)

**SB 1300 Sewage sludge; locality may adopt an ordinance that requires special use permit for routine storage.**

*Summary as passed Senate:*

**Storage of sewage sludge.** Provides that a locality may adopt an ordinance requiring that a special exception or a special use permit be obtained to begin the storage of sewage sludge in its jurisdiction. No ordinance may require a special exception or a special use permit to begin the storage of sewage sludge if such sludge will be stored on the same farm to which it will be land applied.

*Patrons:* Newman; *Delegates:* Abbitt, Byron, Cline, Hogan and Putney

01/25/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Lambert**

02/16/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered recommendation adding emergency clause.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted  
04/04/07 House: Enacted, Chapter 927 (effective 4/4/07)

**SB 1301 Water Quality Improvement Fund; Combined Sewer Overflow funding for Cities of Lynchburg & Richmond.**

**VETO**

*Summary as passed:*

**Water Quality Improvement Fund; CSO funding for the City of Lynchburg and the City of Richmond.** Creates a formula for funding elimination of the combined sewer overflow (CSO) in the City of Lynchburg and the City of Richmond.

*Patron:* Newman

01/24/07 Senate: Substitute by Senator Newman agreed to 078670776-S2

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Lambert**

02/21/07 House: Passed House with substitute (80-Y 17-N)

**YEAS--Cox, Hall, Hargrove, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

**NAYS--Dance, Ingram, Peace**

02/22/07 Senate: House substitute agreed to by Senate (21-Y 18-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation that provided a higher level of certainty for annual appropriations to Lynchburg and Richmond.**

04/04/07 Senate: Senate concurred in Governor's recommendation (38-Y 2-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House rejected Governor's recommendation (45-Y 52-N)

**YEAS--Dance, Hall, Jones, D.C., McClellan, McEachin, Peace**

**NAYS--Cox, Hargrove, Ingram, Janis, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

04/10/07 Governor: Vetoed by Governor (Without the amendments, the bill will have a negative effect on funding for farmers engaged in agricultural best management practices and other nonpoint source programs that control nutrient pollution of our streams and rivers.)

**SB 1313 Sewage sludge; local government to certify that site thereof in compliance with ordinances.**

*Summary as passed:*

**Land application of sewage sludge.** Requires that the local government certify, within 30 days, as part of

the state permit application to store sewage sludge, that the site of the proposed storage is in compliance with all local ordinances. The bill also gives localities the authority to adopt an ordinance that reasonably restricts the storage of sewage sludge to certain areas or parcels based on public health, welfare, or safety criteria. Any such ordinance will not apply to a farmer who stores sewage sludge for land application on his own farm within 45 days. The Department of Environmental Quality or the Department of Health permit application filled out by the person applying the sewage sludge is not considered complete until there is such local certification.

*Patrons:* Hawkins and Newman; *Delegates:* Byron and Valentine

02/06/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins** 02/16/07

House: Passed House with amendments BLOCK VOTE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: House amendments agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/15/07 Governor: Approved by Governor-Chapter 390 (effective 7/1/07)

### **SB 1339 Land application of biosolids; consolidated to be under only Department of Environmental Quality.**

*Summary as passed:*

**Land application of biosolids.** Consolidates the program that regulates the application of biosolids (sewage sludge) under one agency, the Department of Environmental Quality (DEQ). Currently, the responsibility for regulation of the land application of biosolids is split between DEQ and the Department of Health. The bill also requires DEQ to conduct unannounced site inspections while biosolids are being applied. A fee of \$7.50 is assessed on each dry ton of sewage sludge applied in the Commonwealth. The bill becomes effective on January 1, 2008, provided that adequate funds have been appropriated and adequate positions have been authorized to administer the program. This bill is identical to HB 2802.

*Patrons:* Newman and Hawkins; *Delegate:* Byron

01/26/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Lambert**

02/09/07 House: Passed House with substitute BLOCK VOTE (92-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

**NOT VOTING-- Peace**

02/13/07 Senate: House substitute agreed to by Senate (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered technical recommendation.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (97-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 929 (effective - see bill)

### **SB 1351 Public utility facilities; approval thereof.**

*Summary as passed:*

**Public utility facilities; comprehensive plans.** Amends provisions pertaining to comprehensive plans by localities and underground natural gas or underground electric distribution facilities of a public facility. Under current law, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under other provisions of general law, no public utility facility or public service corporation facility shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. This bill exempts an underground natural gas or underground electric distribution facility of a public utility from the foregoing measure.

*Patron:* Wagner

02/06/07 Senate: VOTE: (26-Y 11-N 3-A)

YEAS--**Martin, McDougle, Norment, Stosch, Watkins**

NAYS--**Marsh**

RULE 36--**Lambert**

02/20/07 House: Passed House with substitute (97-Y 1-N)

YEAS--**Cox, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (38-Y 0-N 2-A)

YEAS--**Marsh, Martin, McDougle, Norment, Stosch, Watkins**

RULE 36--**Lambert**

03/23/07 Governor: Approved by Governor-Chapter 801 (effective 7/1/07)

**SB 1403 Environmental Quality, Department of; consolidation of various boards, increase of authority.**

*Summary as passed:*

**Department of Environmental Quality.** Consolidates the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board into one eleven-member citizen board--the Virginia Board of Environmental Quality--with the authority to adopt regulations, including general permit regulations. All other responsibilities of the existing boards, including the authority to issue licenses and permits, shall be transferred to the Department of Environmental Quality. The Department will hold public meetings for the presentation of staff recommendations on major permitting decisions. A citizen appeals board is established and granted the authority to hear appeals on decisions of the Director of the Department of Environmental Quality and to recommend reconsideration by the Director. The bill includes a "reenactment clause" that requires the General Assembly of 2008 to reaffirm the legislation and delays the effective date until July 1, 2008. This bill is identical to HB 3113.

*Patron:* Puckett

02/06/07 Senate: VOTE: (28-Y 11-N)

**YEAS--Lambert, Martin, McDougle, Norment, Stosch, Watkins**

**NAYS--Marsh**

02/16/07 House: Passed House with amendments (74-Y 23-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McEachin, Nixon, O'Bannon, Reid, Ware, R.L.**

**NAYS--Peace, McClellan, Waddell**

**NOT VOTING--Janis**

02/20/07 Senate: House amendments agreed to by Senate (39-Y 1-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor returned this bill without his signature as it contains a reenactment clause, which prevents the bill from having any effect.**

03/26/07 House: Bill became law without Governor's signature, Chapter 841 (effective - see bill)

**SB 1407 Crops; requires Department of Agriculture and Consumer Services to establish support program.**

*Summary as passed:*

**Crop incentive programs.** Requires the Department of Agriculture and Consumer Services to develop a program to encourage the production of crops that can be used as a source of biomass for energy generation and transportation, and promote aquaculture of native species within the waters of the Chesapeake Bay.

*Patron:* Hanger

02/06/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Passed House with amendments (96-Y 3-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Ware, R.L.**

02/22/07 Senate: House amendments agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 806 (effective 7/1/07)

## HOUSE APPROPRIATIONS

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

*Summary as passed:*

**Virginia Public Building Authority; water treatment.** Authorizes the Virginia Public Building Authority to issue bonds in an amount not to exceed \$250 million for grants to be used solely for the purpose of funding the installation of nutrient removal technologies at specified publicly owned treatment works and non-significant discharges to implement the Commonwealth's Chesapeake Bay Tributary Strategies. This bill is identical to SB 771.

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

02/24/07 House: Conference report agreed to by House (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/24/07 Senate: Conference report agreed to by Senate (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation requiring a legislative review of the future funding needs to meet the objectives of the Water Quality Improvement Fund.**

04/04/07 House: House concurred in Governor's recommendation (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 851 (effective 7/1/07)

### **HB 1711 Higher Educational Institutions Bond Act of 2007; created.**

*Summary as passed:*

**Bonds; public institutions of higher learning.** Authorizes the issuance of up to \$103,550,000 in 9(c) debt for capital projects at public institutions of higher learning. The bill contains an emergency clause.

*Patrons:* Callahan, Athey, Cosgrove, Crockett-Stark, Hugo, Landes, **O'Bannon**, Rust, Scott, E.T. and Sherwood

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: Passed Senate with substitute (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: Senate substitute agreed to by House (88-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C., Reid**

03/19/07 Governor: Approved by Governor-Chapter 433 (effective 3/19/07)

### **HB 2813 Transportation Trust Fund; dedication of certain surplus revenue.**

*Summary as introduced:*

**Transportation Trust Fund; dedication of certain surplus revenue.** Dedicates to the Transportation Trust Fund 50% of any annual general fund surplus revenues remaining after any required deposits to the Revenue Stabilization Fund and to the Virginia Water Quality Improvement Fund.

*Patrons:* Sickles, Marsden, **McClellan**, Valentine and Watts

01/31/07 House: Incorporated by Appropriations (HB3202-Howell, W.J.)

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

*Summary as enacted with Governor's Recommendation:*

**Transportation funding and reform.** Provides (i) statewide funding of transportation projects through current funds and additional funds, (ii) authority to the Northern Virginia Transportation Authority and the Hampton Roads Transportation Authority to impose regional fees and taxes for transportation in their respective areas, (iii) authority to each locality embraced by either Authority to impose an additional real property tax on commercial property with the revenues to be used for transportation, and (iv) several administrative and efficiency reforms impacting transportation. The bill also authorizes the Commonwealth Transportation Board to issue bonds in an aggregate amount not to exceed \$3 billion for statewide transportation funding with the debt service on such bonds to be paid from one-third of the annual revenues from the state tax on insurance businesses.

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

02/24/07 House: Conference report agreed to by House (64-Y 34-N)

**YEAS--Cox, Dance, Hargrove, Ingram, Janis, Nixon, O'Bannon, Peace, Reid, Waddell**

**NAYS--Hall, Jones, D.C., McClellan, McEachin, Ware, R.L.**

02/24/07 Senate: Conference report agreed to by Senate (21-Y 18-N)

**YEAS--Martin, McDougle, Norment, Stosch, Watkins**

**NAYS--Lambert, Marsh**

**Governor offered recommendation in the nature of a substitute (see summary above).**

04/04/07 House: House concurred in Governor's recommendation (85-Y 15-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Waddell, Ware, R.L.**

**NAYS--Jones, D.C., Reid**

04/04/07 Senate: Senate concurred in Governor's recommendation (29-Y 10-N)

**YEAS--Lambert, Marsh, McDougle, Norment, Stosch**

**NAYS--Martin, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 896 (effective 7/1/07)

## HOUSE COMMERCE AND LABOR

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### **HB 2417 Enterprise zones; decreases percentage real property investment grants may be awarded.**

*Summary as introduced:*

**Enterprise zone real property investment grants.** Decreases from 30 to 20 the percentage of a real property investment for which real property investment grants may be awarded. This bill is identical to SB1057.

*Patron:* Kilgore

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: Passed Senate (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 287 (effective 7/1/07)

### **HB 3068 Electric utility service; advances scheduled expiration of capped rate period.**

*Summary as enacted with Governor's Recommendation:*

**Electric utility regulation.** Among other things, advances the scheduled expiration of the capped rate period from December 31, 2010, to December 31, 2008, establishes a new mechanism for regulating the rates of investor-owned electric utilities, and limits the ability of most consumers to purchase electric generation service from competing suppliers. The ratemaking procedure requires the State Corporation Commission (SCC) to conduct a rate case for investor-owned utilities in 2009; thereafter, the SCC will review each utility's rates, terms, and conditions using two 12-month test periods ending December 31, 2010, though the SCC is given discretion to stagger the years in which it conducts such reviews. In these biennial reviews the SCC will determine fair rates of return on common equity for the utility's generation and distribution services, using any methodology it finds consistent with the public interest. This bill is identical to HB 1416.

*Patron:* Hogan

02/06/07 House: VOTE: PASSAGE (85-Y 13-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

02/22/07 Senate: Passed Senate with substitute (35-Y 3-N 1-A)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**RULE 36--Lambert**

02/22/07 House: Senate substitute agreed to by House (77-Y 13-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Hargrove**

**Governor offered technical recommendation in the nature of a substitute (see summary above).**

04/04/07 House: House concurred in Governor's recommendation (84-Y 16-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (36-Y 2-N 1-A)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**RULE 36--Lambert**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 888 (effective 7/1/07)

## SENATE COMMERCE AND LABOR

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### **SB 756 Public-Private Partnership Advisory Commission; created.**

*Summary as passed:*

**Public-Private Partnership Advisory Commission.** Establishes the Public-Private Partnership Advisory Commission to review and advise responsible public entities that are agencies or institutions of the Commonwealth on detailed proposals for qualifying projects under the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.). The bill also requires all responsible public entities to adopt guidelines to guide the selection of projects under the Public-Private Education Facilities and Infrastructure Act containing certain specified provisions. For responsible public entities that are not agencies or institutions of the Commonwealth, the guidelines must include a mechanism for the appropriating body to review the proposed comprehensive agreement prior to execution under certain circumstances.

*Patron:* **Stosch**

02/06/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Passed House with substitute BLOCK VOTE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 764 (effective 7/1/07)

### **SB 1031 Energy facility; requirements for applicant.**

*Summary as passed Senate:*

**Power plant siting.** Establishes a pre-application planning and review process for certain gas or electric utility facilities.

*Patron:* O'Brien

02/06/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: VOTE: PASSAGE (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Janis**

03/23/07 Governor: Approved by Governor-Chapter 776 (effective 7/1/07)

**SB 1057 Enterprise zones; decreases percentage real property investment grants may be awarded.**

*Summary as introduced:*

**Enterprise zone real property investment grants.** Decreases from 30 to 20 the percentage of a real property investment for which real property investment grants may be awarded. This bill is identical to HB2417.

*Patron: Watkins*

01/26/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Lambert**

02/19/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/12/07 Governor: Approved by Governor-Chapter 242 (effective 7/1/07)

**SB 1152 Energy Policy Act of 2006; appropriations for certain funds.**

*Summary as introduced:*

**Energy grant programs.** Provides that the provisions of the 2006 Energy Policy Act establishing the Renewable Electricity Production Grant Program and Solar and Wind Energy System Acquisition Fund shall not become effective until appropriations are made to those funds. As originally enacted, the Act provided that the Funds' enabling legislation would expire on July 1, 2009, if any funds were not deposited to the Funds by July 1, 2009. The measure also provides that the grants do not apply to activities occurring prior to January 1, 2007, revises the process by which eligible persons may apply for a grant, and requires that eligible wind-power generators must meet applicable performance and quality standards as specified by the Department of Mines, Minerals and Energy.

*Patron: Wagner*

01/26/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Lambert**

02/20/07 House: VOTE: PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/23/07 Governor: Approved by Governor-Chapter 789 (effective 7/1/07)

**SB 1351 Public utility facilities; approval thereof.**

*Summary as passed:*

**Public utility facilities; comprehensive plans.** Amends provisions pertaining to comprehensive plans by localities and underground natural gas or underground electric distribution facilities of a public facility. Under current law, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under other provisions of general law, no public utility facility or public service corporation facility shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. This bill exempts an underground natural gas or underground electric distribution facility of a public utility from the foregoing measure.

*Patron:* Wagner

02/06/07 Senate: VOTE: (26-Y 11-N 3-A)

**YEAS--Martin, McDougle, Norment, Stosch, Watkins**

**NAYS--Marsh**

**RULE 36--Lambert**

02/20/07 House: Passed House with substitute (97-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (38-Y 0-N 2-A)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**RULE 36--Lambert**

03/23/07 Governor: Approved by Governor-Chapter 801 (effective 7/1/07)

**SB 1416 Electric utility service; advances scheduled expiration of capped rate period.**

*Summary as enacted with Governor's Recommendation:*

**Electric utility regulation.** Among other things, advances the scheduled expiration of the capped rate period from December 31, 2010, to December 31, 2008, establishes a new mechanism for regulating the rates of investor-owned electric utilities, and limits the ability of most consumers to purchase electric generation service from competing suppliers. The ratemaking procedure requires the State Corporation Commission (SCC) to conduct a rate case for investor-owned utilities in 2009; thereafter, the SCC will review each utility's rates, terms, and conditions using two 12-month test periods ending December 31, 2010, though the SCC is given discretion to stagger the years in which it conducts such reviews. In these

biennial reviews the SCC will determine fair rates of return on common equity for the utility's generation and distribution services, using any methodology it finds consistent with the public interest. This bill is identical to HB 3068.

*Patron: Norment*

02/06/07 Senate: VOTE: (37-Y 2-N 1-A)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**RULE 36--Lambert**

02/21/07 House: Passed House with substitute (82-Y 16-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (35-Y 3-N 1-A)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**RULE 36--Lambert**

**Governor offered recommendation in the nature of a substitute (see summary above).**

04/04/07 Senate: Senate concurred in Governor's recommendation (37-Y 2-N 1-A)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**RULE 36--Lambert**

04/04/07 House: House concurred in Governor's recommendation (83-Y 15-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 933 (effective 7/1/07)

## HOUSE COUNTIES, CITIES AND TOWNS

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### **HB 1860 Fires; authorizes counties to regulate or prohibit the making of fires.**

*Summary as passed House:*

**Making of fires.** Authorizes counties to regulate or prohibit the making of fires in public places and, during emergency, on private property. Existing language related to cities and towns is moved to this section without change.

*Patron:* Wittman

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: Passed Senate with amendments (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Senate amendments agreed to by House (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/12/07 Governor: Approved by Governor-Chapter 256 (effective 7/1/07)

### **HB 1862 Severance benefits; public announcement thereof for certain officials appointed by school board.**

*Summary as introduced:*

**Severance benefits to local officials.** Requires that any severance benefits provided to any departing official appointed by a local school board shall be publicly announced by that school board prior to such departure.

*Patron:* Wittman

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 257 (effective 7/1/07)

**HB 1968 Family subdivision; amends statute for conveyance of a lot.**

*Summary as enacted with Governor's Recommendation:*

**Subdivision of a lot for conveyance to a family member.** Amends the statute that authorizes localities to provide an additional method for subdivision of a lot for conveyance to a family member. Under current law, the property owner must agree to place a restrictive covenant on the subdivided property that would prohibit the transfer of the property to a nonmember of the immediate family for a period of 15 years. The bill provides that a locality may reduce or provide exceptions to such period of years when changed circumstances so require. However, upon such modification of a restrictive covenant, a locality shall execute a writing reflecting such modification, which writing shall be recorded in accordance with § 17.1-227 (relating to documents recorded in deed books). *Patrons:* Lewis and Morgan

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation requiring the locality to execute a writing reflecting such modification on the deed with the locality's clerk of the court (see summary above).**

04/04/07 House: House concurred in Governor's recommendation (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 856 (effective 7/1/07)

**HB 1974 Economic revitalization zone; created.**

*Summary as introduced:*

**Economic revitalization zone.** Allows any city, by ordinance, to establish one or more economic revitalization zones for the purpose of providing incentives to private entities to purchase real property and interests in real property to assemble parcels suitable for economic development. Each city establishing an economic revitalization zone may grant tax incentives and provide regulatory flexibility. Properties that are acquired through the use of eminent domain shall not be eligible for the incentives and regulatory flexibility provided by the ordinance.

*Patron:* Fralin

01/24/07 House: VOTE: PASSAGE (94-Y 2-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 262 (effective 7/1/07)

**HB 1979 Annexation; extends temporary restriction thereof.**

*Summary as introduced:*

**Annexation.** Extends from 2010 to 2020 the temporary restriction on city annexation authority, the granting of city charters, and county immunity proceedings.

**VETO**

*Patrons:* Lohr and Landes

01/24/07 House: VOTE: PASSAGE (72-Y 24-N)

YEAS--**Cox, Dance, Hargrove, Ingram, Janis, Nixon, O'Bannon, Reid, Ware, R.L.**

NAYS--**Hall, Jones, D.C., McClellan, McEachin, Peace, Waddell**

02/16/07 Senate: VOTE: (34-Y 3-N)

YEAS--**Lambert, Martin, McDougle, Norment, Stosch, Watkins**

NAYS--**Marsh**

03/26/07 Governor: Vetoed by Governor (In 1999, the General Assembly extended the 15-year ban on city-initiated annexations until 2010. Any further extension should be accompanied by a careful consideration of the effects of this "temporary" restriction. It is more appropriate for the General Assembly to consider this legislation closer to the time that the current provision expires.)

**HB 2010 Affordable housing; localities that adopt program of bonus density will be allowed certain incentiv.**

*Summary as passed:*

**Affordable dwelling unit ordinances.** Makes numerous changes to the affordable housing law including authorizing establishment of housing trust funds and allowing acceptance of cash in lieu of affordable units. This bill incorporates HB2451 and HB2910.

*Patron:* Suit

02/06/07 House: VOTE: PASSAGE (95-Y 2-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: Passed Senate with substitute (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Senate substitute agreed to by House (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/21/07 Governor: Approved by Governor-Chapter 695 (effective 7/1/07)

**HB 2230 Tourism Financing Development Authority; created.**

*Summary as enacted with Governor's Recommendation:*

**Tourism Financing Development Authority Act.** Allows localities to create a tourism financing development authority. The authority shall have the power to establish a revolving loan fund or loan guarantee program to help carry out its powers and promote establishment of tourism infrastructure. Certain transient occupancy taxes may also be used for purposes of the authority.

*Patron:* Nutter

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation (see summary above).**

04/04/07 House: House concurred in Governor's recommendation (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 864 (effective 7/1/07)

**HB 2261 Zoning violations; overcrowding of residential dwellings.**

*Summary as introduced:*

**Zoning violations; overcrowding.** Provides for enhanced fines for any conviction resulting from a violation of provisions related to overcrowding of residential dwellings. These violations shall not be punishable by a jail term.

*Patrons:* Rust, Sickles, Albo, Amundson, Athey, Bulova, Cole, Cosgrove, Marsden, Miller, J.H., Scott, E.T., Sherwood and Watts; *Senators:* Cuccinelli, Herring and Howell

02/06/07 House: VOTE: PASSAGE (89-Y 10-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NAYS--**McClellan, McEachin**

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation in the nature of a substitute increasing the maximum fine for any conviction from \$1,000 to \$2,000.**

04/04/07 House: House rejected Governor's recommendation (11-Y 87-N)

YEAS--**Hall, Jones, D.C., McClellan, McEachin,**

NAYS--**Cox, Dance, Hargrove, Ingram, Janis, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/10/07 Governor: Approved by Governor-Chapter 937 (effective 7/1/07)

### **HB 2265 Plats; validation of certain.**

*Summary as introduced:*

**Validation of certain plats.** Changes the date from 1953 to 1975 for purposes of validating subdivision plats that failed to comply with the technical requirements for recordation existing at the time such plat was recorded.

*Patron:* Rust

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

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 279 (effective 7/1/07)

### **HB 2298 Localities; gifts and donations of personal property may be delivered to another govt. entity, etc.**

*Summary as passed House:*

**Donations by localities.** Provides that localities may make gifts and donations of personal property and may deliver such gifts and donations to another governmental entity in or outside of the Commonwealth. This bill is identical to SB868.

*Patron:* **McClellan**

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

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 641 (effective 7/1/07)

**HB 2380 Road improvements; use of cash proffers by localities.**

*Summary as introduced:*

**Cash proffers; road improvements.** Provides that the governing body of a locality may, notwithstanding the provisions of the Virginia Public Procurement Act, negotiate and award a contract without competition to an entity that is constructing road improvements pursuant to a special exception condition in order to expand the scope of the road improvements by utilizing cash proffers of others or other available locally generated funds. This bill contains an emergency clause.

*Patron:* May

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

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/13/07 Governor: Approved by Governor-Chapter 321 (effective 3/13/07)

**HB 2451 Affordable housing ordinances; changes law authorizing establishment of housing trust funds, etc.**

*Summary as introduced:*

**Affordable dwelling unit ordinances.** Makes numerous changes to the affordable housing law including authorizing establishment of housing trust funds and allowing acceptance of cash in lieu of affordable units. This bill was incorporated into HB 2010.

*Patron:* Toscano

02/02/07 House: Incorporated in Counties, Cities and Towns (HB2010-Suit)

**HB 2493 Farm wineries; establishes criteria for local regulation thereof.**

*Summary as passed House:*

**Farm wineries.** Provides that local restriction upon licensed farm wineries' activities and events to market and sell their products shall be reasonable and shall take into account the economic impact on the farm winery of such restriction and whether such activities and events are usual and customary for farm wineries throughout the Commonwealth. The bill further provides that no local ordinance regulating noise, other than outdoor amplified music, arising from activities and events at farm wineries shall be more restrictive than that in the general noise ordinance. This bill is identical to SB1205.

*Patrons:* Albo, Callahan, Landes and Moran

02/06/07 House: VOTE: PASSAGE (94-Y 3-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

02/16/07 Senate: Passed Senate with substitute (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Senate substitute agreed to by House (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Hargrove**

03/20/07 Governor: Approved by Governor-Chapter 657 (effective 7/1/07)

**HB 2500 Conditional zoning; high-growth localities by ordinance may choose to utilize.**

*Summary as introduced:*

**Conditional zoning.** Allows "high-growth" localities to use the "Northern Virginia" form of conditional zoning. This will give high-growth localities greater flexibility including the ability to accept proffers, the need for which is not generated solely by the rezoning.

*Patron:* Orrock

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/13/07 Governor: Approved by Governor-Chapter 324 (effective 7/1/07)

**HB 2502 Donations; expands definition thereof to include provision of in-kind resources for event.**

*Summary as passed House:*

**Donations made by a locality.** Expands the definition of "donations" to include the lawful provision of in-kind resources for any event sponsored by the donee.

*Patron:* Lewis

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 292 (effective 7/1/07)

**HB 2503 Development rights; county and adjacent city may enter voluntarily into an agreement.**

*Summary as passed:*

**Transfer of development rights.** Provides that any county and an adjacent city may enter voluntarily into an agreement to permit the county to designate eligible receiving areas in the city if the governing body of the city has also amended its zoning ordinance to designate the same areas as eligible to receive density being transferred from sending areas in the county. The bill also expands the definition of "sending property." This bill is identical to SB 869.

*Patron:* Toscano

02/06/07 House: VOTE: PASSAGE (97-Y 1-N)

**YEAS--Cox, Dance, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Hall**

02/16/07 Senate: Passed Senate with substitute (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Senate substitute agreed to by House (96-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/15/07 Governor: Approved by Governor-Chapter 410 (effective 7/1/07)

**HB 2544 Subdivision plats; local planning commission, etc to forward to appropriate state agency for review.**

*Summary as passed House:*

**Authority to review subdivision plats.** Requires a local planning commission or other agent of a locality to forward a plat to the appropriate state agency or agencies for review within 10 business days if approval of a feature or features of the plat by a state agency or an authorized public authority is necessary. The bill mandates that any state agency or public authority reviewing a plat (i) complete its review within 45 days of receipt of first submission and within 45 days of receipt if the plat has previously been disapproved and (ii) allow use of public rights-of-way for placement of utilities by permit when practical.

*Patron:* Lingamfelter

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/09/07 Governor: Approved by Governor-Chapter 202 (effective 7/1/07)

**HB 2676 Budgets, local; modifies existing requirements for advertising, etc. when a locality amends.**

*Summary as introduced:*

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

*Patron:* Ware, O.

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 297 (effective 7/1/07)

**HB 2729 FEMA Special Flood Hazard Area map; notification of changes thereto.**

*Summary as passed House:*

**FEMA floodplain map; notification of changes.** Provides that any locality notified by the United States Federal Emergency Management Agency (FEMA) that a change in the FEMA floodplain map concerns or relates to real property within the locality shall provide to each owner of any such property (i) written notification of such change and (ii) contact information for the National Flood Insurance Program.

*Patrons:* Englin, Amundson, **Jones, D.C.**, Kilgore, **McClellan, McEachin**, Sickles and Tyler

01/31/07 House: VOTE: PASSAGE (93-Y 5-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/09/07 Governor: Approved by Governor-Chapter 211 (effective 7/1/07)

**HB 2764 Local employees; right to receive certain benefit information in writing.**

*Summary as passed House:*

**Local employees; right to receive certain benefit information in writing.** Requires localities to provide information about relevant benefit options and programs in writing to any local employee who develops a life-threatening health condition. The employer shall provide appropriate forms to the employee so that the employee can communicate any election of benefit options to the employer in writing on the forms.

*Patrons:* Hurt and Marshall, D.W.; Senator: Hawkins

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/13/07 Governor: Approved by Governor-Chapter 333 (effective 7/1/07)

**HB 2791 Onsite sewage disposal system; permit for installing in certain counties.**

*Summary as passed House:*

**Permit for onsite sewage disposal system installation in Augusta County.** Provides that Augusta County may require any person desiring to install an onsite sewage disposal system to secure a permit to do so. The county may prescribe a reasonable fee, not to exceed \$150, for processing an application for such a permit. This bill is identical to SB1215.

*Patrons:* Lohr and Landes

01/31/07 House: VOTE: PASSAGE (94-Y 6-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Waddell, Ware, R.L.**

**NAYS--Reid**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered technical recommendation.**

04/04/07 House: House concurred in Governor's recommendation (96-Y 3-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 880 (effective 7/1/07)

**HB 2834 Home ownership grants; amount localities may provide for certain local government employees.**

*Summary as passed House:*

**Grants for home ownership.** Raises from \$5,000 to \$25,000 the amount that localities may provide for home ownership grants for certain local government employees. Any such grants shall be subject to certain sales price and income limitations. This bill incorporated HB 2841 and HB 3121.

*Patrons:* **Waddell, Dance and Hall**

02/06/07 House: VOTE: PASSAGE (79-Y 19-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, McClellan, McEachin, O'Bannon, Peace, Waddell, Ware, R.L.**

NAYS--**Janis, Nixon, Reid**

NOT VOTING--**Jones, D.C.**

02/16/07 Senate: VOTE: (38-Y 1-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 674 (effective 7/1/07)

**HB 2841 Home ownership grants; amount localities may provide for certain local government employees.**

*Summary as introduced:*

**Grants for home ownership.** Increases the maximum amount authorized for individual home-ownership grants from \$5,000 per local government employee to \$15,000 per local government employee. The bill also increases the maximum amount authorized for lifetime, cumulative home-ownership grants from \$5,000 per local government employee to \$15,000 per local government employee. This bill was incorporated into HB 2834.

*Patron:* **Hall**

02/02/07 House: Incorporated in Counties, Cities and Towns (HB2834-**Waddell**)

**HB 2910 Affordable housing; development for low- and moderate-income persons.**

*Summary as introduced:*

**Affordable housing dwelling unit ordinances.** Provides that a local governing body may establish a housing fund, the purpose of which will be to assist nonprofit organizations to develop or preserve affordable housing for low- and moderate-income persons and families. This bill was incorporated into HB 2010.

*Patrons:* Spruill, Armstrong, BaCote, **Hall**, Howell, A.T., **Jones, D.C.**, Melvin and Ward

02/02/07 House: Incorporated in Counties, Cities and Towns (HB2010-Suit)

**HB 2927 Affordable dwelling unit ordinances; deletes exclusion for elevator structure four stories or above.**

*Summary as introduced:*

**Certain affordable dwelling unit ordinances.** Deletes an exclusion for elevator structures four stories or above, thereby making such structures eligible for inclusion in such ordinances.

*Patron:* Jones, D.C.

02/02/07 House: Incorporated in Counties, Cities and Towns (HB2010-Suit)

**HB 3011 Bonding requirements; facilities dedicated for public use.**

*Summary as passed House:*

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

*Patron:* Hull

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

2/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/15/07 Governor: Approved by Governor-Chapter 420 (effective 7/1/07)

**HB 3031 Comprehensive plans; affect of approval of transmission lines.**

*Summary as passed House:*

**Approval of transmission lines; affect on the legal status of comprehensive plans and local zoning ordinances.** Requires that certain utilities receive notice of comprehensive plan amendments affecting electrical transmission lines. Also, provisions related to electrical transmission line corridors are added to the comprehensive plan enabling statute and to State Corporation Commission provisions.

*Patrons:* Marshall, R.G., Athey and Cole

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Senate: Passed Senate with substitute (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Senate substitute agreed to by House (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/23/07 Governor: Approved by Governor-Chapter 761 (effective 7/1/07)

**HB 3121 Home ownership grants; amount localities may provide for employees of locality.**

*Summary as introduced:*

**Grants for home ownership.** Raises from \$5,000 to \$25,000 the amount that localities may provide for home-ownership grants to employees of the locality to purchase their primary residences in the locality. This bill was incorporated into HB 2834.

*Patrons:* **O'Bannon** and Griffith

02/02/07 House: Incorporated in Counties, Cities and Towns (HB2834-**Waddell**)

**HB 3141 Local governing body tie breakers; eliminates use of an unelected person.**

*Summary as introduced:*

**Local governing body tie breakers.** Eliminates the use of an unelected person to break tie votes of a county governing body. The option of an elected tie breaker remains.

*Patron:* **Reid**

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (37-Y 1-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/25/07 Governor: Approved by Governor-Chapter 833 (effective 7/1/07)

**HJ 658 James River; celebrating panoramic view thereof from Libby Hill Park.**

*Summary as passed House:*

**View from James River from Libby Hill Park.** Acknowledges the panoramic view of the James River from Libby Hill Park for its historic and critical association with the early development of the City of Richmond and its connection to Richmond-upon-Thames.

*Patrons:* **McClellan, Armstrong, Bulova, Eisenberg, Englin, Hall, Jones, D.C., Lewis, Marsden, McEachin, O'Bannon, Peace** and Ware, O.; Senator: **Marsh**

01/30/07 House: VOTE: ADOPTION (79-Y 17-N)

**YEAS--Cox, Dance, Hall, Hargrove, Jones, D.C., McClellan, McEachin, Peace, Waddell, Ware, R.L.**

**NAYS--Ingram, Janis, Nixon, O'Bannon, Reid**

## HOUSE COURTS OF JUSTICE

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### **HB 1800 Condemnation cases; jury selection.**

*Summary as passed:*

**Condemnation cases; jury selection.** Provides that jury selection in condemnation cases shall conform to the procedures established in Chapter 11 (§ 8.01-336 et seq.) of Title 8.01 and makes conforming changes to § 25.1-229. Five persons from a panel of not fewer than 13 jurors shall constitute a condemnation jury. This bill also provides that jury commissioners shall determine the freeholder status of all qualified jurors. This bill is identical to SB 1068.

*Patrons:* Cosgrove; Senator: Hanger

02/24/07 House: Conference report agreed to by House (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/24/07 Senate: Conference report agreed to by Senate (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/19/07 Governor: Approved by Governor-Chapter 450 (effective 7/1/07)

### **HB 1824 Housing authorities; limits power to acquire property w/in conservation area through eminent domain.**

*Summary as introduced:*

**Housing authorities; use of eminent domain.** Limits the power of housing authorities to acquire property within a conservation area through the use of eminent domain to those properties that are blighted.

*Patrons:* Suit; Senator: Hanger

02/28/07 House: Letter sent to Housing Commission

### **HB 2009 Housing Authorities Law; exercise of eminent domain authority & compensation for certain landowners.**

*Summary as introduced:*

**Housing Authorities Law; exercise of eminent domain authority; compensation for certain landowners.** Provides that when property that is not blighted property has been acquired pursuant to a redevelopment or conservation plan by an authority through the exercise of the power of eminent domain and is subsequently sold to a private entity, then the owner of such property will receive additional compensation in the amount of 50 percent of the net gain realized by the authority.

*Patrons:* Suit; Senator: Hanger

02/28/07 House: Letter sent to Housing Commission

**HB 2542 No Child Left Behind Act; Board of Education requesting waiver from certain provisions.**

*Summary as passed House:*

**No Child Left Behind.** Requires the Board of Education to request a waiver from those provisions of NCLB that are fiscally and programmatically burdensome to school divisions and are not instructionally sound or in the best interest of children. This bill is identical to SB 1212 (Hanger).

*Patrons:* Landes, Ebbin, Englin and Saxman; Senator: Hanger

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/12/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/08/07 Governor: Approved by Governor-Chapter 123 (effective 7/1/07)

**HB 2954 Eminent domain; definition of public uses and limitations thereon.**

*Summary as enacted with Governor's Recommendation:*

**Public uses; eminent domain.** Defines the term "public uses" as embracing only the acquisition of property where (i) the land is taken for the possession, occupation and enjoyment by the public or a public corporation; (ii) the land is taken for construction, maintenance and operation of public facilities by public corporations or by private entities provided that there is a written agreement with a public corporation providing for the use of the facility by the public; (iii) the land is taken for the creation or functioning of a public service corporation, public service company, or railroad; (iv) the land is taken for the provision of utility services by a government utility corporation; (v) the land taken is blighted and is taken for the elimination of blight; or (vi) the property is taken in a redevelopment or conservation area that is abandoned or the acquisition is needed to clear title where one of the owners agrees to such acquisition or the acquisition is by agreement of all the owners. The bill also states that property can only be taken when the public interest dominates the private gain and the primary purpose is not private financial gain, private benefit, an increase in tax base or revenues, or an increase in employment, except if the property is taken for the creation or functioning of a public service corporation, public service company, or railroad, or for the provision of authorized utility services by a government utility corporation. The bill defines the terms "blighted property," "government utility corporation," "public corporation," and "public facilities." The bill also provides that a property owner may challenge that a taking is a pretext for an unauthorized use. A former property owner, or his successors, may also request to repurchase the taken property upon the completion or abandonment of the stated public use. The bill does not apply to the forfeiture of property in connection with criminal act or real property that is subject to a certificate of take or deposit recorded prior to July 1, 2007. The bill also does not affect the ability of a redevelopment and housing authority to acquire property under a plan adopted prior to January 1, 2007, until July 1, 2010. The bill also does not prohibit the Norfolk Redevelopment and Housing Authority or the City of Norfolk from acquiring property through the use of eminent domain for the location of a recreational facility, to be owned or operated by a nonprofit entity, that will be open to the public, provided that such acquisitions are instituted prior to July 1, 2010. This bill is identical to SB 781 and SB 1296. *Patrons:* Bell, Athey, Cosgrove, Frederick, Gear, Gilbert, Iaquinto, Jones, S.C., Kilgore, Lohr, Miller, J.H., Orrock, Saxman, Scott, E.T., Sherwood and Welch; Senator: Hanger

02/24/07 House: Conference report agreed to by House (84-Y 14-N)

YEAS--Cox, Dance, Hargrove, Ingram, Janis, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

NAYS--Hall, Jones, D.C., McClellan, McEachin

02/24/07 Senate: Conference report agreed to by Senate (36-Y 2-N 2-A)

YEAS--Lambert, Marsh, Martin, McDougle, Stosch, Watkins

RULE 36--Norment

**Governor offered recommendation changing the endangerment standard in the blight definition to "health or safety" as opposed to "health and safety" and changing "unfit for human habitation" to "unfit for human occupancy" (see summary above).**

04/04/07 House: House concurred in Governor's recommendation (99-Y 1-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

04/04/07 Senate: Senate concurred in Governor's recommendation (37-Y 0-N 2-A)

YEAS--Lambert, Marsh, Martin, McDougle, Stosch, Watkins

RULE 36--Norment

04/04/07 Governor: Governor's recommendation adopted 04/04/07

04/04/07 House: Enacted, Chapter 882 (effective 7/1/07)

### **HB 3082 Religious freedom; reiterates an individual's freedom of religion.**

*Summary as enacted with Governor's Recommendation:*

**Religious freedom.** Reiterates an individual's freedom of religion and prohibits a government entity from unduly burdening such right. The bill provides a cause of action for declaratory or injunctive relief for violation. A person prevailing in such an action may recover reasonable costs and attorney fees, but not monetary damages. A petition for appeal to the Court of Appeals may be made from any decision to grant or deny declaratory and injunctive relief. The provisions of the bill shall not prevent any governmental institution or facility from maintaining health, safety, security, or discipline. The bill does not apply to the Department of Corrections, the Department of Juvenile Justice, any facility of the Department of Mental Health, Mental Retardation and Substance Abuse Services that treats civilly committed sexually violent predators, or any local, regional or federal correctional facility.

*Patrons:* Lingamfelter, Athey, Bowling, Byron, Carrico, Cline, Cole, Cosgrove, Cox, Frederick, Gear, Hugo, Janis, Kilgore, Landes, Marshall, R.G., McQuigg, Miller, J.H., Nixon, Rapp and Sherwood

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

YEAS--Cox, Hargrove, Ingram, Janis, Nixon, O'Bannon, Peace, Reid, Ware, R.L.

NAYS--Dance, Hall, McClellan, McEachin, Waddell

NOT VOTING--Jones, D.C.

02/22/07 Senate: Passed Senate with substitute with amendment (28-Y 11-N)

**YEAS--Martin, McDougle, Norment, Stosch, Watkins**

**NAYS--Lambert, Marsh**

02/22/07 House: Senate substitute with amendment agreed to by House (80-Y 8-N)

**YEAS--Cox, Dance, Hall, Ingram, Janis, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Jones, D.C., McClellan**

**NOT VOTING--Hargrove**

**Governor offered recommendation (see summary above).**

04/04/07 House: House concurred in Governor's recommendation (94-Y 3-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 889 (effective 7/1/07)

### **HB 3199 Written appraisal report; costs in condemnation action.**

*Summary as enacted with Governor's Recommendation:*

**Costs in a condemnation action; written appraisal report.** Requires the owner to provide a condemning party a written self contained or summary appraisal report, provided it is the same type of report furnished to the owner and complies with the requirements of the Uniform Standards of Professional Appraisal Practice, in order to obtain costs and fees under § 25.1-245 and creates § 24.1-417.1 whereby a property owner can receive a partial reimbursement of costs of a written self contained or summary appraisal report if no agreement can be reached when the offer made by the Department of Transportation exceeds \$250,000 or the owner contends that just compensation exceeds \$250,000. In order to be entitled to reimbursement, the owner must submit the appraisal report, which appraisal is equal to or greater than \$250,000, at least 60 days prior to trial. The court may, in its discretion, allow reimbursement in cases when the appraisal is less than \$250,000.

*Patron:* Athey

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/21/07 Senate: Passed Senate with substitute (23-Y 15-N 2-A)

**YEAS--Lambert, Marsh, McDougle, Stosch, Watkins**

**NAYS--Martin**

**RULE 36--Norment**

02/22/07 House: Senate substitute agreed to by House (95-Y 1-N)

**YEAS--Cox, Dance, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Hall, O'Bannon**

**Governor offered recommendation (see summary above).**

04/04/07 House: House concurred in Governor's recommendation (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 895 (effective 7/1/07)

## SENATE COURTS OF JUSTICE

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### **SB 781 Eminent domain; definition of public uses and limitations thereon.**

*Summary as enacted with Governor's Recommendation:*

**Public uses; eminent domain.** Defines the term "public uses" as embracing only the acquisition of property where (i) the land is taken for the possession, occupation and enjoyment by the public or a public corporation; (ii) the land is taken for construction, maintenance and operation of public facilities by public corporations or by private entities provided that there is a written agreement with a public corporation providing for the use of the facility by the public; (iii) the land is taken for the creation or functioning of a public service corporation, public service company, or railroad; (iv) the land is taken for the provision of utility services by a government utility corporation; (v) the land taken is blighted and is taken for the elimination of blight; or (vi) the property is taken in a redevelopment or conservation area that is abandoned or the acquisition is needed to clear title where one of the owners agrees to such acquisition or the acquisition is by agreement of all the owners. The bill also states that property can only be taken when the public interest dominates the private gain and the primary purpose is not private financial gain, private benefit, an increase in tax base or revenues, or an increase in employment, except if the property is taken for the creation or functioning of a public service corporation, public service company, or railroad, or for the provision of authorized utility services by a government utility corporation. The bill defines the terms "blighted property," "government utility corporation," "public corporation," and "public facilities." The bill also provides that a property owner may challenge that a taking is a pretext for an unauthorized use. A former property owner, or his successors, may also request to repurchase the taken property upon the completion or abandonment of the stated public use. The bill does not apply to the forfeiture of property in connection with criminal act or real property that is subject to a certificate of take or deposit recorded prior to July 1, 2007. The bill also does not affect the ability of a redevelopment and housing authority to acquire property under a plan adopted prior to January 1, 2007, until July 1, 2010. The bill also does not prohibit the Norfolk Redevelopment and Housing Authority or the City of Norfolk from acquiring property through the use of eminent domain for the location of a recreational facility, to be owned or operated by a nonprofit entity, that will be open to the public, provided that such acquisitions are instituted prior to July 1, 2010. This bill incorporates SB 1037 and SB 1096. This bill is identical to SB 1296 and HB 2954.

*Patrons:* Cuccinelli and Hanger

02/24/07 House: Conference report agreed to by House (85-Y 14-N)

**YEAS--Cox, Dance, Hargrove, Ingram, Janis, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Hall, Jones, D.C., McClellan, McEachin**

02/24/07 Senate: Conference report agreed to by Senate (37-Y 1-N 2-A)

**YEAS--Lambert, Marsh, Martin, McDougle, Stosch, Watkins**

**RULE 36--Norment**

**Governor offered recommendation changing the endangerment standard in the blight definition to "health or safety" as opposed to "health and safety" and changing "unfit for human habitation" to "unfit for human occupancy" (see summary above).**

04/04/07 Senate: Senate concurred in Governor's recommendation (38-Y 0-N 2-A)

**YEAS--Lambert, Marsh, Martin, McDougale, Stosch, Watkins**

**RULE 36--Norment**

04/04/07 House: House concurred in Governor's recommendation (97-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 901 (effective 7/1/07)

### **SB 858 Strategic lawsuits against public participation; summary dismissal.**

*Summary as introduced:*

**Strategic lawsuits against public participation; summary dismissal.** Provides that in cases where the right to petition under the Virginia or United States Constitution is invoked as a defense, counterclaim, or cross-claim, a lawsuit brought maliciously and with the intent to harass the party invoking the right to petition may be subject to dismissal. Courts are also given the authority to impose sanctions on the parties bringing such lawsuits.

*Patron:* Reynolds

01/29/07 Senate: Incorporated by Courts of Justice (SB1250-Herring)

### **SB 913 Notice of claim; certain requirements for lawsuit against government entity.**

*Summary as introduced:*

**Notice of claim; government entity.** Changes the structure of the notice of claim against the Commonwealth or a transportation district and states that when notice is challenged under the statute, the claimant must prove receipt of notice and not just that notice was mailed. Also extends the notice of claim for tort claims to counties, cities and towns.

*Patron:* Obenshain

02/06/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/21/07 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/15/07 Governor: Approved by Governor-Chapter 368 (effective 7/1/07)

**SB 1037 Eminent domain; economic development.**

*Summary as introduced:*

**Eminent domain; economic development.** Provides that in any instance in which a substantial purpose of a condemnation is economic development, a locality shall demonstrate that the condemnation is related to the redevelopment of an area that is at least two-thirds blighted. This bill has been incorporated into SB 781.

*Patrons:* O'Brien and Hanger

02/05/07 Senate: Incorporated by Courts of Justice (SB781-Cuccinelli)

**SB 1068 Condemnation cases; jury selection.**

*Summary as passed:*

**Condemnation cases; jury selection.** Provides that jury selection in condemnation cases shall conform to the procedures established in Chapter 11 (§ 8.01-336 et seq.) of Title 8.01 and makes conforming changes to § 25.1-229. Five persons from a panel of not fewer than 13 jurors shall constitute a condemnation jury. This bill also provides that jury commissioners shall determine the freeholder status of all qualified jurors. As introduced the bill was a recommendation of the Judicial Council. This bill is identical to HB 1800.

*Patron:* McDougle

02/24/07 House: Conference report agreed to by House (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/24/07 Senate: Conference report agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 720 (effective 7/1/07)

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

*Summary as passed Senate:*

**Courthouse security; assessment.** Increases from \$5 to \$10 the maximum amount a local governing body may assess against a defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse security.

*Patrons:* Puckett; Delegate: Bowling

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: PASSAGE (78-Y 20-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, McClellan, McEachin, O'Bannon, Waddell**

NAYS--**Janis, Jones, D.C., Nixon, Peace, Reid, Ware, R.L.**

03/15/07 Governor: Approved by Governor-Chapter 377 (effective 7/1/07)

**SB 1096 Eminent domain; definition of public uses.**

*Summary as introduced:*

**Eminent domain; definition of public uses.** Provides a definition of the term "public uses" mentioned in Article I, Section 11 of the Constitution of Virginia and specifies certain exceptions to this definition, including when the taking of land is for the primary purpose of (i) conferring financial gain on a private person, (ii) enhancing tax revenues, or (iii) furthering economic development or employment. The bill also clarifies that if the property to be taken is used in connection with the operation of a business, any business losses incurred must be included in determining just compensation and any damages for the landowner. The bill also provides that the power of eminent domain can only be used to take property to eliminate blight if the property in question is in fact blighted and serves to endanger the public health, safety, or welfare. The bill also provides that a landowner may be awarded reasonable costs, including attorney and appraisal fees, if the amount of just compensation and damages awarded to a landowner exceeds the amount of the final written offer made by the petitioner. Current law only permits an award of reasonable costs if the amount of just compensation and damages is 30 percent more than the amount of the final written offer and does not permit an award of attorney fees. This bill has been incorporated into SB 781.

*Patrons:* Obenshain and Hanger

02/05/07 Senate: Incorporated by Courts of Justice (SB781-Cuccinelli)

**SB 1212 No Child Left Behind Act; Board of Education requesting waiver from certain provisions.**

*Summary as passed:*

**No Child Left Behind.** Requires the Board of Education to continue seeking waivers from the provisions of NCLB that are fiscally and programmatically burdensome and are not instructionally sound or in the best interest of children. Also requires the Board to report on the status of all such waivers by October 1, 2007; this report is to be transmitted to the Virginia Congressional delegation for its consideration in the reauthorization of the Elementary and Secondary Education Act. The Board must make a recommendation regarding Virginia's continued implementation of such Act and if the Commonwealth withdraws from NCLB, the bill allows the Board and Office of the Attorney General of Virginia to bring suit against the United States Department of Education if federal funds are inappropriately withheld as a result of the withdrawal. This bill is identical to HB 2542.

*Patron:* Hanger

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/09/07 House: Passed House with amendment BLOCK VOTE (92-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

NOT VOTING--**Peace**

02/13/07 Senate: House amendment agreed to by Senate (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 730 (effective 7/1/07)

**SB 1255 Courthouse; posting of notices.**

*Summary as passed Senate:*

**Courthouse; posting of notices.** Provides that whenever notices, summonses, orders, and other official documents are required to be posted on or at the front door of a courthouse or on a public bulletin board at the courthouse, this requirement can be met if such documents are posted at or near the principal public entrance to the courthouse in a conspicuous location that has been approved by the chief judge of the circuit in which the courthouse is situated.

*Patron:* Herring

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: VOTE: PASSAGE (92-Y 6-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Janis**

03/21/07 Governor: Approved by Governor-Chapter 734 (effective 7/1/07)

**SB 1282 Law-enforcement officers; removal of their land records from Internet.**

*Summary as passed:*

**Public records; protection of law-enforcement officers; penalty.** Includes identification of the person's primary residence address in the statute prohibiting the publishing of a person's name or photograph aalong with their identifying information. Also states that if any person violates the statute (§ 18.2-186.3), and he knew or had reason to know that the person he was identifying was a law-enforcement officer, then he is guilty of a Class 6 felony instead of a Class 1 misdemeanor.

*Patron:* **Stosch**

01/23/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Passed House with substitute BLOCK VOTE (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 736 (effective 7/1/07)

**SB 1293 Clerks, sheriffs, etc.; localities exempt from paying fees for certain services.**

*Summary as introduced:*

**Fees for clerks, sheriffs, etc.** Provides that localities are exempt from paying any fees for services rendered by clerks or other court officers for services rendered in cases when the locality is a party to a case in its own court system or in any other jurisdiction where the locality and the other jurisdiction have a reciprocal waiver of fees agreement. The bill further provides that sheriffs may grant a waiver of sheriff's fees to other localities.

*Patron:* **Norment**

02/06/07 Senate: Passed Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Passed House with amendment BLOCK VOTE (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 800 (effective 7/1/07)

**SB 1296 Eminent domain; definition of public uses and limitations thereon.**

*Summary as enacted with Governor's Recommendation:*

**Public uses; eminent domain.** Defines the term "public uses" as embracing only the acquisition of property where (i) the land is taken for the possession, occupation and enjoyment by the public or a public corporation; (ii) the land is taken for construction, maintenance and operation of public facilities by public corporations or by private entities provided that there is a written agreement with a public corporation providing for the use of the facility by the public; (iii) the land is taken for the creation or functioning of a public service corporation, public service company, or railroad; (iv) the land is taken for the provision of utility services by a government utility corporation; (v) the land taken is blighted and is taken for the elimination of blight; or (vi) the property is taken in a redevelopment or conservation area that is abandoned or the acquisition is needed to clear title where one of the owners agrees to such acquisition or the acquisition is by agreement of all the owners. The bill also states that property can only be taken when the public interest dominates the private gain and the primary purpose is not private financial gain, private benefit, an increase in tax base or revenues, or an increase in employment, except if the property is taken for the creation or functioning of a public service corporation, public service company, or railroad, or for the provision of authorized utility services by a government utility corporation. The bill defines the terms "blighted property," "government utility corporation," "public corporation," and "public facilities." The bill also provides that a property owner may challenge that a taking is a pretext for an unauthorized use. A former property owner, or his successors, may also request to repurchase the taken property upon the completion or abandonment of the stated public use. The bill does not apply to the forfeiture of property in connection with criminal act or real property that is subject to a certificate of take or deposit recorded prior to July 1, 2007. The bill also does not affect the ability of a redevelopment and housing authority to acquire

property under a plan adopted prior to January 1, 2007, until July 1, 2010. The bill also does not prohibit the Norfolk Redevelopment and Housing Authority or the City of Norfolk from acquiring property through the use of eminent domain for the location of a recreational facility, to be owned or operated by a nonprofit entity, that will be open to the public, provided that such acquisitions are instituted prior to July 1, 2010. This bill incorporates SB 1304 and SB 1390. This bill is identical to SB 781 and HB 2954.

*Patron: Norment*

02/24/07 House: Conference report agreed to by House (84-Y 15-N)

**YEAS--Cox, Hargrove, Ingram, Janis , Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Dance, Hall, Jones, D.C., McClellan, McEachin**

02/24/07 Senate: Conference report agreed to by Senate (36-Y 2-N 2-A)

**YEAS--Lambert, Marsh, Martin, McDougle, Stosch, Watkins**

**RULE 36--Norment**

**Governor offered recommendation changing the endangerment standard in the blight definition to “health or safety” as opposed to “ health and safety” and changing “unfit for human habitation” to “unfit for human occupancy” (see summary above).**

04/04/07 Senate: Senate concurred in Governor's recommendation (38-Y 0-N 2-A)

**YEAS--Lambert, Marsh, Martin, McDougle, Stosch, Watkins**

**RULE 36--Norment**

04/04/07 House: House concurred in Governor's recommendation (97-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 926 (effective 7/1/07)

### **SB 1304 Eminent domain; definition of public uses.**

*Summary as introduced:*

**Eminent domain; definition of public uses.** Provides a definition of public uses as embracing only the ownership, possession, occupation, and enjoyment of land by the public or public agencies, and public corporations and public service companies. The bill states that public benefits or potential public benefits including economic development or private development, an increase in the tax base, tax revenues, employment, or general economic health and welfare shall not be considered when determining whether a use constitutes a public use. This bill has been incorporated into SB 1296.

*Patrons:* Newman and Hanger

02/05/07 Senate: Incorporated by Courts of Justice (SB1296-**Norment**)

**SB 1390 Eminent domain; definition of public uses.**

*Summary as introduced:*

**Eminent domain; definition of public uses.** Provides a definition of public uses as embracing only the ownership, possession, occupation, and enjoyment of land by the public or public agencies, public corporations and public service companies. The bill states that the definition of public uses does not include the taking of land for the primary purpose of conferring a financial gain on a private person or increasing tax revenues. This bill has been incorporated into SB 1296.

*Patron:* Saslaw

02/05/07 Senate: Incorporated by Courts of Justice (SB1296-**Norment**)

## SENATE EDUCATION AND HEALTH

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### **SB 998 Water systems; Board of Health to implement chronically noncompliant systems.**

*Summary as passed:*

**Water systems; chronically noncompliant systems.** Defines "chronically noncompliant waterworks" as a waterworks that is unable to provide pure water for any of several enumerated reasons. Requires the Board of Health to promulgate regulations for the implementation of a program to (i) identify chronically noncompliant waterworks and (ii) create mechanisms or enforcement options for eliminating underperforming systems. Provides that, out of such funds as may be appropriated, the Commissioner of Health, with the assistance of the Office of the Attorney General, is authorized to enter into contracts for (a) the design of a program for the identification of noncompliant waterworks and (b) the development of enforcement options to carry out the provisions of this act.

*Patrons:* Houck; Delegate: Scott, E.T.

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

**YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/20/07 House: Passed House with amendments (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

02/22/07 Senate: House amendments agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 774 (effective 7/1/07)

### **SB 1270 Onsite sewage disposal system; certification of certain workers.**

*Summary as passed:*

**Sewage disposal; certification of certain workers.** Grants the Board of Health supervision and control over the maintenance, inspection and reuse of alternative onsite sewage systems. Requires the Board of Health to promulgate regulations governing the maintenance, inspection and use of alternative onsite sewage systems and the requirements for maintaining alternative onsite sewage systems. Re-establishes the Board for Waterworks and Wastewater Works Operators as the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals, and expands the membership of the Board from seven to 11 members. Requires the Board to establish a program for licensing individuals as onsite soil evaluators, onsite sewage system installers, and onsite sewage system operators and, in consultation with the Board of Health, adopt regulations for the licensure of certification of onsite soil evaluators, installers of alternative onsite sewage systems, and operators of alternative onsite sewage systems.

*Patron:* Herring

02/24/07 House: Conference report agreed to by House (94-Y 1-N)

**YEAS--Cox, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Dance**

02/24/07 Senate: Conference report agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation that evaluators must be licensed.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (96-Y 2-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 924 (effective 7/1/07)

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## HOUSE FINANCE

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### **HB 1628 Coal and gas road improvement tax, local; extends sunset provision.**

*Summary as introduced:*

**Severance tax; extends sunset date.** Extends the sunset date from December 31, 2007, to December 31, 2012, for the local coal and gas road improvement tax.

*Patrons:* Johnson, Bowling, Carrico, Kilgore and Phillips; *Senators:* Puckett and Wampler

01/23/07 House: VOTE: PASSAGE (86-Y 9-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Waddell, Ware, R.L.**

**NAYS--Peace, Reid**

02/08/07 Senate: Passed Senate with substitute (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: Senate substitute agreed to by House (95-Y 5-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

**NAYS--Peace**

02/19/07 Governor: Approved by Governor-Chapter 57 (effective 7/1/07)

### **HB 1640 Retail Sales and Use Tax; exemptions include for alternative fuel burning stoves.**

*Summary as passed House:*

**Sales and use tax; exemption for alternative fuel-burning stoves.** Provides an exemption from the retail sales and use tax beginning July 1, 2007, and ending July 1, 2012, for multifuel heating stoves used by the individual purchaser for heating his residence. Such stoves are capable of burning a variety of alternative fuels, including, but not limited to, shelled corn, wood pellets, cherry pits, and olive pits.

*Patron:* Wright

01/23/07 House: VOTE: PASSAGE (85-Y 8-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Reid, Waddell**

**NAYS--Nixon, Ware, R.L.**

02/09/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 Governor: Approved by Governor-Chapter 84 (effective 7/1/07)

**HB 1674 Retail Sales and Use Tax; extends sunset provision for free distribution of educational materials.**

*Summary as introduced:*

**Sales tax exemption; energy-efficient products.** Provides a sales tax exemption for purchases of certain energy-efficient products with a sales price of \$2,500 or less made during the first Friday, Saturday, and Sunday in October of each year. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. The provisions of this bill will expire on July 1, 2012. This bill is identical to SB 999.

*Patron:* Scott, E.T.

01/23/07 House: VOTE: BLOCK VOTE PASSAGE (94-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/08/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/19/07 Governor: Approved by Governor-Chapter 58 (effective 7/1/07)

**HB 1678 Retail Sales and Use Tax; exemptions include energy-efficient products.**

*Summary as passed:*

**Sales tax exemption; energy-efficient products.** Provides a sales tax exemption for purchases of certain Energy Star qualified products with a sales price of \$2,500 or less made during a four-day period each year in mid-October. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. The sales tax holiday would expire in July of 2012.

*Patrons:* Cosgrove, Caputo, Cline, Englin, Hugo, Iaquinto, Moran, **Peace**, Saxman, Shannon, Toscano and Watts

01/23/07 House: VOTE: BLOCK VOTE PASSAGE (94-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/09/07 Senate: Passed Senate with substitute (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: Senate substitute agreed to by House (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 176 (effective 7/1/07)

**HB 1695 Business, professional and occupational license (BPOL) tax; motor fuels tax exemption.**

*Summary as introduced:*

**Business, professional, occupational license tax; motor fuels tax exemption.** Clarifies that the motor fuels tax is exempt from gross receipts for purposes of the BPOL tax.

*Patron:* Purkey

01/23/07 House: VOTE: BLOCK VOTE PASSAGE (94-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/08/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/13/07 Governor: Acts of Assembly Chapter text (CHAP0085)

**HB 1696 Internal Revenue Code; conforms State's system of taxation thereto.**

*Summary as introduced:*

**Taxation; conformity with Internal Revenue Code.** Conforms the Commonwealth's system of taxation with the Internal Revenue Code, when applicable, as of December 31, 2006. The bill contains an emergency clause and is identical to SB 1105.

*Patron:* Purkey

01/18/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/08/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/19/07 Governor: Approved by Governor-Chapter 59 (effective 2/19/07)

**HB 1721 Home accessibility features for disabled; broadens current tax credit.**

*Summary as introduced:*

**Income tax; home accessibility features for the disabled tax credit.** Broadens the current tax credit that

is granted for adding to existing residences home accessibility features for the disabled to also include such features in new residential construction, for taxable years beginning on or after January 1, 2007.

*Patrons:* Eisenberg, BaCote, Bowling, Bulova, **Dance**, Ebbin, Howell, A.T., Hull, Miller, P.J., Plum, Scott, J.M., Shuler, Sickles, Spruill, Toscano, Tyler, Valentine and Watts

01/22/07 House: Incorporated by Finance (HB2498-Orrock)

### **HB 1744 Real estate tax; increases income limit for elderly and disabled taxpayers.**

*Summary as introduced:*

**Real property tax exemptions; elderly and disabled.** Increases the income limit for elderly and disabled taxpayers in certain Northern Virginia localities from \$72,000 to \$75,000 for real property tax exemptions.

*Patron:* Marshall, R.G.

01/25/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

YEAS--Cox, **Dance**, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

02/09/07 Senate: VOTE: (39-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

02/19/07 Governor: Approved by Governor-Chapter 60 (effective 7/1/07)

### **HB 1880 Personal Property Tax Relief; adds to definition of 'qualifying vehicle'.**

*Summary as passed House:*

**Personal Property Tax Relief Act definitions.** Adds to the definition of "qualifying vehicle" those vehicles that are held in a private trust for nonbusiness purposes by an individual beneficiary.

*Patrons:* Caputo, Cole and Hull

01/23/07 House: VOTE: BLOCK VOTE PASSAGE (94-Y 0-N)

YEAS--Cox, **Dance**, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

03/13/07 Governor: Approved by Governor-Chapter 314 (effective 7/1/07)

### **HB 1948 Retail Sales and Use Tax; exemption for volunteer fire departments and rescue squads.**

*Summary as introduced:*

**Sales and use tax; tax exemption for volunteer fire departments and rescue squads.** Modifies the

process for exempting nonprofit organizations from the retail sales and use tax by exempting from the tax certain volunteer fire departments and volunteer rescue squads, without the requirement for such organizations to follow the administrative process utilized by the Department of Taxation for the Department's granting of sales and use tax exemptions to nonprofits generally.

*Patron:* Morgan

01/31/07 House: Incorporated by Finance (HB2545-Hogan)

### **HB 2013 Aircraft; establishes separate class of tangible personal property therefor.**

*Summary as passed House:*

**Tangible personal property; classifications.** Establishes a separate class of tangible personal property for aircraft that are (i) Warbirds, manufactured or intended for military use, excluding those manufactured after 1954, and (ii) used only for (a) exhibit or display to the general public or (b) air show and flight demonstrations. Aircraft used for commercial or private general transportation would not be included in this new class of property. This bill is identical to SB 1171.

*Patron:* Suit

01/25/07 House: VOTE: PASSAGE (95-Y 3-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Nixon, Ware, R.L.**

02/08/07 Senate: Passed Senate with substitute (39-Y 0-N 1-A)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: Senate substitute agreed to by House (97-Y 2-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Reid, Waddell**

**NAYS--Nixon, Ware, R.L.**

02/21/07 Governor: Approved by Governor-Chapter 88 (effective 7/1/07)

### **HB 2059 Recordation tax; clarifies tax rate applied.**

*Summary as introduced:*

**Recordation tax.** Clarifies that the tax rate is applied to the greater of the consideration paid or the value of the interest conveyed. This bill is identical to SB 822.

*Patrons:* McQuigg and Kilgore

02/05/07 House: VOTE: PASSAGE (90-Y 8-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell**

NAYS--**Peace, Ware, R.L.**

02/14/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 748 (effective 7/1/07)

**HB 2148 Retail Sales and Use Tax; exemption includes railroad rolling stock when sold by manufacturer.**

*Summary as introduced:*

**Sales and use tax; commercial and industrial exemptions; railroad rolling stock.** Provides an exemption from the sales and use tax for railroad rolling stock when sold or leased by the manufacturer.

*Patrons:* Fralin, Abbitt, **Nixon**, Poisson and Ware, O.

01/25/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 751 (effective 7/1/07)

**HB 2181 Machinery and tools tax; provides uniform statewide statutory classification for idle machinery.**

*Summary as introduced:*

**Machinery and tools tax; idle machinery and tools; emergency clause.** Provides a uniform statewide statutory classification and taxation for idle machinery and tools on a prospective basis by allowing such machinery and tools to be taxed as capital as long as they have not been used for at least one year prior to tax day or they have been identified in writing by the taxpayer to the commissioner of the revenue as machinery and tools that the taxpayer intends to withdraw from service prior to the next tax day. The bill has an emergency clause and is identical to SB 1151.

*Patron:* Saxman

02/05/07 House: VOTE: PASSAGE EMERGENCY (96-Y 2-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/09/07 Governor: Approved by Governor-Chapter 191 (effective 1/1/07)

**HB 2284 Income tax, corporate; filing of withholding tax returns.**

*Summary as passed House:*

**Withholding tax; filing returns.** Allows employers to submit their withholding tax returns on the 25th day of the following month rather than the 20th day, effective January 1, 2008.

*Patron:* Watts

02/05/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 753 (effective 1/1/08)

**HB 2385 Personal property tax; separate classification for wireless broadband service providers.**

*Summary as introduced:*

**Tangible personal property; separate classification for wireless broadband service providers.** Creates a separate classification for local taxation purposes for tangible personal property owned and used by certain providers of wireless broadband Internet service in providing such service.

*Patrons:* May and Nutter

01/25/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: Passed Senate with amendment (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Senate amendment agreed to by House (95-Y 3-N)

**YEAS--Cox, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Dance**

03/13/07 Governor: Approved by Governor-Chapter 322 (effective 7/1/07)

**HB 2390 Treasurers; make list of uncollected balances on personal property taxes on certain vehicles.**

*Summary as introduced:*

**Duties of treasurers.** Requires treasurers to make out a list of uncollected balances of previously billed tangible personal property taxes on vehicles that (i) were owned by taxpayers, now deceased, upon whose estates no qualification has been made, or (ii) were transferred to bona fide purchasers for value without knowledge, on the part of the persons so transferring, of the unpaid taxes.

*Patron:* **Ingram**

01/25/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered technical recommendation.**

04/04/07 House: House concurred in Governor's recommendation (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 867 (effective 7/1/07)

## **HB 2498 Income tax, state; residential tax credit for increased accessibility and visitability.**

*Summary as introduced:*

**Residential tax credit; increased accessibility and visitability for the disabled.** Requires the Department of Housing and Community Development to develop guidelines establishing the eligibility requirements for the tax credit in § 58.1-339.7. Changes the name of the disabled tax credit to the "Livable Home Tax Credit" and extends it to any taxpayer who purchases a new residence. This bill is a recommendation of the Virginia Disability Commission.

*Patrons:* Orrock, Byron, McQuigg and Toscano; Senator: Puller

01/25/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/08/07 Senate: Passed Senate with substitute (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: Senate substitute agreed to by House (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Governor: Approved by Governor-Chapter 68 (effective 7/1/07)

**HB 2545 Retail Sales and Use tax; exemptions include nonprofit entities.**

*Summary as passed:*

**Sales and use tax exemption; nonprofit entities.** Requires nonprofit entities seeking sales and use tax exempt status that have annual gross receipts of at least \$1 million to provide the Department of Taxation with a financial audit performed by an independent certified public accountant and those with annual gross receipts between \$750,000 and \$1 million to provide the Department with a financial audit or a financial review by an independent certified public accountant.

*Patron:* Hogan

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: Passed Senate with substitute (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: Senate substitute agreed to by House (86-Y 5-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/21/07 Governor: Approved by Governor-Chapter 698 (effective 7/1/07)

**HB 2602 Voluntary contributions of tax refunds; adds public library foundations, etc to list.**

*Summary as passed House:*

**Voluntary contributions of tax refunds; new organizations.** Adds public library foundations and Celebrating Special Children, Inc. to the list of organizations that may receive contributions for taxpayer refunds. The organizations will be added to the bottom of the list of other organizations waiting to appear on the income tax return.

*Patrons:* Plum, Bulova, Callahan, Caputo, Ebbin, Marsden, Rust, Scott, J.M., Sickles and Watts; *Senators:* Herring, Howell and Ticer

01/25/07 House: VOTE: PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/09/07 Senate: VOTE: (39-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

02/19/07 Governor: Approved by Governor-Chapter 70 (effective 7/1/07)

**HB 2618 Real estate tax; localities to tax certain energy-efficient buildings.**

*Summary as passed House:*

**Classification of real property; energy-efficient buildings.** Permits localities to tax certain energy-efficient buildings, not including the land on which they are located, at a lower tax rate than that imposed on the general class of real property by creating a separate classification for taxation purposes. An energy-efficient building is any building that exceeds the energy efficiency standards prescribed in the Virginia Uniform Statewide Building Code by 30 percent. Energy-efficient building certification shall be determined by any qualified licensed engineer or contractor who is not related to the taxpayer and who shall certify to the taxpayer that he has qualifications to provide the certification.

*Patrons:* Fralin and Ware, O.

02/06/07 House: VOTE: PASSAGE (86-Y 12-N)

YEAS--Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, O'Bannon, Waddell

NAYS--Cox, Nixon, Peace, Reid, Ware, R.L.

02/16/07 Senate: VOTE: (39-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

03/13/07 Governor: Approved by Governor-Chapter 328 (effective 7/1/07)

**HB 2677 Retail Sales and Use Tax; exemptions include railroad rolling stock when sold, etc. by manufacturer.**

*Summary as introduced:*

**Sales and use tax; commercial and industrial exemptions.** Provides an exemption from the sales and use tax for railroad rolling stock when sold or leased by the manufacturer or builder, beginning July 1, 2007.

*Patron:* Ware, O.

01/22/07 House: Incorporated by Finance (HB2148-Fralin)

**HB 2975 Personal Property Tax Relief Act of 1998; commissioner of revenue to rely upon DMV information.**

*Summary as introduced:*

**Personal Property Tax Relief Act of 1998.** Requires the commissioner of the revenue to rely upon the information at the Department of Motor Vehicles in determining whether a vehicle qualifies for tax relief, unless he has information that the Department's registration information is incorrect or incomplete.

*Patron:* Bell

02/05/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 815 (effective 7/1/07)

### **HB 3062 Retail Sales and Use tax; exemptions include nonprofit entities, audit requirements.**

*Summary as passed:*

**Sales and use tax; tax exemption for nonprofit entities.** Requires nonprofit entities seeking sales and use tax exempt status that have annual gross receipts of at least \$750,000 but less than \$1 million to provide the Department of Taxation with a financial audit or review performed by an independent certified public accountant. Entities with gross annual receipts of \$1 million or greater must file an audit. This bill is identical to SB 743.

*Patron:* Scott, E.T.

02/05/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: Passed Senate with substitute (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: Senate substitute agreed to by House (87-Y 4-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/21/07 Governor: Approved by Governor-Chapter 704 (effective 7/1/07)

### **HB 3093 Assessments; notice of change.**

*Summary as introduced:*

**Real property tax; change in assessment notice.** Provides that a notice of the change in the assessment of real estate does not have to include certain information for changes due to construction of or additions to improvements on real estate.

*Patrons:* Johnson and **Nixon**

02/05/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: Passed Senate with substitute (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Senate substitute agreed to by House (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/21/07 Governor: Acts of Assembly Chapter text (CHAP0344)

## SENATE FINANCE

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### **SB 743 Retail Sales and Use tax; exemptions include nonprofit entities, audit requirements.**

*Summary as passed:*

**Sales and use tax; tax exemption for nonprofit entities.** Requires nonprofit entities seeking sales and use tax exempt status that have annual gross receipts of at least \$750,000 but less than \$1 million to provide the Department of Taxation with a financial audit or review performed by an independent certified public accountant. Entities with gross annual receipts of \$1 million or greater must file an audit. This bill is identical to HB 3062.

*Patron:* Cuccinelli

02/23/07 Senate: Conference report agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/23/07 House: Conference report agreed to by House (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/21/07 Governor: Approved by Governor-Chapter 709 (effective 7/1/07)

### **SB 770 Higher Educational Institutions Bond Act of 2007; created.**

*Summary as passed Senate:*

**Bonds; public institutions of higher learning.** Authorizes the issuance of up to \$103,550,000 in 9(c) debt for capital projects at public institutions of higher learning. The bill contains an emergency clause.

*Patron:* Chichester

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

**YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/21/07 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 542 (effective 3/19/07)

### **SB 771 Treatment works; reimbursement to localities of funds for upgrades thereof.**

*Summary as passed:*

**Virginia Public Building Authority; water treatment.** Authorizes the Virginia Public Building Authority

to issue bonds in an amount not to exceed \$250 million for grants to be used solely for the purpose of funding the installation of nutrient removal technologies at specified publicly owned treatment works and nonsignificant dischargers to implement the Commonwealth's Chesapeake Bay Tributary Strategies. This bill is identical to HB 1710.

*Patrons:* Chichester, Hanger, Quayle and **Stosch**

02/24/07 House: Conference report agreed to by House (91-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

02/24/07 Senate: Conference report agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation requiring a legislative review of the future funding needs to meet the objectives of the Water Quality Improvement Fund.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 900 (effective 7/1/07)

### **SB 772 Business, professional and occupational and license (BPOL) tax; motor fuels tax exemption.**

*Summary as passed Senate:*

**Business, professional, occupational license tax; motor fuels tax exemption.** Clarifies that the motor fuels tax is exempt from gross receipts for purposes of the BPOL tax. The bill would be retroactively effective January 1, 2001.

*Patron:* **Watkins**

01/22/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: BLOCK VOTE PASSAGE (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/25/07 Governor: Approved by Governor-Chapter 834 (effective 1/1/01)

**SB 788 Real estate tax; increases income limit for elderly and disabled taxpayers in certain cities, etc.**

*Summary as introduced:*

**Real estate tax relief; elderly and permanently and totally disabled.** Increases from \$52,000 to \$62,000 the income limit in certain cities and counties for eligibility for elderly and permanently and totally disabled real estate tax relief programs.

*Patrons:* **Stosch and Watkins**

01/19/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: BLOCK VOTE PASSAGE (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/20/07 Governor: Approved by Governor-Chapter 587 (effective 7/1/07)

**SB 791 Residential tax credit; to improve accessibility and visitability for new or existing residence.**

*Summary as passed Senate:*

**Residential tax credit; increased accessibility and visitability for the disabled.** Requires the Department of Housing and Community Development to develop guidelines establishing the eligibility requirements for the tax credit in section 58.1-339.7. Changes the name of the disabled tax credit to the "Livable Home Tax Credit" and extends it to any taxpayer who purchases a new residence. The bill would cap the tax credit at \$500 for the purchase of a new residence or for the retrofitting of an existing residence. This bill is a recommendation of the Virginia Disability Commission.

*Patron:* Puller

01/19/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: BLOCK VOTE PASSAGE (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/23/07 Governor: Approved by Governor-Chapter 765 (effective 7/1/07)

**SB 822 Recordation tax; clarifies tax rate applied.**

*Summary as introduced:*

**Recordation tax.** Clarifies that the tax rate is applied to the greater of the consideration paid or the value of the interest conveyed.

*Patron:* Devolites Davis

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

YEAS--**Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/14/07 House: VOTE: PASSAGE (89-Y 5-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

NAYS--**Janis, Peace**

03/23/07 Governor: Approved by Governor-Chapter 768 (effective 7/1/07)

**SB 848 Assessments; notice of change.**

*Summary as passed:*

**Notice of change in assessment.** Provides that if a change in assessment arises solely from the construction or addition of new improvements, then notice of such change in assessment need not set out the new tax rate or the percentage change in the new tax levy from the immediately prior one. It also provides that such notice may omit reference to districts for those localities that have elected by ordinance to prepare land and personal property books in alphabetical order.

*Patron:* **Lambert**

01/22/07 Senate: VOTE: (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/14/07 House: Passed House with substitute BLOCK VOTE (95-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: House substitute agreed to by Senate (38-Y 0-N)

YEAS--**Lambert, Marsh, McDougale, Norment, Stosch, Watkins**

NOT VOTING--**Martin**

03/13/07 Governor: Approved by Governor-Chapter 353 (effective 7/1/07))

**SB 867 Retail Sales and Use Tax; exemptions include Energy Star qualified products.**

*Summary as passed Senate:*

**Sales tax exemption; energy-efficient products.** Provides a sales tax exemption for purchases of certain Energy Star qualified products with a sales price of \$2,500 or less made during a four-day period each year in mid-October. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. The sales tax holiday would expire in July of 2012.

*Patrons:* **Watkins**, Bell, Cuccinelli, Devolites Davis, Howell, **Lambert**, Locke, Lucas, Newman, Obenshain, O'Brien, Puckett, Reynolds, Ticer, Wagner and Whipple

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: BLOCK VOTE PASSAGE (95-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/23/07 Governor: Approved by Governor-Chapter 817 (effective 7/1/07)

**SB 875 Retirement system; increases retirement multiplier for hazardous duty service performed by officers.**

*Summary as introduced:*

**Retirement multiplier for public safety officers.** Increases the retirement multiplier for hazardous duty service performed by public safety officers by 0.025% for each full year over age 50 at the time of the member's retirement and by an additional 0.025% for each full year of creditable service in excess of 25 years at the time of the member's retirement. The retirement multiplier would be capped at 2.2%. This bill has been incorporated by SB 1166.

*Patron:* **McDougle**

01/31/07 Senate: Incorporated by Finance (SB1166-Stolle)

**SB 999 Retail Sales and Use Tax; extends sunset provision for free distribution of educational materials.**

*Summary as introduced:*

**Sales and use tax exemption; textbooks withdrawn from inventory.** Extends from July 1, 2008, to July 1, 2012, the sunset date of the current sales and use tax exemption for textbooks and educational materials distributed by publishers to professors at no cost.

*Patrons:* Houck; Delegate: Scott, E.T.

01/19/07 Senate: VOTE: (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: BLOCK VOTE PASSAGE (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/20/07 Governor: Approved by Governor-Chapter 604 (effective 7/1/07)

**SB 1011 Business, professional, and occupational license tax (BPOL); motor fuels tax exemption.**

*Summary as introduced:*

**Business, professional, occupational license tax; motor fuels tax exemption.** Clarifies that the motor fuels tax is exempt from gross receipts for purposes of the BPOL tax.

*Patron:* Saslaw

01/17/07 Senate: Incorporated by Finance (SB772-Watkins)

**SB 1051 Real estate tax; localities to tax certain energy-efficient buildings.**

*Summary as passed Senate:*

**Classification of real property; energy-efficient buildings.** Permits localities to tax certain energy-efficient buildings, not including the land on which they are located, at a lower tax rate than that imposed on the general class of real property by creating a separate classification for taxation purposes. An energy-efficient building is any building that exceeds the energy efficiency standards prescribed in the Virginia Uniform Statewide Building Code by 30 percent. Energy-efficient building certification shall be determined by any qualified licensed engineer or contractor who is not related to the taxpayer and who shall certify to the taxpayer that he has qualifications to provide the certification.

*Patron:* Edwards

01/29/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: Passed House with substitute (62-Y 32-N)

**YEAS--Dance, Hall, Hargrove, McClellan, McEachin, O'Bannon, Waddell**

**NAYS--Cox, Ingram, Janis, Jones, D.C., Nixon, Peace, Reid, Ware, R.L.**

02/16/07 Senate: House substitute agreed to by Senate (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/13/07 Governor: Approved by Governor-Chapter 354 (effective 7/1/07)

**SB 1063 Assessment rates; notification for increase.**

*Summary as passed Senate:*

**Real estate tax; limitation on tax rate.** Increases from seven to 30 days the minimum notice that a

locality must give the public of a public hearing in which the locality proposes to increase its total real estate tax levies more than 101% of the prior year's tax levies, and requires that such notice be posted in the building where the governing body of the locality ordinarily meets, as well as in a newspaper.

*Patron:* Rerras

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: PASSAGE (92-Y 4-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered recommendation reducing the 30 days minimum notice to 14 days.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House rejected Governor's recommendation (35-Y 63-N)

**YEAS--Dance, Hall, McClellan, McEachin**

**NAYS--Cox, Hargrove, Ingram, Janis, Jones, D.C., Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/10/07 Governor: Approved by Governor-Chapter 948 (effective 7/1/07)

**SB 1105 Internal Revenue Code; conforms State's system of taxation thereto.**

*Summary as introduced:*

**Taxation; conformity with Internal Revenue Code.** Conforms the Commonwealth's system of taxation with the Internal Revenue Code, when applicable, as of December 31, 2006. The bill contains an emergency clause.

*Patron:* Chichester

01/26/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Lambert**

02/14/07 House: VOTE: PASSAGE EMERGENCY (95-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/23/07 Governor: Approved by Governor-Chapter 782 (effective 7/1/07)

**SB 1151 Machinery and tools tax; provides uniform statewide statutory classification for idle machinery.**

*Summary as introduced:*

**Machinery and tools tax; idle machinery and tools; emergency clause.** Provides a uniform statewide statutory classification and taxation for idle machinery and tools on a prospective basis by allowing such machinery and tools to be taxed as capital as long as they have not been used for at least one year prior to tax day or they have been identified in writing by the taxpayer to the commissioner of the revenue as machinery and tools that the taxpayer intends to withdraw from service prior to the next tax day. The bill has an emergency clause.

*Patrons:* Wagner; *Delegates:* Marshall, D.W., **Nixon** and Purkey

01/29/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/14/07 House: VOTE: BLOCK VOTE PASSAGE (95-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 159 (effective 1/1/07)

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

*Summary as passed:*

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

Deputy sheriffs. All deputy sheriffs would become members of the Law Enforcement Officers' Retirement System (LEOs) beginning July 1, 2008.

State police officers. State police officers would receive a 1.85% average final compensation retirement multiplier, and would continue to receive the additional annual supplement.

*Patrons:* Stolle, Hanger, Houck, Obenshain and **Stosch**

02/23/07 House: Conference report agreed to by House (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/23/07 Senate: Conference report agreed to by Senate (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 819 (effective 7/1/07)

**SB 1167 Retail Sales and Use Tax; exemptions include hurricane preparedness equipment.**

*Summary as passed:*

**Sales and use tax exemption; hurricane preparedness equipment.** Provides a sales and use tax exemption, beginning in 2008, for certain hurricane preparedness equipment purchased during a seven-day period each year beginning on May 25. The sales and use tax holiday will sunset on July 1, 2012.

*Patrons:* Stolle and **Norment**; Delegate: Iaquinto

02/23/07 House: Conference report agreed to by House (88-Y 8-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McEachin, O'Bannon, Peace, Reid, Waddell**

**NAYS--McClellan, Nixon, Ware, R.L.**

02/24/07 Senate: Conference report agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 608 (effective 7/1/07)

**SB 1171 Aircraft; establishes separate class of tangible personal property therefor.**

*Summary as passed Senate:*

**Tangible personal property; classifications.** Establishes a separate class of tangible personal property for aircraft that are (i) considered Warbirds, manufactured and intended for military use, excluding those manufactured after 1954, and (ii) used only for (a) exhibit or display to the general public and otherwise used for educational purposes (including such flights as are necessary for testing, maintaining, or preparing such aircraft for safe operation), or (b) airshow and flight demonstrations (including such flights necessary for testing, maintaining, or preparing such aircraft for safe operation).

*Patron:* Stolle

02/05/07 Senate: VOTE: (38-Y 0-N 1-A)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: PASSAGE (92-Y 2-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Reid, Waddell**

**NAYS--Nixon, Ware, R.L.**

03/20/07 Governor: Approved by Governor-Chapter 609 (effective 7/1/07)

**SB 1172 Retail Sales and Use Tax; exemptions include certain aircraft.**

*Summary as passed:*

**Aircraft sales and use tax; deferral/exemption.** Provides an exemption from the aircraft sales and use tax for aircraft that are (i) considered Warbirds, manufactured and intended for military use, excluding those manufactured after 1954, and (ii) used only for (a) exhibit or display to the general public and otherwise used for educational purposes (including such flights as are necessary for testing, maintaining, or preparing such aircraft for safe operation), or (b) airshow and flight demonstrations (including such flights necessary for testing, maintaining, or preparing such aircraft for safe operation).

*Patrons:* Stolle; Delegate: Suit

02/22/07 House: Conference report agreed to by House (91-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Nixon**

**NOT VOTING--Janis**

02/22/07 Senate: Conference report agreed to by Senate (33-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 610 (effective 7/1/07)

**SB 1265 Real estate tax; relief for elderly and permanently and totally disabled.**

*Summary as passed Senate:*

**Real estate tax relief for the elderly and permanently and totally disabled.** Authorizes local governments to extend real estate tax relief to dwellings jointly held between individuals not all of whom are at least age 65 or permanently and totally disabled. The tax relief would be prorated based upon the percentage of ownership interest in the dwelling held by all joint owners who are at least age 65 or permanently and totally disabled. As a condition of the property qualifying for real estate tax relief, the bill establishes additional net worth thresholds that cannot be exceeded. The additional net worth thresholds would not allow any exclusion for the dwelling in question.

*Patron:* Herring

01/26/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Lambert**

02/20/07 House: VOTE: PASSAGE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/13/07 Governor: Approved by Governor-Chapter 357 (effective 7/1/07)

## HOUSE GENERAL LAWS

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### **HB 1791 Freedom of Information Act; responses to requests for public records.**

*Summary as introduced:*

**Freedom of Information Act; responses to requests for public records.** Adds an additional response to address situations when a public body receives a request for public records under FOIA but cannot find the requested records or the requested records do not exist. The bill also clarifies the other responses to requests for public records under FOIA. The bill also contains technical amendments.

02/24/07 Senate: Conference report agreed to by Senate (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/24/07 House: Conference report agreed to by House (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 439 (effective 7/1/07)

### **HB 2062 Freedom of Information Act; secure remote access to land records, certain provisions.**

*Summary as passed:*

**Freedom of Information Act; Government Data Collection and Dissemination Practices Act; land records.** Provides that the Freedom of Information Act does not apply to land records available via secure remote access. The bill provides requirements for posting land records via secure remote access to the Internet and requires, beginning July 1, 2010, that social security numbers not be contained in such documents. Judgments, however, will contain the last four digits of a social security number for identification purposes. The clerk is given the authority to reject documents that contain social security numbers and also is allowed to perform a global redaction of social security numbers from those documents filed before the 2010 deadline. The bill also allows the use of the Technology Trust Fund to pay for redaction. The bill clarifies that the clerk is to charge \$0.50 per electronic image for transmitting "papers or records" to go out of his office in the same manner that he charges \$0.50 per page for copying. The bill is identical to SB 824 .

*Patrons:* McQuigg, Frederick, Kilgore and **Nixon**

02/02/07 House: VOTE: PASSAGE (93-Y 4-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell**

NAYS--**Peace, Ware, R.L.**

02/19/07 Senate: Passed Senate with substitute (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Senate substitute agreed to by House (91-Y 5-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell**

NAYS--**Peace, Ware, R.L.**

03/20/07 Governor: Approved by Governor-Chapter 626 (effective - see bill)

**HB 2293 Freedom of Information Act; electronic communication meetings by local governing bodies.**

*Summary as introduced:*

**Freedom of Information Act; electronic communication meetings; electronic communication meetings by local governing bodies.** Allows a local governing body, school board, or any subcommittee thereof to meet by electronic communication means provided (i) no purpose of the meeting is to take action on any matter before the governing body, school board, or subcommittee, or to otherwise transact any business of the governing body, school board, or subcommittee; (ii) the meeting is not called or prearranged with any purpose of transacting any business of the local governing body, school board, or subcommittee; and (iii) the local governing body, school board, or subcommittee otherwise complies with the electronic communication meetings law.

*Patrons:* **McClellan, Armstrong, Bulova, Eisenberg, Englin, Hall, Jones, D.C., Lewis, McEachin and O'Bannon;** Senator: **Marsh**

01/25/07 House: Letter sent to FOIA

**HB 2418 Freedom of Information Act; exemption for persons designated to carry out execution.**

*Summary as passed:*

**Transfer of prisoner to facility housing death chamber; confidentiality of execution records.** Provides that the identities of persons designated by the Director to conduct an execution shall be exempt from the Freedom of Information Act, and shall not be subject to discovery or introduction as evidence in any civil proceeding, unless good cause is shown. The bill also removes the specific time constraints on when a prisoner condemned to die must be transferred to the correctional center that houses the death chamber.

*Patron:* Kilgore

02/06/07 House: VOTE: PASSAGE (95-Y 4-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/13/07 Senate: Passed Senate with amendments (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/15/07 House: Senate amendments agreed to by House (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/20/07 Governor: Approved by Governor-Chapter 652 (effective 7/1/07)

**HB 2450 Alcoholic beverage control; creates new restricted wholesale wine license.**

*Summary as passed:*

**Alcoholic beverage control; creates new wholesale wine license.** Creates a new restricted wholesale wine license that authorizes the licensee to provide wholesale wine distribution services to winery and farm winery licensees, provided that no more than 3,000 cases of wine produced by a winery or farm winery licensee shall be distributed by the corporation in any one year. The bill requires the Commissioner of the Department of Agriculture and Consumer Services to form a nonprofit nonstock corporation that will hold this new license to promote, develop, and sustain markets for licensed Virginia wineries and farm wineries. The bill also allows certain licensees to deliver or ship beer or wine from one or more premises identified in the license. The bill sets the state license tax for this new license and requires the ABC Board to adopt emergency regulations to implement the provisions of the bill. This bill is identical to SB1413 and contains an emergency clause.

*Patrons:* Saxman, Abbitt, Bell, Byron, Callahan, Carrico, Crockett-Stark, **Hargrove**, Hurt, Jones, S.C., Landes, Lohr, Marshall, D.W., Marshall, R.G., May, **Peace**, Poisson, Putney, Rust, Scott, E.T., Tata, Toscano, Ware, O., **Ware, R.L.** and Wright

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: Passed Senate with amendment (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: Senate amendment agreed to by House (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered recommendation in the nature of a substitute providing an exemption from the Virginia Public Procurement Act.**

04/04/07 House: House concurred in Governor's recommendation (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 870 (effective 4/4/07)

**HB 2553 Freedom of Information Act; allows governing body to meet electronically when state of emergency.**

*Summary as introduced:*

**Freedom of Information Act; electronic communication meetings by local governing bodies; declaration of local state of emergency.** Allows a local governing body to meet by electronic communication means when a local state of emergency has been declared in accordance with § 44-146.21 provided (i) the meeting is necessary to take action to address the emergency, (ii) notice, reasonable under the circumstances, of the emergency meeting shall be given contemporaneously with the notice provided members of the local governing body conducting the meeting, (iii) the local governing body makes arrangements for public participation, and (iv) the local governing body otherwise complies with the requirements for electronic communication meetings.

*Patrons:* Ebbin and Eisenberg

02/01/07 House: Letter sent to FOIA

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

*Summary as passed House:*

**Freedom of Information Act; electronic communication meetings; Governor-declared state of emergency.** Allows state public bodies to meet by electronic communication means without a quorum of the public body physically assembled at one location when (i) the Governor has declared a state of emergency in accordance with § 44-146.17, (ii) the meeting is necessary to take action to address the emergency, and (iii) the public body otherwise complies with the electronic communication meetings law.

*Patron:* Sherwood

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Senate: Passed Senate with amendment (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Senate amendment agreed to by House (93-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 512 (effective 7/1/07)

**HB 2758 Freedom of Information Act; posting of meeting notices and minutes of public bodies.**

*Summary as passed House:*

**Freedom of Information Act; posting of meeting notices and minutes.** Clarifies where meeting notices and minutes of state public bodies must be posted. The bill also specifies that only notices of public

hearings on regulations need be published in the Virginia Register. The bill is a recommendation of the Virginia Code Commission.

*Patrons:* Hurt and Landes; Senators: Edwards and **McDougle**

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 300 (effective 7/1/07)

### **HB 2821 Freedom of Information Act; records containing social security numbers.**

*Summary as introduced:*

**Freedom of Information Act; records containing social security numbers.** Exempts from the mandatory disclosure requirements of the Freedom of Information Act those portions of records containing an individual's social security number; except that access shall not be denied to the person who is the subject thereof. Any person who is the subject of any such record and who is 18 years of age or older may waive, in writing, these protections. If the protections are so waived, the public body shall open such records for inspection and copying.

*Patrons:* Sickles and Nutter

01/25/07 House: Letter sent to FOIA and JCOTS

### **HB 2928 Population brackets; replaces other descriptions found in Code of Virginia with locality names.**

*Summary as introduced:*

**Population brackets.** Replaces population brackets and other descriptions found in the Code of Virginia with locality names. This bill is a recommendation of the Code Commission.

*Patrons:* Landes and Hurt; Senators: Edwards and **McDougle**

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Senate: Passed Senate with amendments (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Senate amendments agreed to by House (95-Y 0-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

03/23/07 Governor: Approved by Governor-Chapter 813 (effective 7/1/07)

**HB 3015 Military Family Relief Fund; assistance after active duty.**

*Summary as introduced:*

**Virginia Military Family Relief Fund; assistance after active duty.** Provides that funds from the Virginia Military Family Relief Fund may be provided to a service member or his family from the date of entry into active duty until 180 days after release from active duty. This bill is identical to SB 1046.

*Patrons:* Johnson, Barlow, Bowling, Byron, Carrico, **Dance**, Englin, **Hall**, Hull, Joannou, **Jones, D.C.**, Kilgore, Marsden, Melvin, Moran, Phillips, Plum and Spruill

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

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

02/09/07 Senate: VOTE: (39-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

02/19/07 Governor: Approved by Governor-Chapter 73 (effective 7/1/07)

**HB 3120 Farm wineries; no county, city, or town shall adopt an ordinance prohibiting storage, etc.**

*Summary as passed House:*

**Alcoholic beverage control; farm wineries.** Provides that no county, city, or town shall adopt an ordinance or resolution that prohibits or regulates the storage, warehousing, or wholesaling of wine by a licensed farm winery, so long as it is done in accordance with state and federal law and ABC regulations.

*Patrons:* Albo and Moran

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

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

02/13/07 Senate: VOTE: (40-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

03/08/07 Governor: Approved by Governor-Chapter 140 (effective 7/1/07)

## SENATE GENERAL LAWS

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### **SB 735 Spot blight abatement; interest on liens.**

*Summary as introduced:*

**Housing authority law; spot blight abatement; interest on liens.** Gives a locality a lien on property declared a nuisance when the locality, and not the owner, abates or removes the nuisance at its expense. The bill provides that this lien shall bear interest at the legal rate of interest established in § 6.1-330.53, beginning on the date the removal or abatement is completed through the date on which the lien is paid. The bill also provides for the same interest rate for liens on property declared to be blighted.

*Patrons:* Cuccinelli and DeVolites Davis

01/23/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/13/07 House: VOTE: PASSAGE (92-Y 6-N)

YEAS--**Cox, Dance, Hargrove, Ingram, Janis, McClellan, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NAYS--**Jones, D.C., McEachin**

NOT VOTING--**Hall**

03/23/07 Governor: Approved by Governor-Chapter 763 (effective 7/1/07)

### **SB 756 Public-Private Partnership Advisory Commission; created.**

*Summary as passed:*

**Public-Private Partnership Advisory Commission.** Establishes the Public-Private Partnership Advisory Commission to review and advise responsible public entities that are agencies or institutions of the Commonwealth on detailed proposals for qualifying projects under the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.). The bill also requires all responsible public entities to adopt guidelines to guide the selection of projects under the Public-Private Education Facilities and Infrastructure Act containing certain specified provisions. For responsible public entities that are not agencies or institutions of the Commonwealth, the guidelines must include a mechanism for the appropriating body to review the proposed comprehensive agreement prior to execution under certain circumstances.

*Patron:* **Stosch**

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/20/07 House: Passed House with substitute BLOCK VOTE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 764 (effective 7/1/07)

**SB 824 Freedom of Information Act; secure remote access to land records, certain provisions.**

*Summary as passed Senate:*

**Freedom of Information Act; Government Data Collection and Dissemination Practices Act; land records.** Provides that the Freedom of Information Act does not apply to land records available via secure remote access but that such access is governed by certain provisions of the Government Data Collection and Dissemination Practices Act (see § 2.2-3800 et seq.). The bill provides requirements for posting land records via secure remote access to the Internet and requires, beginning July 1, 2010, that social security numbers not be contained in such documents. Judgments, however, will contain the last four digits of a social security number for identification purposes. The clerk is given the authority to reject documents that contain social security numbers and also is allowed to perform a global redaction of social security numbers from those documents filed before the 2010 deadline. The bill also allows the use of the Technology Trust Fund to pay for redaction. The bill clarifies that the clerk is to charge \$0.50 per electronic image for transmitting "papers or records" to go out of his office in the same manner that he charges \$0.50 per page for copying. This bill is identical to HB2062.

*Patron:* Devolites Davis

02/06/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 548 (effective - see bill)

**SB 842 Bingo games, certain; proceeds therefrom not to be included in determining gross receipts.**

*Summary as passed Senate:*

**Department of Charitable Gaming; gross receipts; "winner-take-all" games.** Provides that the proceeds from any bingo game commonly referred to as "winner-take-all" games shall not be included in determining the gross receipts for a qualified organization.

*Patron:* Colgan

01/23/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/15/07 House: VOTE: PASSAGE (88-Y 10-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

NAYS--**Peace**

03/19/07 Governor: Approved by Governor-Chapter 550 (effective 7/1/07)

**SB 845 State agencies; Chief Information Officer to develop policies, etc. relating to security data.**

*Summary as introduced:*

**Security of confidential state data.** Requires the Chief Information Officer of the Commonwealth to develop policies, procedures, and standards relating to the security data maintained and used by state agencies. The policies, procedures, and standards must include requirements that a user be required to provide a password or other means of authentication to access a computer and to access a state-owned or operated computer network or database through the computer, and that a digital rights management system be used to control access to electronic records containing confidential information.

*Patron:* Devolites Davis

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/23/07 Governor: Approved by Governor-Chapter 769 (effective 7/1/08)

**SB 1001 Freedom of Information Act; electronic communication meetings, report.**

*Summary as introduced:*

**Freedom of Information Act; electronic communication meetings.** Reduces the notice requirement for electronic communication meetings from seven to three working days and clarifies that political subdivisions, other than units of local government, may conduct electronic communication meetings. The bill also allows an individual member of a public body to participate in a meeting through electronic communication means from a remote location that is not open to the public in the event of an emergency, temporary or permanent disability or other medical condition, or when a member of a regional public body's principal residence is more than 60 miles from the primary meeting location. For a member to participate in the above described manner, the bill requires that a quorum of the public body be physically assembled at the primary or central meeting location and that the public body make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location. The bill defines "regional public body." The bill also contains technical amendments and is a recommendation of the Virginia Freedom of Information Advisory Council.

*Patron:* Houck

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered recommendation to change the notice provision for a meeting from three days back to the original seven days.**

04/04/07 Senate: Senate rejected Governor's recommendation (0-Y 39-N)

NAYS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/10/07 Governor: Approved by Governor-Chapter 945 (effective 7/1/07)

**SB 1002 Freedom of Information Act; public access to procurement records, and discussions thereof.**

*Summary as introduced:*

**Freedom of Information Act; exemptions for PPTA and PPEA projects.** Allows memoranda, staff evaluations, or other records prepared by the responsible public entity, its staff, outside advisors, or consultants exclusively for the evaluation and negotiation of proposals filed under the PPTA (Public-Private Transportation Act of 1995) and PPEA (Private Education Facilities and Infrastructure Act of 2002) to be withheld from public disclosure, where if such records were made public prior to or after the execution an interim or a comprehensive agreement, the financial interest or bargaining position of the public entity would be adversely affected. The bill allows any independent review panel appointed to review PPTA proposals and advise the responsible public entity concerning such records to meet in a closed meeting. The bill also contains technical amendments and is a recommendation of the Virginia Freedom of Information Advisory Council.

*Patron:* Houck

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/15/07 Governor: Approved by Governor-Chapter 374 (effective 7/1/07)

**SB 1003 Freedom of Information Act; venue for enforcement actions against public bodies.**

*Summary as introduced:*

**Freedom of Information Act; venue for enforcement actions.** Clarifies that venue for the enforcement of FOIA rights and privileges against state public bodies, including state institutions, may be brought in

general district court or the circuit court of the residence of the aggrieved party or of the City of Richmond. The bill addresses a recent Supreme Court of Virginia case of *William F. Shaw v. John T. Casteen, et al*, where the Supreme Court upheld the trial court's decision that a FOIA action against the University of Virginia could not be brought where the aggrieved party lived. The bill contains technical amendments and is a recommendation of the Virginia Freedom of Information Advisory Council.

*Patron:* Houck

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 560 (effective 7/1/07)

### **SB 1004 Telecommuting; use of personal computers.**

*Summary as passed:*

**Telecommuting; use of personal computers.** Authorizes a state agency to allow eligible employees to use computer equipment not owned or leased by the Commonwealth to telecommute, if such use is technically and economically practical, and so long as such use meets information security standards as established by the Virginia Information Technologies Agency, or the employee receives an exception from such standards approved by the CIO of the Commonwealth or his designee.

*Patron:* Devolites Davis

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Passed House with amendment (62-Y 37-N)

YEAS--**Hall, Ingram, McClellan, O'Bannon, Peace, Waddell**

NAYS--**Cox, Dance, Hargrove, Janis, Jones, D.C., McEachin, Nixon, Reid, Ware, R.L.**

02/22/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 716 (effective 7/1/07)

### **SB 1046 Virginia Military Family Relief Fund; assistance after active duty.**

*Summary as introduced:*

**Virginia Military Family Relief Fund; assistance after active duty.** Provides that funds from the Virginia Military Family Relief Fund may be provided to a service member or his family from the date of entry into active duty until 180 days after release from active duty. This bill is identical to HB 3015.

*Patrons:* O'Brien; Delegates: Englin and Hugo

01/23/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered recommendation that an emergency exists and this act is in force from its passage.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 911 (effective 7/1/07)

**SB 1108 Emergency preparedness; makes several revisions related to orders of isolation and quarantine.**

*Summary as introduced:*

**Emergency preparedness; orders of isolation and quarantine.** Makes several revisions to the procedures related to orders of quarantine and isolation. The bill also authorizes persons who are otherwise not authorized by law to administer or dispense all necessary drugs when the Governor has declared a disaster or a state of emergency and allows for electronic legal filings in order to protect the public from communicable diseases. This bill is identical to HB 2845.

*Patron:* Wampler

01/23/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: Passed House with amendment BLOCK VOTE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/15/07 Senate: House amendment agreed to by Senate (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**SB 1111 Freedom of Information Act; closed meetings and security of public buildings.**

*Summary as introduced:*

**Freedom of Information Act; closed meetings; security of public buildings.** Adds a closed meeting exemption for the discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

*Patron:* Houck

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 566 (effective 7/1/07)

**SB 1202 Emergency management and preparedness; mutual aid agreements.**

*Summary as passed:*

**Emergency management and preparedness; mutual aid agreements.** Specifies that personnel, equipment, or supplies of the Commonwealth or a political subdivision may be used to assist another state that has declared a state of emergency upon written request of the chief executive of the other state. In addition, the bill authorizes the Governor to provide financial assistance to Virginia state agencies and political subdivisions that provide emergency aid to another state and authorizes the Metropolitan Washington Airport Authority police department to assist the National Capital Region and abutting localities and entities in the case of emergency. The bill also increases from 29 to 34 the membership of the Secure Commonwealth Panel by adding the Executive Secretary of the Supreme Court of Virginia and four members from the business or industry sector. This bill is identical to HB 2304.

*Patron:* Wampler

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: Passed House with amendment (97-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/15/07 Senate: House amendment agreed to by Senate (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, Norment, Stosch, Watkins**

NOT VOTING--**McDougle**

3/21/07 Governor: Approved by Governor-Chapter 729 (effective 7/1/07)

**SB 1211 Resources Authority; expands projects that can be financed to include land conserv. & preservation.**

*Summary as passed Senate:*

**Virginia Resources Authority.** Expands projects that can be financed through the Authority to include programs or projects for land conservation or land preservation. This bill is identical to HB 2694, which incorporates HB 1713.

*Patrons:* Hanger, Herring and Watkins; *Delegates:* Eisenberg, Orrock, Scott, E.T. and Ware, R.L.

01/23/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/09/07 House: VOTE: BLOCK VOTE PASSAGE (92-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

NOT VOTING--**Peace**

02/21/07 Governor: Approved by Governor-Chapter 81 (effective 7/1/07)

**SB 1281 Economic Development Incentive Grants; reduces waiting period for payments.**

*Summary as introduced:*

**Virginia Economic Development Partnership; Virginia Economic Development Incentive Grants.** Reduces the waiting period for payments under the Virginia Economic Development Incentive Grant subfund from four to three years. The bill also (i) raises the aggregate amount of grants payable in any fiscal year from \$3 million to \$6 million, (ii) raises the aggregate amounts outstanding at any time from \$15 million to \$30 million, and (iii) removes the limit on incentive grants that may be awarded in any single biennium.

*Patron:* **Stosch**

01/23/07 Senate: VOTE: (39-Y 1-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 576 (effective 7/1/07)

**SB 1284 Auditor of Public Accounts; searchable database of state agency expenditures & revenues.**

*Summary as introduced:*

**Auditor of Public Accounts.** Provides that the searchable database of state agency expenditures and

revenues shall not include activity of private gifts, including endowment funds and unrestricted gifts received by state-supported institutions of higher education. The bill clarifies that all appropriated funds and other sources under the control of a state-supported institution of higher education shall be included in the database and that the exclusion of the private gifts activity shall not affect the public access to such records unless otherwise specifically exempted by law.

*Patron:* **Stosch**

01/23/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 577 (effective 7/1/07)

**SB 1318 Emergency management plans; local and interjurisdictional agency to review.**

*Summary as introduced:*

**Local emergency management plans.** Requires every local and interjurisdictional agency to review and update its emergency operations plan every four years. The updated plan must be formally approved by the locality's governing body.

*Patron:* Puckett

01/23/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/08/07 Governor: Approved by Governor-Chapter 97 (effective 7/1/07)

**SB 1369 Freedom of Information Act; expands current record & meeting exemptions for retirement systems.**

*Summary as passed:*

**Freedom of Information Act; Virginia Retirement System.** Provides an exemption for the Virginia Retirement System (VRS) and a local retirement system for trade secrets provided by a private entity to the extent that the disclosure of such records would have an adverse impact on the financial interest of the VRS or local retirement system. The bill contains an emergency clause.

*Patron:* Bell

02/06/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Passed House with amendment BLOCK VOTE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 739 (effective 3/21/07)

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

*Summary as passed:*

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

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

02/01/07 Senate: VOTE: (33-Y 6-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: Passed House with substitute (86-Y 11-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NAYS--Ware, R.L.**

02/20/07 Senate: House substitute agreed to by Senate (37-Y 3-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/19/07 Governor: Approved by Governor-Chapter 583 (effective 7/1/07)

**SB 1400 Conflict of Interests Act, State and Local Government; conduct of governmental bodies.**

*Summary as passed Senate:*

**State and Local Government Conflict of Interests Act.** Provides that if the disqualification of a state or local government officer or employee who has a personal interest in a transaction leaves fewer than the number required by law to act, the remaining member or members shall constitute a quorum for the conduct of business and have authority to act for the agency by majority vote.

*Patron:* Colgan (by request)

02/06/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/20/07 Governor: Approved by Governor-Chapter 613 (effective 7/1/07)

## HOUSE HEALTH, WELFARE AND INSTITUTIONS

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### **HB 3134 Onsite sewage systems; Board of Health to establish program for operation and maintenance thereof.**

*Summary as passed:*

**Onsite sewage systems; operation and maintenance program.** Requires the Board of Health to establish a program for the operation and maintenance of alternative onsite sewage systems. Requires the owner of an alternative onsite sewage system to have the system operated by a licensed operator and visited by the operator as specified in the operation permit. Requires the Board promulgate regulations to establish licensure requirements for operators of alternative onsite sewage systems. Establishes a statewide web-based reporting system to track the operation, monitoring, and maintenance requirements of each system, including its components, and requires reports on the results of site visits utilizing the web-based system. Creates a special fund to cover the costs of the program. Requires licensure, by the Board of Waterworks and Wastewater Works and Onsite Sewage System Professionals, of operators of alternative onsite sewage systems.

*Patron:* Morgan

02/05/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Senate: Passed Senate with substitute (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Senate substitute agreed to by House (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered recommendation clarifying operators of alternative onsite sewage systems must be licensed.**

04/04/07 House: House concurred in Governor's recommendation (98-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 892 (effective - see bill)

## SENATE LOCAL GOVERNMENT

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### **SB 868 Localities; gifts, etc. of personal property may be delivered to another government entity in State.**

*Summary as passed:*

Donations by localities. Provides that localities may make gifts and donations of personal property and may deliver such gifts and donations to another governmental entity in or outside of the Commonwealth. This bill is identical to HB 2298.

*Patron:* **Watkins**

01/22/07 Senate: VOTE: (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: Passed House with amendment BLOCK VOTE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/15/07 Senate: House amendment agreed to by Senate (37-Y 0-N 1-A)

YEAS--**Lambert, Marsh, Martin, Norment, Stosch, Watkins**

NOT VOTING--**McDougle**

03/20/07 Governor: Approved by Governor-Chapter 592 (effective 7/1/07)

### **SB 869 Development rights; county and adjacent city may enter voluntarily into an agreement.**

*Summary as introduced:*

**Transfer of development rights.** Provides that any county and an adjacent city may enter voluntarily into an agreement to permit the county to designate eligible receiving areas in the city if the governing body of the city has also amended its zoning ordinance to designate the same areas as eligible to receive density being transferred from sending areas in the county. The bill also expands the definition of "sending property." This bill is identical to HB 2503.

*Patron:* **Watkins**

01/22/07 Senate: VOTE: (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: PASSAGE (97-Y 2-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

03/15/07 Governor: Approved by Governor-Chapter 363 (effective 7/1/07)

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

*Summary as introduced:*

**Traffic Signal Enforcement Programs; civil penalty.** Grants localities the authority to operate traffic signal enforcement systems. Localities may install photo-monitoring systems at no more than 25 intersections at one time. Provisions within the bill set the maximum fine, limit the use and retention of images recorded, and provide other parameters and limitations for localities. This bill has been incorporated into SB 829.

*Patron:* **Watkins**

01/29/07 Senate: VOTE: (30-Y 10-N)

YEAS--Lambert, Marsh, Norment, Stosch, Watkins

NAYS--Martin, McDougle

02/13/07 House: Incorporated by Transportation (SB829-Devolites Davis)

**SB 908 Libraries; state funded shall have technology protection measures against Internet restrictions.**

*Summary as introduced:*

**Technology; required protection measures; public libraries; exception.** Requires the library board or governing body of a library that receives state funding for any purpose to include in its acceptable use policy for the Internet provisions requiring the selection, installation, and activation on those computers that have Internet access a technology protection measure, as selected by the Library of Virginia, to filter or block Internet access through such computers to child pornography as set out in § 18.2-374.1:1, obscenity as defined in § 18.2-372, and, with respect to minors, materials deemed harmful to juveniles as defined in § 18.2-390. The bill also requires the library board or governing body to select, install, and activate the technology protection measure. The bill provides an exception that allows a person authorized by the library to disable the technology protection measure at the request of the patron for bona fide research or other lawful purpose.

*Patrons:* Obenshain and Bell

01/24/07 Senate: Incorporated by General Laws and Technology (SB1393-Stosch)

**SB 959 Retired employees; removes exception for certain localities regarding provision of insurance.**

*Summary as introduced:*

**Insurance for retired employees of localities.** Removes an exception for certain localities regarding the provision of group accident and health insurance to retired officers and employees.

*Patron:* Quayle

01/22/07 Senate: VOTE: (38-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: VOTE: PASSAGE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 150 (effective 7/1/07)

**SB 1074 Single-family dwellings; localities to designate portion of undeveloped land for clustering.**

**VETO**

*Summary as passed:*

**Clustering of single-family dwellings.** Exempts any locality that is located within planning district 12, 13 or 14, except any such locality within such planning district that had a population growth rate of 20% or more from the next-to-latest to latest decennial census, from requirements to set aside a certain percentage of undeveloped property for possible cluster development.

*Patron:* Ruff

01/29/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Passed House with amendments (61-Y 37-N)

**YEAS--Dance, Hargrove, Ingram, Janis, McClellan, O'Bannon, Peace, Reid, Waddell**

**NAYS--Cox, Hall, Jones, D.C., McEachin, Nixon, Ware, R.L.**

02/22/07 Senate: House amendments agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/26/07 Governor: Vetoed by Governor (In 2006, we created important legislation that allows for clustering of single-family dwellings. That was a smart land-use policy. SB 1074 takes steps backwards by exempting areas from this option and weakens the good policy we put in place in 2006.)

04/04/07 Senate: Motion to pass in enrolled form rejected (20-Y 20-N)

**YEAS--Martin, McDougle, Norment, Stosch**

**NAYS--Lambert, Marsh, Watkins**

04/04/07 Senate: Requires 2/3 affirmative votes for passage

04/04/07 Senate: Senate sustained Governor's veto

**SB 1110 Service districts; additional powers with regard to road construction and maintenance.**

*Summary as introduced:*

**Service districts; roads.** Gives service districts additional powers with regard to road construction and maintenance, regardless of whether such roads are under the jurisdiction of VDOT.

*Patrons:* Houck and Chichester

01/29/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: PASSAGE (95-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/25/07 Governor: Approved by Governor-Chapter 835 (effective 7/1/07)

**SB 1121 Police; expands authority thereof in civil matters.**

*Summary as passed:*

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

*Patron:* Cuccinelli

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Passed House with substitute BLOCK VOTE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 724 (effective 7/1/07)

**SB 1205 Farm wineries; establishes criteria for local regulation thereof.**

*Summary as passed Senate:*

**Zoning; licensed farm wineries; local regulation of certain activities.** Provides that local restriction upon licensed farm wineries' activities and events to market and sell their products shall be reasonable and

shall take into account the economic impact on the farm winery of such restriction and whether such activities and events are usual and customary for farm wineries throughout the Commonwealth. The bill further provides that no local ordinance regulating noise, other than outdoor amplified music, arising from activities and events at farm wineries shall be more restrictive than that in the general noise ordinance. This bill is identical to HB 2493.

*Patron:* Hanger

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: Passed House with amendment (97-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/20/07 Governor: Approved by Governor-Chapter 611 (effective 7/1/07)

### **SB 1215 Onsite sewage disposal system; permit for installing in certain counties.**

*Summary as passed:*

**Permit for onsite sewage disposal system installation in certain counties.** Provides that Augusta County may require any person desiring to install an onsite sewage disposal system to secure a permit to do so. The county may prescribe a reasonable fee, not to exceed \$150, for processing an application for such a permit. This bill is identical to HB2791.

*Patron:* Hanger

01/29/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: Passed House with amendments (84-Y 11-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell**

**NAYS--Janis, Peace, Ware, R.L.**

02/16/07 Senate: House amendments agreed to by Senate (38-Y 0-N)

**YEAS--Lambert, Marsh, McDougle, Norment, Stosch, Watkins**

**NOT VOTING--Martin**

**Governor offered recommendation clarifying operators of alternative onsite sewage systems must be licensed.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 920 (effective 7/1/07)

**SB 1250 Public hearings; person shall be immune from civil liability for certain violations.**

*Summary as passed:*

**Immunity of citizens at public hearings.** Provides that any citizen appearing at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies and authorities thereof, and other governing bodies of any local governmental entity shall be immune from a civil liability for a violation of § 18.2-499 (willful and malicious injury to another's reputation, trade, business, or profession), or a claim of tortious interference with an existing contract or a business or contractual expectancy, arising from a citizen's statements concerning matters properly before the governing body.

*Patron:* Herring

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Passed House with substitute BLOCK VOTE (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 798 (effective 7/1/07)

**SB 1292 Home ownership; deletes requirement that separate ordinance be passed for each grant.**

*Summary as introduced:*

**Grants for home ownership.** Deletes the requirement that a separate ordinance be passed for each home ownership grant.

*Patrons:* **Norment**; Delegates: Barlow and Hamilton

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 578 (effective 7/1/07)

### **SB 1351 Public utility facilities; approval thereof.**

*Summary as passed:*

**Public utility facilities; comprehensive plans.** Amends provisions pertaining to comprehensive plans by localities and underground natural gas or underground electric distribution facilities of a public facility. Under current law, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under other provisions of general law, no public utility facility or public service corporation facility shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. This bill exempts an underground natural gas or underground electric distribution facility of a public utility from the foregoing measure.

*Patron:* Wagner

02/06/07 Senate: VOTE: (26-Y 11-N 3-A)

YEAS--**Martin, McDougle, Norment, Stosch, Watkins**

NAYS--**Marsh**

RULE 36--**Lambert**

02/20/07 House: Passed House with substitute (97-Y 1-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (38-Y 0-N 2-A)

YEAS--**Marsh, Martin, McDougle, Norment, Stosch, Watkins**

RULE 36--**Lambert**

03/23/07 Governor: Approved by Governor-Chapter 801 (effective 7/1/07)

**SB 1378 Contracts; Director of Corrections to approve or deny community-based residential services.**

*Summary as passed Senate:*

**Contracts for the provision of community-based residential services; localities authorized to approve or deny.** Provides that upon determining that it shall be desirable to contract with a public or private entity for the provision of community-based residential services, the Director of Corrections shall notify the local governing body of the jurisdiction in which the facility is to be located of the proposal and of the facility's proposed location and provide notice, where requested, to the chief law-enforcement officer for such locality when an offender is placed in the facility at issue.

*Patrons:* Obenshain; Delegate: Lohr

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/15/07 Governor: Approved by Governor-Chapter 392 (effective 7/1/07)

## HOUSE MILITIA AND PUBLIC SAFETY

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### **HB 1932 Jail farms; may be used to hold or confine person who could be held in county or city jail.**

*Summary as passed:*

**Jail farms.** Clarifies that a local jail farm may be used to hold or confine a person who could be held or confined in a regional or local jail. This bill is identical to SB 1016.

*Patron:* Rapp

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/13/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/08/07 Governor: Approved by Governor-Chapter 106 (effective 7/1/07)

### **HB 2106 Concealed handgun permits; certain applicants not required to submit fingerprints.**

*Summary as passed House:*

**Concealed handgun permits; fingerprinting.** Clarifies that a locality may only require a concealed handgun permit applicant to submit fingerprints when applying for a new permit, but shall not require an existing permit holder to submit fingerprints when renewing a permit.

*Patron:* Carrico

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 272 (effective 7/1/07)

**HB 2304 Emergency management and preparedness; mutual aid agreements.**

*Summary as passed:*

**Emergency management and preparedness; mutual aid agreements.** Specifies that personnel, equipment, or supplies of the Commonwealth or a political subdivision may be used to assist another state that has declared a state of emergency upon written request of the chief executive of the other state. In addition, the bill authorizes the Governor to provide financial assistance to Virginia state agencies and political subdivisions that provide emergency aid to another state and authorizes the Metropolitan Washington Airport Authority police department to assist the National Capital Region and abutting localities and entities in the case of emergency. The bill also increases from 29 to 34 the membership of the Secure Commonwealth Panel by adding the Executive Secretary of the Supreme Court of Virginia and four members from the business or industry sector. The bill is identical to SB 1202.

*Patron:* Sherwood

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/12/07 Senate: Passed Senate with substitute (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: Senate substitute agreed to by House (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/22/07 Governor: Approved by Governor-Chapter 742 (effective 7/1/07)

**HB 2413 Concealed handgun; retired law-enforcement officers in favorable review to carry.**

*Summary as passed House:*

**Concealed handgun permits; retired law-enforcement officers.** Provides that a retired law-enforcement officer who has been issued proof of consultation and review to carry a concealed handgun shall have the opportunity to annually participate, at the retired officer's expense, in the same firearms training required for active duty law-enforcement officers in the Commonwealth. The federal Law Enforcement Officers Safety Act requires that, in order to carry a concealed handgun pursuant to the Act, a retired law-enforcement officer be found by the state to meet the law-enforcement training standards established by the state. If a retired law-enforcement officer meets the training and qualification standards, the chief law-enforcement officer shall issue to the retired officer a certification, valid for one year, indicating that he has met the standards to carry a firearm.

*Patron:* Athey

02/06/07 House: VOTE: PASSAGE (93-Y 6-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/21/07 Senate: VOTE: (40-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins

03/15/07 Governor: Approved by Governor-Chapter 408 (effective 7/1/07)

**HB 2418 Freedom of Information Act; exemption for persons designated to carry out execution.**

*Summary as passed:*

**Transfer of prisoner to facility housing death chamber; confidentiality of execution records.** Provides that the identities of persons designated by the Director to conduct an execution shall be exempt from the Freedom of Information Act, and shall not be subject to discovery or introduction as evidence in any civil proceeding, unless good cause is shown. The bill also removes the specific time constraints on when a prisoner condemned to die must be transferred to the correctional center that houses the death chamber.

*Patron:* Kilgore

02/06/07 House: VOTE: PASSAGE (95-Y 4-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

02/13/07 Senate: Passed Senate with amendments (40-Y 0-N)

YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins

02/15/07 House: Senate amendments agreed to by House (97-Y 0-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

03/20/07 Governor: Approved by Governor-Chapter 652 (effective 7/1/07)

**HB 2547 Firearms; regulation by counties for hunting.**

*Summary as introduced:*

**Regulation of firearms by counties; hunting.** Amends existing provisions related to regulation of firearms along public highways by clarifying that the provisions apply to hunting.

*Patron:* Carrico

02/06/07 House: VOTE: PASSAGE (79-Y 20-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Nixon, O'Bannon, Peace, Reid, Ware, R.L.

NAYS--Jones, D.C., McClellan, McEachin, Waddell

02/16/07 Senate: VOTE: (34-Y 4-N)

YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins

03/09/07 Governor: Approved by Governor-Chapter 203 (effective 7/1/07)

**HB 2653 Firearms; illegal conveyance.**

*Summary as passed:*

**Illegal conveyance of firearms; penalty.** Makes it a Class 6 felony for any person, except for a law-enforcement officer in the performance of his official duties or other person under the direct supervision of the law-enforcement officer, to attempt to solicit or otherwise entice a firearms dealer to transfer or otherwise convey a firearm other than to an actual buyer. A person who willfully and intentionally aids or abets a person violating this provision is likewise guilty of a Class 6 felony. The bill adds a definition of actual buyer as the person who executes the required consent form provided by the Department of State Police or other firearm transaction record required by federal law.

*Patron:* Lingamfelter

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Jones, D.C., McClellan, McEachin**

02/21/07 Senate: Passed Senate with substitute (30-Y 10-N)

**YEAS--Martin, McDougle, Norment, Stosch, Watkins**

**NAYS--Lambert, Marsh**

02/22/07 House: Senate substitute agreed to by House (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 509 (effective 7/1/07)

**HB 2726 Emergency plans; review of certain by localities.**

*Summary as passed House:*

**Review of certain emergency plans by localities.** Grants authority to localities to require the review of, and suggest amendments to, the emergency plans of nursing homes, assisted living facilities, adult day care centers, and child day care centers that are located within the locality.

*Patron:* McClellan

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/12/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/08/07 Governor: Approved by Governor-Chapter 129 (effective 7/1/07)

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

*Summary as passed House:*

**Emergency preparedness; orders of isolation and quarantine.** Makes several revisions to the procedures related to orders of quarantine and isolation. The bill also authorizes persons who are otherwise not authorized by law to administer or dispense all necessary drugs when the Governor has declared a disaster or a state of emergency and allows for electronic legal filings in order to protect the public from communicable diseases. The bill is identical to SB 1108.

*Patron:* **O'Bannon**

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

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/12/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 699 (effective 7/1/07)

**HB 3048 Emergency management plans; local and interjurisdictional agency to review.**

*Summary as passed House:*

**Local emergency management plans.** Requires every local and interjurisdictional agency to review and update its emergency operations plan every four years. The updated plan must be formally approved by the locality's governing body. The bill is identical to SB 1318.

*Patrons:* Miller, P.J., Albo, Alexander, Amundson, Armstrong, BaCote, Barlow, Bowling, Brink, Bulova, Caputo, **Dance**, Ebbin, Eisenberg, Englin, Gear, **Hall**, Howell, A.T., Hull, Iaquinto, Joannou, **Jones, D.C.**, Jones, S.C., Lewis, Marsden, **McClellan, McEachin**, Melvin, Moran, Nutter, Oder, Plum, Poisson, Scott, J.M., Shannon, Shuler, Sickles, Spruill, Suit, Tata, Toscano, Tyler, Valentine, **Waddell**, Ward, Ware, O. and Watts

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

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/12/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/14/07 Governor: Approved by Governor-Chapter 138 (effective 7/1/07)

## HOUSE PRIVILEGES AND ELECTIONS

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### **HB 2386 Campaign finance disclosure; filings of candidate reports.**

*Summary as passed House:*

**Campaign finance disclosure; filings of candidate reports.** Requires the State Board of Elections to develop and implement a centralized system to accept reports from local office candidates by July 1, 2007. Local office candidates who file electronically with the State Board will not be required to file locally, and the State Board shall make the filings available promptly to the local electoral board. The bill takes effect only if adequate funding or programming is available to implement the centralized system for accepting the local reports. This bill is identical to SB 1015.

*Patron:* May

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/16/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 286 (effective - see bill)

### **HB 2707 Electronic voting equipment; requirements and recount procedures.**

*Summary as passed:*

**Election procedures; voting equipment requirements; recounts.** Prohibits future purchases of direct recording electronic (DRE) devices; and provides for the phase out of DRE devices as the devices now in operation wear out. Prohibits any form of wireless communication to or from voting or counting devices while polls are open on election day. Requires localities to provide accessible equipment for disabled voters. The bill deletes obsolete references to mechanical voting equipment and punchcard devices. The bill incorporates HBs 2077 and 2734 and as passed is identical to SB 840.

*Patrons:* Hugo, Callahan and Moran

02/24/07 House: Conference report agreed to by House (82-Y 14-N)

**YEAS--Cox, Dance, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NAYS--Hall, Ware, R.L**

**NOT VOTING--Jones, D.C.**

02/24/07 Senate: Conference report agreed to by Senate (29-Y 11-N)

**YEAS--Lambert, Martin, McDougle, Norment, Stosch, Watkins**

**NAYS--Marsh**

**Governor offered recommendation to delay the date by one year in which a county or city could no longer acquire direct recording electronic machines (DRE devices).**

04/04/07 House: House rejected Governor's recommendation (41-Y 59-N)

**YEAS--Cox, McClellan, McEachin, Nixon, O'Bannon, Waddell, Ware, R.L.**

**NAYS--Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., Peace, Reid**

04/10/07 Governor: Approved by Governor-Chapter 939 (effective 7/1/07)

## SENATE PRIVILEGES AND ELECTIONS

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### **SB 840 Electronic voting equipment; requirements and recount procedures.**

*Summary as passed:*

**Election procedures; voting equipment requirements; recounts.** Prohibits future purchases of direct recording electronic (DRE) devices; and provides for the phase out of DRE devices as the devices now in operation wear out. Prohibits any form of wireless communication to or from voting or counting devices while polls are open on election day. Requires localities to provide accessible equipment for disabled voters. The bill deletes obsolete references to mechanical voting equipment and punchcard devices. This bill is identical to HB 2707 as passed and incorporates SB 878.

*Patrons:* Devolites Davis and Deeds

01/29/07 Senate: VOTE: (36-Y 4-N)

**YEAS--Lambert, Marsh, Martin, McDougale, Norment, Watkins**

**NAYS--Stosch**

02/20/07 House: Passed House with substitute (86-Y 12-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NAYS--Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (36-Y 3-N)

**YEAS--Lambert, Marsh, Martin, McDougale, Norment, Stosch, Watkins**

**Governor offered recommendation to delay the date by one year in which a county or city could no longer acquire direct recording electronic machines (DRE devices).**

04/04/07 Senate: Senate concurred in Governor's recommendation (29-Y 11-N)

**YEAS--Lambert, Marsh, Watkins**

**NAYS--Martin, McDougale, Norment, Stosch**

04/04/07 House: House rejected Governor's recommendation (49-Y 49-N)

**YEAS--Cox, Dance, McClellan, McEachin, Nixon, O'Bannon, Waddell, Ware, R.L.**

**NAYS--Hall, Hargrove, Ingram, Janis, Jones, D.C., Peace, Reid**

04/10/07 Governor: Approved by Governor-Chapter 943 (effective 7/1/07)

**SB 1015 Campaign finance disclosure; filings of candidate reports.**

*Summary as passed Senate:*

**Campaign finance disclosure; filings of candidate reports.** Requires the State Board of Elections to develop and implement a centralized system to accept reports from local office candidates by July 1, 2007. Local office candidates who file electronically with the State Board will not be required to file locally, and the State Board shall make the filings available promptly to the local electoral board. The bill takes effect only if adequate funding or programming is available to implement the centralized system for accepting the local reports. This bill is identical to HB 2386.

*Patron: Norment*

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 151 (effective - see bill)

**SJ 340 Constitutional amendment; certain armed forces exempt from property taxation (first reference).**

*Summary as passed:*

**Constitutional amendment (first resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will allow any locality to exempt or partially exempt from property taxes motor vehicles owned or leased by any member of the armed forces serving in an area of military conflict.

*Patrons: Devolites Davis and O'Brien*

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Agreed to by House with amendment (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

NOT VOTING--**Ware, R.L.**

02/22/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/27/07 House: Assigned Chapter 842

**SJ 354 Constitutional amendment; exempts certain homeowners from taxation (first reference).**

*Summary as passed Senate:*

**Constitutional amendment (first resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner- occupant's primary dwelling and lived in continuously. This resolution incorporates SJRs 362, 371, 386, 398, 425 and 443.

*Patron:* Rerras

02/06/07 Senate: VOTE: (38-Y 1-N)

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

02/22/07 House: VOTE: ADOPTION (97-Y 0-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

03/27/07 House: Assigned Chapter 843

**SJ 362 Constitutional amendment; property tax exemptions authorized for persons 65 years of age (1st ref.)**

*Summary as introduced:*

**Constitutional amendment (first resolution); property exempt from taxation.** Authorizes the General Assembly to provide for increases in the property tax exemptions authorized for persons 65 years of age or older based on increases in the age of such persons. This resolution has been incorporated into SJR 354.

*Patron:* Quayle

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

**SJ 371 Constitutional amendment; assessments of real property (first reference).**

*Summary as introduced:*

**Constitutional amendment (first resolution); assessment of property for tax purposes.** Provides that tax assessments made by any county, city, or town of real property used by its owners solely for single family residential purposes may, by ordinance adopted by the local governing body, be reduced on an annual basis in an amount up to the first \$100,000 of assessed value, provided that such property is the primary residence of its owners. This resolution has been incorporated into SJR 354.

*Patron:* Norment

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

**SJ 386 Constitutional amendment; exempts real estate taxes for persons 65 or older, and totally disabled.**

*Summary as introduced:*

**Constitutional amendment (first resolution); local real estate tax relief.** Provides that localities may, by ordinance, exempt, defer, or freeze the real estate taxes of persons 65 or older or permanently and totally disabled regardless of annual income or financial worth. Localities would be directly authorized to pass such ordinances, and the General Assembly would be prohibited from legislating in regard to such matters except that it may define those persons who are permanently and totally disabled. The current real estate tax relief provisions in the Constitution require that the General Assembly pass enabling legislation for local real estate tax relief programs and also require that such programs be limited to persons 65 or older or permanently and totally disabled who bear an extraordinary real estate tax burden in relationship to their income and financial worth. This resolution has been incorporated into SJR 354.

*Patron:* Wagner

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

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

*Summary as introduced:*

**Constitutional amendment (first resolution); property exempt from taxation.** Directs the General Assembly to enact legislation that will permit localities to exempt from property taxes up to 20% of the value of residential or farm property that is designed for continuous habitation as a home and is owner-occupied. This resolution has been incorporated into SJR 354.

*Patron:* Whipple

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

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

*Summary as introduced:*

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

*Patron:* Ruff

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

**SJ 443 Constitutional amendment; localities may provide partial exemption of taxes on taxpayer's residence.**

*Summary as introduced:*

**Constitutional amendment (first resolution); property exempt from taxation.** Directs the General Assembly to enact legislation that will permit localities to provide for a partial exemption from, or deferral of, local real property taxes on a taxpayer's primary residence and up to five acres of land associated with his residence. This resolution has been incorporated into SJR 354.

*Patron:* Hanger

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

## SENATE REHABILITATION AND SOCIAL SERVICES

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### **SB 1016 Jail farms; may be used to hold or confine person who could be held in county or city jail.**

*Summary as passed Senate:*

**Jail farms.** Clarifies that a local jail farm may be used to hold or confine a person who could be held or confined in a regional or local jail. This bill is identical to HB 1932.

*Patron:* **Norment**

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/08/07 Governor: Approved by Governor-Chapter 95 (effective 7/1/07)

### **SB 1164 Alcoholic beverage control; small wine producer distribution license.**

*Summary as introduced:*

**Alcoholic beverage control; small wine producer distributor license.** Creates a new small producer distributor license that authorizes the licensee to sell and deliver the wine produced by the licensee, in accordance with Board regulations, in closed containers, to (i) persons licensed to sell the wine at retail for the purpose of resale, § 4.1-326 notwithstanding, (ii) the Board, and (iii) persons in Virginia to whom alcoholic beverages may be lawfully sold. All deliveries of such wine by the licensee to persons in Virginia to whom alcoholic beverages may be lawfully sold shall be performed by the owner, or any agent, director, shareholder or employee of the licensee. The bill provides that, for purposes of § 4.1-234 and Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, each delivery of wine by such licensee to a consumer or a retail licensee shall constitute a sale in Virginia. Licensees are required to collect the taxes due to the Commonwealth and remit any excise taxes monthly to the Board and any sales tax to the Department of Taxation. The bill defines "small wine producer" as any winery located outside the Commonwealth and licensed as such in the state where the winery is located and that produces no more than 2,500 cases of wine during any calendar year. The bill also grants these same privileges to certain winery and farm winery licensees under the same production restrictions. The bill sets the state license tax for this new license and requires the ABC Board to adopt emergency regulations to implement the provisions of the bill. This bill has been incorporated into SB 1413 (Hanger).

*Patron:* Bell

01/26/07 Senate: Incorporated by Rehabilitation and Social Services (SB1413-Hanger)

**SB 1413 Alcoholic beverage control; creates new restricted wholesale wine license.**

*Summary as passed:*

**Alcoholic beverage control; wholesale wine license.** Creates a new restricted wholesale wine license that authorizes the licensee to provide wholesale wine distribution services to winery and farm winery licensees, provided that no more than 3,000 cases of wine produced by a winery or farm winery licensee shall be distributed by the corporation in any one year. The bill requires the Commissioner of the Department of Agriculture and Consumer Services to form a nonprofit nonstock corporation that will hold this new license to promote, develop, and sustain markets for licensed Virginia wineries and farm wineries. The bill also allows certain licensees to deliver or ship beer or wine from one or more premises identified in the license. The bill sets the state license tax for this new license and requires the ABC Board to adopt emergency regulations to implement the provisions of the bill. The bill contains an emergency clause and incorporates SB 1164 (Bell). This bill is identical to HB 2450.

*Patrons:* Hanger, Bell and Hawkins

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/15/07 House: Passed House with amendment BLOCK VOTE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation in the nature of a substitute providing an exemption from the Virginia Public Procurement Act.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (97-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 932 (effective 4/04/07)

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## HOUSE RULES

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### **HJ 576 Open-space & Farmlands; Joint Sub. Studying Funding Sources for Purchase of Development Rights.**

*Summary as introduced:*

**Study; continues the joint subcommittee studying long-term funding for the purchase of development rights to preserve open-space and farmlands; report.** Continues for an additional year the joint subcommittee studying long-term funding sources for the purchase of development rights to preserve open-space land and farmlands. Incorporated into HJR 692 (Cline).

*Patron:* Lewis

01/31/07 House: Incorporated by Rules (HJ692-Cline)

### **HJ 692 Open-space & Farmlands; Joint Sub. Studying Funding Sources for Purchase of Development Rights.**

*Summary as passed:*

**Study; continues the Joint Subcommittee Studying Long-Term Funding for the Purchase of Development Rights to Preserve Open-Space and Farmlands; report.** Continues for an additional year the Joint Subcommittee Studying Long-Term Funding Sources for the Purchase of Development Rights to Preserve Open-Space Land and Farmlands. In conducting its study, the joint subcommittee shall review recent funding for the preservation of open-space and other conservation land; the future needs of the Commonwealth for open-space and other conservation land, including but not limited to: working farms and forests, wildlife habitat and gamelands, natural areas, parks, and historic resources; the mix of programs best suited to meet such needs, including but not limited to Purchase of Development Rights programs; the cost of such needs; and long-term funding to pay the costs. In addition, the joint subcommittee shall develop a plan for the sharing of the costs of land preservation among the Commonwealth and its local governments. Further, the joint subcommittee shall identify strategies for increasing land preservation, water supply protection and the availability of large parks to serve Northern Virginia. This resolution incorporates HJR 576 (Lewis) and is identical to SJR 401 (Hanger).

*Patrons:* Cline and Scott, E.T.

02/02/07 House: VOTE: ADOPTION (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/21/07 Senate: Agreed to by Senate with substitute by voice vote

02/22/07 House: Senate substitute agreed to by House (97-Y 1-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/07/07 House: Bill text as passed House and Senate (HJ692ER)

**HJ 694 Biosolids; panel of experts to study impact of land application thereof.**

*Summary as introduced:*

**Study; the impacts of biosolids; report.** Requests the Secretary of Natural Resources and the Secretary of Health and Human Resources to convene a panel of experts to study the impact of land application of biosolids (sewage sludge) on human health and the environment

*Patrons:* Byron, Abbitt, Cline, Hogan, Putney, Valentine and Wittman; Senators: Newman and Quayle

02/02/07 House: VOTE: BLOCK VOTE PASSAGE (91-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/21/07 Senate: Agreed to by Senate with amendments by voice vote

02/22/07 House: Senate amendments agreed to by House (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Waddell, Ware, R.L.**

**NOT VOTING--Reid**

03/26/07 House: Bill text as passed House and Senate (HJ694ER)

## SENATE RULES

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### **SJ 361 Waste minimization, reuse, and recycling; Joint Legislative Audit and Review Commission to study.**

*Summary as passed Senate:*

**Study; waste minimization; report.** Requests the Joint Legislative Audit and Review Commission to study waste minimization, reuse, and recycling. JLARC will evaluate the success of programs in Virginia and other states, and recommend a plan to achieve long-term waste minimization. This is a two-year study.

*Patron:* Ticer

02/16/07 House: Agreed to by House BLOCK VOTE (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NOT VOTING--Ware, R.L.**

02/27/07 Senate: Bill text as passed Senate and House (SJ361ER)

### **SJ 366 Affordable housing; Housing Commission to study state incentives for targeted development, etc.**

*Summary as introduced:*

**Study; Virginia Housing Commission; state incentives for targeted affordable housing development and regional planning initiatives; report.** Directs the Virginia Housing Commission to study state incentives for (i) developments that locate affordable housing near identified employment centers, high-density districts, and transit areas including acknowledgement of the impact of commuting on affordable housing, and (ii) local jurisdictions that participate in regional planning efforts for projected job growth impact analysis that includes all income ranges and housing types.

*Patrons:* Whipple; *Delegate:* Eisenberg

02/20/07 House: VOTE: ADOPTION (69-Y 29-N)

**YEAS--Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, O'Bannon, Waddell**

**NAYS--Cox, Janis, Nixon, Peace, Reid, Ware, R.L..**

02/27/07 Senate: Bill text as passed Senate and House (SJ366ER)

**SJ 377 Adoption; Department of Taxation to study current financial incentives in other states to support.**

*Summary as introduced:*

**Study; financial incentives in other states to support adoption; report.** Requests the Department of Taxation to examine current financial incentives in other states to support adoption. The Commonwealth currently does not offer any tax assistance to promote adoption. Cites prior studies that reveal the pressing need to find homes for children, but conclude that financial costs are a barrier to adoption.

*Patron:* O'Brien

02/16/07 House: VOTE: BLOCK VOTE PASSAGE (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NOT VOTING--Ware, R.L.**

02/27/07 Senate: Bill text as passed Senate and House (SJ377ER)

**SJ 385 Fuel-efficient vehicles and transportation funding; joint subcommittee to study.**

*Summary as introduced:*

**Study; fuel efficiency and transportation funding; report.** Creates a joint subcommittee to study long-term funding solutions for transportation that do not depend on the motor vehicle fuels tax. The development of alternative fuels and fuel-efficient vehicles has many benefits for the Commonwealth, but will inversely affect the revenue generated by the motor vehicles fuels tax due to decreased consumption. The joint subcommittee would also be directed to study ways to encourage and promote the use of alternative-fuels and fuel-efficient vehicles.

*Patron:* Wagner

02/16/07 House: VOTE: BLOCK VOTE PASSAGE (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NOT VOTING--Ware, R.L.**

02/27/07 Senate: Bill text as passed Senate and House (SJ385ER)

**SJ 401 Open-space & Farmlands; Joint Sub. Studying Funding Sources for Purchase of Development Rights.**

*Summary as passed:*

**Study; continues the joint subcommittee studying long-term funding for the purchase of development rights to preserve open-space and farmlands; report.** Continues for an additional year the joint subcommittee studying long-term funding sources for the purchase of development rights to preserve open-space land and farmlands. In conducting its study, the joint subcommittee shall review recent funding for the preservation of open-space and other conservation land; the future needs of the Commonwealth for

open-space and other conservation land, including but not limited to: working farms and forests, wildlife habitat and gamelands, natural areas, parks, and historic resources; the mix of programs best suited to meet such needs, including but not limited to Purchase of Development Rights programs; the cost of such needs; and long-term funding to pay the costs. In addition, the joint subcommittee shall develop a plan for the sharing of the costs of land preservation among the Commonwealth and its local governments. Further, the joint subcommittee shall identify strategies for increasing land preservation, water supply protection and the availability of large parks to serve Northern Virginia. This resolution incorporates SJR 396 (Ticer) and is identical to HJR 692 (Cline).

02/24/07 House: Conference report agreed to by House (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/24/07 Senate: Conference report agreed to by Senate

02/27/07 Senate: Bill text as passed Senate and House (SJ401ER)

## HOUSE TRANSPORTATION

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### **HB 1679 Overweight permits; exempts fire & emergency apparatus from weight limits on bridges & culverts.**

*Summary as passed House:*

**Bridges and culverts.** Exempts fire and emergency medical apparatus responding to or returning from emergency calls from weight limits on bridges and culverts, provided the vehicles are not so heavy as to cause immediate structural damage.

*Patrons:* Cosgrove, Athey, Crockett-Stark, Gear, Jones, S.C., Landes, **O'Bannon**, Rust and Sherwood

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/13/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/09/07 Governor: Approved by Governor-Chapter 177 (effective 7/1/07)

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

*Summary as introduced:*

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

*Patron:* McQuigg

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

### **HB 1685 Primary system highway construction; Transportation Board to allocate funds therefor.**

*Summary as introduced:*

**Primary system highway construction funds.** Allows the Commonwealth Transportation Board to allocate primary system highway construction funds to highway construction projects maintained or to be maintained by municipalities, provided such construction projects involve components of the National Highway System and the funds are derived from allocations to the highway construction district in which the project is located.

*Patrons:* Toscano and Landes

01/26/07 House: VOTE: PASSAGE (86-Y 12-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/13/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/09/07 Governor: Approved by Governor-Chapter 178 (effective 7/1/07)

**HB 1708 Reckless driving; person must attend alcohol safety action program if driver's license suspended.**

*Summary as passed House:*

**Alcohol-related reckless driving.** Provides that the Commissioner of the Department of Motor Vehicles shall not reinstate the driver's license of a defendant required to complete an alcohol safety action program for a conviction of reckless driving until notification of enrollment is received.

*Patron:* Lingamfelter

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: VOTE: (39-Y 1-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/19/07 Governor: Approved by Governor-Chapter 432 (effective 7/1/07)

**HB 1722 Road to Revolution heritage trail; establishment thereof.**

*Summary as introduced:*

**Road to Revolution Heritage Trail.** Establishes the Road to Revolution heritage trail to highlight and celebrate Patrick Henry's leading role in liberating Virginia from Colonial rule to independence.

*Patrons:* **Peace, Byron, Dance, Hall, Hargrove, Ingram, McClellan, McEachin, Nixon, O'Bannon and Waddell**

01/22/07 House: VOTE: PASSAGE (95-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/13/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation to include additional sites.**

04/04/07 House: House concurred in Governor's recommendation (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 852 (effective 7/1/07)

### **HB 1746 Railroad corridors; Dept. of Rail & Public Transportation to update inventory of those abandoned.**

*Summary as passed House:*

**Virginia Department of Rail and Public Transportation; inventory.** Requires the Virginia Department of Rail and Public Transportation to compile and maintain an up-to-date inventory of all railroad corridors in the Commonwealth abandoned after January 1, 1970.

*Patron:* Marshall, R.G.

01/23/07 House: VOTE: BLOCK VOTE PASSAGE (94-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/19/07 Governor: Approved by Governor-Chapter 435 (effective 7/1/07)

### **HB 1778 Photo-monitoring systems; counties and cities may establish to enforce traffic light signals.**

*Summary as passed House:*

**Traffic signal enforcement programs; civil penalty.** Grants localities the authority to operate traffic signal enforcement systems. Localities may install photo-monitoring systems at no more than one intersection for every 10,000 residents at one time. Provisions within the bill limit the use and retention of images recorded and provide other parameters and limitations for localities.

*Patron:* Cosgrove

02/06/07 House: VOTE: PASSAGE (63-Y 35-N)

**YEAS--Dance, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Waddell,**

**NAYS--Cox, Hall, Janis, Nixon, Reid, Ware, R.L.**

02/20/07 Senate: VOTE: (30-Y 10-N)

YEAS--**Lambert, Marsh, Norment, Stosch, Watkins**

NAYS--**Martin, McDougle**

03/26/07 Governor: Approved by Governor-Chapter 836 (effective 7/1/07)

**HB 1930 DMV; exempts federal, state, and local officials from fees charged for obtaining data from records.**

*Summary as introduced:*

**DMV fees.** Exempts federal, state, and local officials from fees charged by DMV for obtaining data from DMV records.

*Patron:* Rapp

01/22/07 House: VOTE: PASSAGE (96-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/13/07 Senate: Passed Senate with substitute (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/15/07 House: Senate substitute agreed to by House (96-Y 1-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Waddell, Ware, R.L.**

NAYS--**Reid**

NOT VOTING--**Jones, D.C.**

03/19/07 Governor: Approved by Governor-Chapter 447 (effective 7/1/07)

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

*Summary as introduced:*

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

*Patrons:* Eisenberg, Plum and Toscano

02/24/07 House: Conference report agreed to by House (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/24/07 Senate: Conference report agreed to by Senate (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered technical recommendation.**

04/04/07 House: House concurred in Governor's recommendation (97-Y 2-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 860 (effective 7/1/07)

### **HB 2128 Billboard signs; adjustment or relocation thereof.**

**VETO**

*Summary as passed House:*

**Adjustment or relocation of billboard signs.** Provides that the owner of a billboard situated on land acquired due to widening, construction, or reconstruction by purchase or by exercise of eminent domain may relocate the billboard to another location as close as practicable on the same property and may adjust the height or angle of the billboard.

*Patron:* Hugo

01/29/07 House: VOTE: PASSAGE #2 (49-Y 47-N 1-A)

YEAS--**Cox, Hargrove, Ingram, Janis, Nixon, Reid, Ware, R.L.**

NAYS--**Dance, Hall, McClellan, McEachin, O'Bannon, Peace, Waddell**

NOT VOTING--**Jones, D.C.**

02/13/07 Senate: VOTE: (26-Y 12-N 2-A)

YEAS--**Lambert, Martin, McDougle, Stosch, Watkins**

NAYS--**Marsh**

RULE 36--**Norment**

3/26/07 Governor: Vetoes by Governor (This legislation would take away local governments' regulatory power over billboards and give billboards a preferred status among other types of property. I am reluctant to strip communities of the power to fairly regulate billboards as they regulate other properties.)

04/04/07 House: House sustained Governor's veto

**HB 2163 Incident management; VDOT vehicles are exempt from certain provisions.**

*Summary as introduced:*

**Incident management.** Provides that vehicles owned or controlled by the Virginia Department of Transportation (VDOT) are exempt from provisions related to stopping on highways while performing emergency road clearance duties. The bill also provides that, in addition to tow truck operators, VDOT vehicles may perform certain incident management duties.

*Patrons:* Valentine, Ebbin, **McClellan**, Plum, Scott, J.M., Sickles, Spruill and Ward

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/13/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/09/07 Governor: Approved by Governor-Chapter 189 (effective 7/1/07)

**HB 2228 Transportation Commissioner; develop/implement highway access management standards for highways.**

*Summary as introduced:*

**Powers of CTC; highway access management standards.** Requires the Commonwealth Transportation Commissioner (CTC) to develop and implement comprehensive highway access management standards for managing access to and preserving and improving the efficient operation of the state systems of highways.

*Patrons:* Wardrup, Athey and Rust

01/23/07 House: VOTE: BLOCK VOTE PASSAGE (94-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered technical recommendation.**

04/04/07 House: House concurred in Governor's recommendation (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted  
04/04/07 House: Enacted, Chapter 863 (effective -see bill)

**HB 2314 Tolls; provides for imposition and collection thereof for use of any component of Interstate system.**

*Summary as passed House:*

**Tolls on Interstate Highway System components.** Allows the Commonwealth Transportation Board, in accordance with all applicable federal and state statutes and requirements, to impose and collect tolls for the use of any component of the Interstate Highway System within the Commonwealth, with the proceeds to be deposited into the Transportation Trust Fund and allocated by the Board.

*Patrons:* Lingamfelter, Marshall, R.G. and Rust

02/06/07 House: VOTE: PASSAGE #2 (76-Y 22-N)

**YEAS--Cox, Dance, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Hall**

02/22/07 Senate: Passed Senate with amendment (29-Y 10-N 1-A)

**YEAS--Lambert, Marsh, Martin, Norment, Stosch, Watkins**

**RULE 36--McDougle**

02/22/07 House: Senate amendment agreed to by House (60-Y 30-N)

**YEAS--Cox, Dance, Ingram, Janis, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NAYS--Hall, Jones, D.C., Ware, R.L.**

**NOT VOTING--Hargrove, McClellan**

03/19/07 Governor: Approved by Governor-Chapter 477 (effective 7/1/07)

**HB 2362 Taxes and license fees; law-enforcement officials, etc., exempted therefrom for one vehicle.**

*Summary as introduced:*

**Exemption from local tax and license fees for certain law-enforcement officials.** Allows local governments to exempt deputy sheriffs, police officers, and officers of the State Police from the local tax and license fees for one owned or leased vehicle.

*Patron:* Scott, E.T.

02/03/07 House: VOTE: PASSAGE (92-Y 2-N 1-A)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered recommendation to add vehicles owned or leased by salaried firefighters and by salaried emergency medical technicians.**

04/04/07 House: House concurred in Governor's recommendation (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Senate: Senate concurred in Governor's recommendation (39-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted  
04/04/07 House: Enacted, Chapter 865 (effective 7/1/07)

### **HB 2387 Parking ordinances; local governments may prohibit parking of certain vehicles.**

*Summary as passed:*

**Local parking ordinances.** Allows local governing bodies by ordinance to limit to no more than two hours the parking on streets adjacent to commercial business areas of vehicles with gross weights in excess of 12,000 pounds or lengths of 30 feet or more, unless actively engaged in loading or unloading operations.

*Patron:* May

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

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: Passed Senate with amendment (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/22/07 House: Senate amendment agreed to by House (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/19/07 Governor: Approved by Governor-Chapter 487 (effective 7/1/07)

### **HB 2434 Supplemental funding; dedicates to primary and secondary road construction.**

*Summary as introduced:*

**Supplemental funding for primary and secondary road construction.** Dedicates to primary and secondary road construction (i) current state recordation tax revenues, pro rata to each highway construction district based on the number of registered vehicles in each district; (ii) newly imposed state

fees on drivers who have accumulated more than four net driver demerit points or have been convicted of driving on a suspended or revoked license, reckless or aggressive driving, DUI, or any other misdemeanor or felony involving operation of a motor vehicle, pro rata to each highway construction district based on the number of registered vehicles in each district; (iii) current local vehicle registration fees; and (iv) a newly authorized commercial real property tax in Northern Virginia. The bill is effective July 1, 2008.

*Patrons:* Albo and Rust

01/31/07 House: Incorporated by Appropriations (HB3202-Howell, W.J.)

**HB 2538 Transportation Commissioner; enter on land to ascertain its suitability for transportation purposes.**

*Summary as introduced:*

**Right of CTC to enter on land to ascertain its suitability for transportation purposes; damages.**

Revises the procedures according to which the Commonwealth Transportation Commissioner (CTC), through his duly authorized agents, may enter upon any land in the Commonwealth for the purposes of determining its suitability for highway and other transportation purposes.

*Patron:* Landes

01/22/07 House: VOTE: PASSAGE (94-Y 0-N)

**YEAS--Cox, Dance, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Hall**

02/13/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 755 (effective 7/1/07)

**HB 2640 Inoperable vehicles; prohibits imposition of local vehicle license taxes and fees thereon.**

*Summary as passed House:*

**Local vehicle license taxes and fees.** Prohibits imposition of local vehicle license taxes and fees on inoperable vehicles and unlicensed as reconstructed or specially constructed vehicles.

*Patron:* Gear

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

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NAYS--Janis**

02/20/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 296 (effective 7/1/07)

**HB 2781 Transfer of highways, etc.; may transfer interest in or control over certain highways, etc.**

*Summary as introduced:*

**Transfer of highways, etc., by CTB to control of public access authorities.** Allows the Commonwealth Transportation Board (CTB), upon the request of a public access authority, to transfer to the authority any and all rights and interests of the Board in highways, highway rights-of-way, and landings without first abandoning or discontinuing them.

*Patrons:* Morgan and Wittman

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

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/12/07 Governor: Approved by Governor-Chapter 304 (effective 7/1/07)

**HB 2838 Transportation infrastructure; VDOT to submit biennial report on maintenance and operation thereof.**

*Summary as introduced:*

**Biennial report by VDOT on maintaining and operating existing transportation infrastructure.** Requires the Virginia Department of Transportation, no later than September 15 of each odd-numbered year, to submit to the Governor, the Joint Legislative Audit and Review Commission, and the Commonwealth Transportation Board a report on the condition and needs for maintaining and operating the existing transportation infrastructure in the Commonwealth for all asset management and maintenance, based on an asset management methodology.

*Patrons:* Amundson, Bowling, Brink, **Dance**, Ebbin, Miller, P.J., Scott, J.M. and Watts

02/01/07 House: VOTE: PASSAGE (91-Y 5-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/13/07 Governor: Approved by Governor-Chapter 335 (effective 7/1/07)

**HB 2850 Intermodal Planning and Investment, Office of; change of name, and additional duties of Office.**

*Summary as introduced:*

**Office of Intermodal Planning and Investment.** Amends the name of the "Intermodal Office" to the "Office of Intermodal Planning and Investment" and provides for additional duties of the Office.

*Patrons:* Moran, Amundson, BaCote, Bowling, Bulova, **Dance**, Ebbin, Howell, A.T., **Jones, D.C.**, Plum, Sickles, Valentine, Ward and Watts

01/29/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

NOT VOTING---**Jones, D.C.**

02/13/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/09/07 Governor: Approved by Governor-Chapter 219 (effective 7/1/07)

**HB 2854 Transportation Board; Commissioner to report on various expenditures.**

*Summary as passed House:*

**Financial reports by VDOT and VDRPT.** Requires the preparation and dissemination of additional financial information by the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (VDRPT).

*Patron:* Moran

02/03/07 House: VOTE: PASSAGE (88-Y 10-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: VOTE: (40-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/13/07 Governor: Approved by Governor-Chapter 337 (effective 7/1/07)

**HB 3046 Private roads as highways; governing body of any county, etc. may adopt ordinances designating.**

*Summary as introduced:*

**Designation of private roads as highways.** Provides that the governing body of any county, city, or town may adopt ordinances designating private roads as highways for law-enforcement purposes within any residential development containing 100 or more dwelling units.

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

02/03/07 House: VOTE: PASSAGE (95-Y 3-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Waddell, Ware, R.L.**

**NAYS--Reid**

02/20/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/15/07 Governor: Approved by Governor-Chapter 310 (effective 7/1/07)

## SENATE TRANSPORTATION

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### **SB 734 Coal and gas road improvement tax, local; extends sunset provision.**

*Summary as introduced:*

**Severance tax; extends sunset date.** Extends the sunset date from December 31, 2007, to December 31, 2012, for the local coal and gas road improvement tax.

*Patrons:* Wampler and Puckett

01/22/07 Senate: VOTE: (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/14/07 House: VOTE: PASSAGE (90-Y 6-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Reid, Waddell, Ware, R.L.**

NAYS--**Peace**

03/20/07 Governor: Approved by Governor-Chapter 586 (effective 7/1/07)

### **SB 829 Photo-monitoring systems; counties and cities may establish to enforce traffic light signals.**

*Summary as enacted with Governor's Recommendations:*

**Traffic signal enforcement programs; civil penalty.** Grants localities the authority to operate traffic signal enforcement systems. Generally, localities may install photo-monitoring systems at no more than one intersection for every 10,000 residents at one time, except that, in Northern Virginia (Planning District 8), traffic light signal photo-monitoring systems may be installed at no more than 10 intersections in any locality, regardless of population. Provisions within the bill limit the use and retention of recorded images and provide other parameters and limitations for localities, provided, however, that within Planning District 8, each study locality may install and operate within each county, city, or town, whichever is greater, at any one time.

*Patron:* Devolites Davis

02/23/07 House: Conference report agreed to by House (57-Y 38-N)

YEAS--**Dance, Hargrove, Ingram, McClellan, McEachin, O'Bannon, Peace, Waddell**

NAYS--**Cox, Hall, Janis, Nixon, Reid, Ware, R.L.**

NOT VOTING--**Jones, D.C.**

02/23/07 Senate: Conference report agreed to by Senate (30-Y 10-N)

YEAS--Lambert, Marsh, Norment, Stosch, Watkins

NAYS--Martin, McDougle

**Governor offered recommendation to allow each locality in Planning District 8 (Northern Virginia) to install photo monitoring systems at no more than 10 intersections or no more than one intersection for every 10,000 residents within its jurisdiction (see summary above).**

04/04/07 Senate: Senate concurred in Governor's recommendation (31-Y 9-N)

YEAS--Lambert, Marsh, Norment, Stosch, Watkins

NAYS--Martin, McDougle

04/04/07 House: House concurred in Governor's recommendation (66-Y 32-N)

YEAS--Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, O'Bannon, Waddell

NAYS--Cox, Janis, Nixon, Peace, Reid, Ware, R.L.

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 903 (effective 7/1/07)

**SB 887 Primary system highway construction; Transportation Board to allocate funds therefor.**

*Summary as introduced:*

**Primary system highway construction funds.** Allows the Commonwealth Transportation Board to allocate primary system highway construction funds to highway construction projects maintained or to be maintained by municipalities, provided such construction projects involve components of the National Highway System and the funds are derived from allocations to the highway construction district in which the project is located.

*Patron:* Deeds

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

YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins

02/13/07 House: VOTE: PASSAGE (85-Y 14-N)

YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.

03/09/07 Governor: Approved by Governor-Chapter 146 (effective 7/1/07)

**SB 941 VDOT; prepare annual reports projecting three-year maintenance schedule for each district.**

*Summary as introduced:*

**Annual maintenance reports by the Virginia Department of Transportation.** Directs the Virginia

Department of Transportation to prepare and disseminate annual reports projecting a three-year maintenance schedule for each planning district.

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

02/01/07 Senate: Incorporated by Transportation (SB1128-**Norment**)

**SB 993 Disabled parking placards; issuance by physician assistant, podiatrist, chiropractor, etc.**

*Summary as passed:*

**Disabled parking.** Allows licensed physician assistants, licensed podiatrists, licensed chiropractors, or licensed nurse practitioners the same certification powers granted licensed physicians and certain other health care professionals in connection with obtaining various indicia associated with disabled parking privileges.

*Patrons:* Blevins; *Delegate:* Watts

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Passed House with substitute (83-Y 14-N 1-A)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, O'Bannon, Peace, Reid, Waddell**

**NAYS--Nixon, Ware, R.L.**

02/22/07 Senate: House substitute agreed to by Senate (36-Y 4-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Stosch**

**NAYS--Norment, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 715 (effective 7/1/07)

**SB 1000 Taxicab service by localities; financial data collected used only for consideration of rates, etc.**

*Summary as introduced:*

**Regulation of taxicab service by localities; public access to financial records.** Provides that financial data collected by local governing bodies shall be used only for consideration of rates or charges, or to determine financial responsibility, and shall be kept confidential by the governing body. The bill provides, however, that any certificate of insurance, bond, letter of credit, or other certification that the owner or operator has met the requirements of this chapter or of any local ordinance with regard to financial responsibility is not confidential.

*Patron:* Houck

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: VOTE: PASSAGE (99-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/12/07 Governor: Approved by Governor-Chapter 238 (effective 7/1/07)

### **SB 1059 Secondary highway system; allocation of construction funds.**

*Summary as introduced:*

**Allocation of construction funds within the secondary system.** Provides that in counties having elected to manage the construction program for the secondary system, payments may be made in equal amounts, one in each quarter of the fiscal year. The bill also states that the amount shall be reduced by the amount of federal-aid construction funds credited to each county and by the amount of funds forecast to be expended for any construction project or any other financial obligations. In addition, the chief administrative officer of such counties shall make annual reports of expenditures to the Department of Transportation.

*Patron:* **Watkins**

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/19/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 153 (effective 7/1/07)

### **SB 1089 Public Procurement Act; prequalification for certain transportation contracts.**

*Summary as introduced:*

**Virginia Public Procurement Act; prequalification for certain transportation contracts.** Removes the reference to the Commonwealth Transportation Board from the exemption from prequalification provisions for contracts let pursuant to § 33.1-12, which details the power vested in the Board.

*Patron:* Puckett

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 154 (effective 7/1/07)

**SB 1100 Toll facilities; operation of photo-monitoring or automatic vehicle identification systems.**

*Summary as introduced:*

**Operation of photo-monitoring or automatic vehicle identification systems.** Changes the definition of "operator of a toll facility other than the Virginia Department of Transportation" from facilities authorized by the Code to any entity "that operates a toll facility." The bill also provides that the suspension of a driver's license for failure or refusal to pay these fines or costs is not applicable.

*Patron:* Williams

01/31/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: VOTE: PASSAGE (94-Y 6-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell**

**NAYS--Janis, Ware, R.L.**

02/21/07 Governor: Approved by Governor-Chapter 78 (effective 7/1/07)

**SB 1144 Incident management; VDOT vehicles are exempt from certain provisions.**

*Summary as passed Senate:*

**Incident management.** Provides that vehicles owned or controlled by the Virginia Department of Transportation (VDOT) are exempt from provisions related to stopping on highways while performing emergency road clearance duties. The bill also provides that, in addition to tow truck operators, VDOT vehicles may perform certain incident management duties.

*Patron:* Wagner

01/31/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**Governor offered recommendation exempting drivers of vehicles owned by VDOT/Commonwealth of Virginia from simple acts of negligence pursuant to this section.**

04/04/07 House: House concurred in Governor's recommendation (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/24/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 918 (effective 7/1/07)

### **SB 1181 Subdivision streets; requirements for taking thereof into state secondary highway system.**

*Summary as introduced:*

**Taking subdivision streets into state secondary highway system.** Allows local governing bodies of any counties that have not withdrawn from the state secondary highway system to request the Commonwealth Transportation Board, by resolution, to take any new subdivision street into the state secondary highway system for maintenance if such subdivision street has been developed and constructed in accordance with the Board's subdivision street requirements. Only those subdivision streets constructed in compliance with the Board's subdivision street requirements are to be taken into the state secondary highway system for maintenance. The Board is further required to promulgate regulations establishing such subdivision street requirements. Regulations initially promulgated by the Board are to be exempt from provisions of the Administrative Process Act, but this exemption does not apply to subsequent regulations or amendments thereto.

*Patrons:* Williams, Deeds, Herring, Houck, **Norment** and **Watkins**

01/31/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: VOTE: PASSAGE (96-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

**NOT VOTING--Jones, D.C.**

03/15/07 Governor: Approved by Governor-Chapter 382 (effective 7/1/07)

### **SB 1194 Submission of claims; contracts awarded by Transportation Commissioner.**

*Summary as introduced:*

**Contracts awarded by the Commonwealth Transportation Board or the Commissioner; submission of claims.** Changes the claim submission time for contractors from the date of notification of the Department's final estimate to the date of the final estimate itself, which shall be set forth in a certified letter from the Department. Also provides that the written claim must be delivered to the Department.

*Patron:* Reynolds

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/19/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

03/09/07 Governor: Approved by Governor-Chapter 162 (effective 7/1/07)

**SB 1199 Intermodal Planning and Investment, Office of; change of name and additional duties of Office.**

An Act to amend and reenact § 2.2-229 of the Code of Virginia, relating to the Intermodal Office of the Secretary of Transportation.

*Patrons:* Houck, Deeds, Herring, **Norment**, Reynolds, **Watkins** and Williams

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/21/07 Governor: Approved by Governor-Chapter 80 (effective 7/1/07)

**SB 1200 Highway improvement projects, local; VDOT fees.**

An Act to amend and reenact § 15.2-2222.1 of the Code of Virginia, relating to coordination of state and local transportation planning; fees.

*Patron:* Houck

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

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/21/07 House: Passed House with amendment (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House amendment agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/23/07 Governor: Approved by Governor-Chapter 792 (effective 7/1/07)

**SB 1202 Emergency management and preparedness; mutual aid agreements.**

*Summary as passed:*

**Emergency management and preparedness; mutual aid agreements.** Specifies that personnel, equipment, or supplies of the Commonwealth or a political subdivision may be used to assist another state that has declared a state of emergency upon written request of the chief executive of the other state. In addition, the bill authorizes the Governor to provide financial assistance to Virginia state agencies and political subdivisions that provide emergency aid to another state and authorizes the Metropolitan Washington Airport Authority police department to assist the National Capital Region and abutting localities and entities in the case of emergency. The bill also increases from 29 to 34 the membership of the Secure Commonwealth Panel by adding the Executive Secretary of the Supreme Court of Virginia and four members from the business or industry sector. This bill is identical to HB 2304.

*Patron:* Wampler

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/13/07 House: Passed House with amendment (97-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/15/07 Senate: House amendment agreed to by Senate (38-Y 0-N)

YEAS--**Lambert, Marsh, Martin, Norment, Stosch, Watkins**

NOT VOTING--**McDougle**

03/21/07 Governor: Approved by Governor-Chapter 729 (effective 7/1/07)

**SB 1312 Transportation Commissioner; develop/ implement highway access management standards for highways.**

*Summary as introduced:*

**Powers of CTC; highway access management standards.** Requires the Commonwealth Transportation Commissioner (CTC) to develop and implement comprehensive highway access management standards for managing access to and preserving and improving the efficient operation of the state systems of highways.

*Patrons:* Hawkins, Deeds, Herring, Houck, **Norment**, Reynolds and Williams

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

YEAS--**Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: Passed House with amendments BLOCK VOTE (100-Y 0-N)

YEAS--**Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/14/07 Senate: House amendments agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

**Governor offered technical recommendation.**

04/04/07 Senate: Senate concurred in Governor's recommendation (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

04/04/07 House: House concurred in Governor's recommendation (98-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

04/04/07 Governor: Governor's recommendation adopted

04/04/07 House: Enacted, Chapter 928 (effective 7/1/07) 03/26/07

**SB 1313 Sewage sludge; local government to certify that site thereof in compliance with ordinances.**

*Summary as passed:*

**Land application of sewage sludge.** Requires that the local government certify, within 30 days, as part of the state permit application to store sewage sludge, that the site of the proposed storage is in compliance with all local ordinances. The bill also gives localities the authority to adopt an ordinance that reasonably restricts the storage of sewage sludge to certain areas or parcels based on public health, welfare, or safety criteria. Any such ordinance will not apply to a farmer who stores sewage sludge for land application on his own farm within 45 days. The Department of Environmental Quality or the Department of Health permit application filled out by the person applying the sewage sludge is not considered complete until there is such local certification.

*Patrons:* Hawkins and Newman; *Delegates:* Byron and Valentine

02/06/07 Senate: VOTE: (39-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/16/07 House: Passed House with amendments BLOCK VOTE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/20/07 Senate: House amendments agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/15/07 Governor: Approved by Governor-Chapter 390 (effective 7/1/07)

**SB 1321 Overweight permits; authorized for tank wagons.**

*Summary as passed Senate:*

**Overweight permits for tank wagons.** Authorizes issuance of overweight permits for tank wagons.

*Patron:* Houck

02/06/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/20/07 House: Passed House with amendments (95-Y 2-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/22/07 Senate: House amendments agreed to by Senate (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

03/21/07 Governor: Approved by Governor-Chapter 738 (effective 7/1/07)

**SB 1360 Private roads as highways; governing body may adopt ordinances designating therefor.**

*Summary as introduced:*

**Designation of private roads as highways.** Provides that the governing body of any county, city, or town may adopt ordinances designating private roads as highways for law-enforcement purposes within any residential development containing 100 or more dwelling units.

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

01/31/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: VOTE: PASSAGE (95-Y 5-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Waddell, Ware, R.L.**

**NAYS--Reid**

02/19/07 Governor: Approved by Governor-Chapter 74 (effective 7/1/07)

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

*Summary as introduced:*

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

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

01/31/07 Senate: VOTE: (40-Y 0-N)

**YEAS--Lambert, Marsh, Martin, McDougle, Norment, Stosch, Watkins**

02/12/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

**YEAS--Cox, Dance, Hall, Hargrove, Ingram, Janis, Jones, D.C., McClellan, McEachin, Nixon, O'Bannon, Peace, Reid, Waddell, Ware, R.L.**

02/19/07 Governor: Approved by Governor-Chapter 75 (effective 7/1/07)