

VUHCC
2010 Legislative Report – 02/14/2010

Our lobbying team and I spent a lot of time this past week trying to kill HB 737 which, in its introduced form, would have required almost every employer in Virginia to adopt the federal E-Verify program for all new hires. We testified and were successful in killing a less restrictive Bill in the Senate that just applied to public contracts, but the anti-immigration sentiment in the House is much stronger, and HB 737 was passed out of a House committee despite a broad array of business objections, including ours.

As Myles indicates in his report below, there is also language embedded in the House version of the budget legislation that attempts to do the same thing, making our efforts to kill this proposal that much more difficult. I expect the full House of Delegates to pass HB 737 and the budget amendment and send them over to the Senate.

At this point I expect the Senate to kill both proposals, in essence supporting our position. But a lot can happen between now and the end of session so the outcome remains unsure.

The good news is that it looks certain that if a version of this legislation does pass the General Assembly, it will only apply to local and state governments. The bad news is that should that happen, it will only be a matter of time before E-Verify is expanded to apply to you. Stay Tuned!

Mark Singer
Virginia Utility & Heavy Contractors Council
1108 E. Main St., Suite 1200
Richmond, VA 23219
ph - 804.346.1020
fx - 804.346.8287
email - mark.singer@vuhcc.org

Composite view with notes

Bills	Committee	Last action	Date
HB 22 - Howell, A.T. - Handheld personal communications device; prohibits use while operating motor vehicle, etc., penalty.	(H) Committee on Militia, Police and Public Safety	(H) Subcommittee recommends laying on the table	01/21/10
HB 37 - Marshall, R.G. - Overload and overweight permits; fees established by Commissioner.	(H) Committee on Transportation	(H) Passed by in Transportation with letter	01/26/10
HB 42 - Oder - Transportation programs; performance audit by Auditor of Public Accounts, report.	(H) Committee on Appropriations	(H) Read first time	02/14/10
HB 58 - Dance - Wireless telecommunications devices; prohibits talking on such device unless in hands-free mode.	(H) Committee on Militia, Police and Public Safety	(H) Subcommittee recommends laying on the table	02/04/10
HB 82 - Knight - Public sewer system; locality may adopt ordinance establishing standard for use & services; penalty.	(H) Committee on Counties, Cities and Towns <hr/> (S) Committee on Local Government	(S) Referred to Committee on Local Government	02/04/10
HB 95 - Loupassi - Secondary highway system; requirements for taking new streets into system.	(H) Committee on Transportation	(H) Stricken from docket by Transportation	02/09/10
HB 115 - Purkey - Underground Utility Damage Prevention Act; sewer laterals.	(H) Committee on Commerce and Labor	(H) Tabled in Commerce and Labor	01/26/10
HB 155 - Dance - Stormwater management programs; delays for two years DCR's regulations governing.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Incorporated by Agriculture, Chesapeake and Natural Resources (HB1220-Hugo)	02/10/10
HB 212 - Bulova - Handheld personal communications device; texting while driving primary offense.	(H) Committee on Militia, Police and Public Safety	(H) Subcommittee recommends laying on the table	01/21/10

HB 221 - Watts - Handheld personal communication device; person guilty of careless driving unless in hands-free mode.	(H) Committee on Militia, Police and Public Safety	(H) Subcommittee recommends laying on the table	01/21/10
HB 222 - Watts - Secondary highway system; Secretary of Transportation to develop design standards for urban areas.	(H) Committee on Transportation	(H) Engrossed by House - committee substitute HB222H1	02/12/10
HB 224 - Watts - Highways; payments to cities and towns for maintenance.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/28/10
HB 230 - Watts - Motor fuels tax rate increase; allocation of construction funds for primary highway system.	(H) Committee on Finance	(H) Referred to Committee on Finance	01/11/10
HB 269 - Englin - Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	02/03/10
HB 276 - Albo - Highway maintenance funds; requires CTB to allocate funds on basis of achieving level of disparity.	(H) Committee on Transportation	(H) VOTE: --- PASSAGE (59-Y 37-N)	02/12/10
HB 277 - Albo - Washington Bypass transportation corridor; Transportation Board to establish.	(H) Committee on Appropriations	(H) Subcommittee failed to recommend reporting (2-Y 5-N)	02/12/10
HB 342 - Marshall, R.G. - Alcoholic beverage control; privatization of ABC stores.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/11/10
HB 391 - Lohr - Highways; payments to cities and towns for maintenance of certain.	(H) Committee on Transportation <hr/> (S) Committee on Transportation	(S) Referred to Committee on Transportation	02/11/10
HB 402 - Oder - Hampton Roads Bridge-Tunnel; VDOT to accept for review unsolicited proposals to add capacity.	(H) Committee on Transportation <hr/> (S) Committee on Transportation	(S) Referred to Committee on Transportation	02/03/10
HB 404 - Oder - Transportation funding and administration; provides funding in	(H) Committee on Appropriations	(H) Subcommittee recommends passing by with	02/12/10

certain localities.		letter	
HB 460 - Herring - Minority Business Enterprise; changes name to Supplier Diversity & Procurement Advocacy.	(H) Committee on General Laws	(H) Passed by in General Laws with letter	02/09/10
HB 480 - Carrico - Public-Private Transportation Act of 1995; CTB to conduct third party audits of agreements executed.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	01/21/10
HB 515 - Rust - Wetlands and stream mitigation; prohibits localities from regulating location of projects.	(H) Committee on Agriculture, Chesapeake and Natural Resources <hr/> (S) Committee on Agriculture, Conservation and Natural Resources	(S) Referred to Committee on Agriculture, Conservation and Natural Resources	02/02/10
HB 542 - Marshall, D.W. - Minority Business Enterprise, Department of; includes retired military personnel-owned business.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/12/10
HB 567 - Iaquinto - Public Procurement Act; state-aid construction projects.	(H) Committee on General Laws <hr/> (S) Committee on General Laws and Technology	(S) Referred to Committee on General Laws and Technology	02/01/10
HB 584 - Landes - Highway rest areas; VDOT to reopen.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/12/10
HB 615 - Lohr - Public Procurement Act; small, women, minority, and service disabled veteran-owned businesses.	(H) Committee on General Laws	(H) Passed by in General Laws with letter	01/26/10
HB 619 - Orrock - Erosion and sediment control; may assess civil penalty.	(H) Committee on Agriculture, Chesapeake and Natural Resources <hr/> (S) Committee on Agriculture, Conservation and Natural Resources	(S) Referred to Committee on Agriculture, Conservation and Natural Resources	02/10/10

HB 631 - Scott, E.T. - Commonwealth Transportation Commissioner; advertising for bids.	(H) Committee on Transportation <hr/> (S) Committee on Transportation	(S) Reported from Transportation (15-Y 0-N)	02/11/10
HB 665 - May - Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund.	(H) Committee on Appropriations	(H) Read first time	02/14/10
HB 666 - May - Transportation Capital Projects Revenue Bonds; used for new road or highway construction projects.	(H) Committee on Transportation	(H) Passed by in Transportation with letter	02/02/10
HB 737 - Albo - E-Verify Program; requires state agencies, public contractors, localities & employers to enroll.	(H) Committee on Appropriations	(H) Read first time	02/14/10
HB 756 - Stolle - Offshore drilling; royalties to be deposited in Transportation Trust Fund, etc.	(H) Committee on Appropriations <hr/> (S) Committee on Finance	(S) Referred to Committee on Finance	02/09/10
HB 768 - Cleaveland - Political contributions; prohibition during procurement process.	(H) Committee on Privileges and Elections	(H) Tabled in Privileges and Elections	02/12/10
HB 779 - LeMunyon - Northern Virginia transportation projects; VDOT to evaluate and make periodic reports.	(H) Committee on Transportation	(H) Passed by in Transportation with letter (13-Y 8-N)	02/11/10
HB 783 - LeMunyon - Wireless telecommunications devices; prohibits talking on such device unless in hands-free mode.	(H) Committee on Militia, Police and Public Safety	(H) Subcommittee recommends laying on the table	01/21/10
HB 805 - Poindexter - Offshore drilling; portion of royalties to be deposited in Transportation Trust Fund.	(H) Committee on Appropriations	(H) Incorporated by Appropriations (HB756-Stolle)	02/01/10
HB 818 - Surovell - Commonwealth Transportation Board (CTB); composition.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/10
HB 900 - Comstock - Offshore drilling; portion of royalties to be deposited in	(H) Committee on Appropriations	(H) Incorporated by Appropriations (HB756-	02/01/10

Transportation Trust Fund.		Stolle)	
HB 968 - Englin - HOT lanes; violations are traffic infractions.	(H) Committee on Transportation	(H) Tabled in Transportation (14-Y 7-N)	01/28/10
HB 969 - Englin - PPTA; preconditions to certain comprehensive agreements.	(H) Committee on Transportation	(H) Tabled in Transportation (14-Y 4-N)	02/02/10
HB 971 - Rust - Northern Virginia Transportation Authority Sales and Use Tax Fund; established.	(H) Committee on Finance	(H) Continued to 2011 in Finance	02/10/10
HB 1068 - Athey - Overweight vehicles; penalties.	(H) Committee on Transportation	(H) Passed by in Transportation with letter	01/26/10
HB 1103 - Sickles - Primary system highway construction funds; allocation.	(H) Committee on Transportation	(H) Passed by in Transportation with letter	02/09/10
HB 1124 - Keam - Street maintenance payments; provides for increased payments where traffic volumes exceed average.	(H) Committee on Transportation	(H) Tabled in Transportation (13-Y 4-N)	02/02/10
HB 1131 - Keam - Transportation Board; formulas for allocating funds.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/10
HB 1153 - Scott, J.M. - Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	02/03/10
HB 1158 - Oder - Regional VDOT construction accounts; established.	(H) Committee on Transportation	(H) Read first time	02/12/10
HB 1220 - Hugo - Stormwater management regulations; extends effective date that establishes local program criteria.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Engrossed by House - committee substitute HB1220H1	02/12/10
HB 1230 - Ware, R.L. - Underground Utility Damage Prevention Act; sewer laterals.	(H) Committee on Commerce and Labor <hr/> (S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/28/10
HB 1279 - McClellan - Public Procurement Act; certain amount of contracts to be awarded to small businesses, etc.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/20/10
HB 1309 - Scott, E.T. - Public	(H) Committee on	(H) VOTE: BLOCK VOTE	02/12/10

Procurement Act; procurement of certain professional services by Transportation Commissioner.	General Laws	PASSAGE (96-Y 0-N)	
HB 1311 - Bulova - Stormwater management regulations; extends effective date that establishes local program criteria.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Incorporated by Agriculture, Chesapeake and Natural Resources (HB1220-Hugo)	02/10/10
HJ 5 - Oder - Constitutional amendment (first resolution); Transportation Funds.	(H) Committee on Privileges and Elections	(H) Referred to Committee on Privileges and Elections	11/16/09
HJ 61 - Plum - Transportation Needs, Commission on; established, report.	(H) Committee on Rules	(H) Subcommittee recommends laying on the table	01/28/10
HJ 67 - Marshall, R.G. - Constitutional amendment; Transportation Funds (first resolution).	(H) Committee on Privileges and Elections	(H) Referred to Committee on Privileges and Elections	01/11/10
HJ 68 - Rust - Highway; Joint Commission on Transportation Accountability to develop plan to place toll on certain.	(H) Committee on Rules	(H) Reported from Rules with amendment (11-Y 4-N)	02/11/10
HJ 69 - Watts - Constitutional amendment; Transportation Funds (first reference).	(H) Committee on Privileges and Elections	(H) Referred to Committee on Privileges and Elections	01/12/10
HJ 81 - Oder - Hampton Roads Bridge-Tunnel; VDOT to implement recommendations of Independent Review Panel.	(H) Committee on Transportation <hr/> (S) Committee on Rules	(S) Referred to Committee on Rules	01/26/10
HJ 86 - Marshall, D.W. - Constitutional amendment; Transportation Trust Fund (first reference).	(H) Committee on Privileges and Elections	(H) Referred to Committee on Privileges and Elections	01/12/10
HJ 91 - Purkey - Alcoholic Beverage Control Board; disposition of real estate used for government stores.	(H) Committee on Rules	(H) Subcommittee recommends laying on the table	01/28/10
HJ 96 - May - Transportation Needs, Commission on; established, report.	(H) Committee on Rules	(H) Assigned Rules sub: #3 Studies	01/29/10
SB 10 - Blevins - Wireless telecommunications devices; prohibits talking on such device unless in hands-	(S) Committee on Transportation	(S) Incorporated by Transportation (SB517-Norment) (15-Y 0-N)	01/28/10

free mode.			
SB 103 - McDougle - Transportation, Chief Executive Officer for; abolishes office of Transportation Commissioner.	(S) Committee on Transportation	(S) Continued to 2011 in Transportation (15-Y 0-N)	02/04/10
SB 105 - McDougle - Mechanics' and materialmen's liens; removes certain requirements.	(H) Committee for Courts of Justice <hr/> (S) Committee for Courts of Justice	(H) Referred to Committee for Courts of Justice	02/03/10
SB 114 - Petersen - Motor fuels taxes; rate increase or decrease each year using fuel efficiency index.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/06/10
SB 123 - Petersen - Stormwater management; developer of single lot to provide where redevelopment is proposed.	(S) Committee on Local Government	(S) Referred to Committee on Local Government	01/06/10
SB 132 - Obenshain - Retail Sales and Use Tax; increases distribution to Transportation Trust Fund.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/11/10
SB 164 - Edwards - Transportation; source of revenue by increase of motor vehicle sales and use tax.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/11/10
SB 212 - Barker - Overload and overweight permits; Transportation Board, et al. to establish new schedule of fees.	(S) Committee on Transportation	(S) Passed by in Transportation with letter (15-Y 0-N)	02/04/10
SB 223 - Barker - Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/12/10
SB 225 - Barker - Public Procurement Act; verification of legal presence for employment in U.S.	(S) Committee on Commerce and Labor	(S) Rereferred to Commerce and Labor	01/27/10
SB 235 - Watkins - Solid waste disposal fees; assesses operators or owners of management facilities.	(S) Committee on Finance	(S) Engrossed by Senate - committee substitute SB235S1	02/12/10
SB 245 - Watkins - Stormwater management regulations; extends effective date that establishes local	(S) Committee on Agriculture, Conservation and	(S) Incorporated by Agriculture, Conservation and Natural Resources (SB395-	02/01/10

program criteria.	Natural Resources	Wagner) (15-Y 0-N)	
SB 246 - Watkins - Noise ordinance; authorizes governing body to adopt civil penalties.	(H) Committee on Counties, Cities and Towns <hr/> (S) Committee on Local Government	(H) Referred to Committee on Counties, Cities and Towns	02/03/10
SB 254 - Miller, Y.B. - Commonwealth Transportation Commissioner; advertising for bids.	(H) Committee on Transportation <hr/> (S) Committee on Transportation	(H) Referred to Committee on Transportation	02/08/10
SB 255 - Miller, Y.B. - Commonwealth Transportation Board; rules and regulations.	(H) Committee on Transportation <hr/> (S) Committee on Transportation	(H) Referred to Committee on Transportation	02/08/10
SB 285 - Deeds - Unpaved secondary road fund; no penalty will be applied to transfers from other road projects.	(S) Committee on Transportation	(S) Committee substitute printed 10105147D-S1	02/11/10
SB 318 - Ruff - Subdivision ordinance; dedication of public improvements.	(H) Committee on Counties, Cities and Towns <hr/> (S) Committee on Local Government	(H) Referred to Committee on Counties, Cities and Towns	02/08/10
SB 343 - Hanger - Fuels taxes; annually adjusted.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/12/10
SB 351 - Obenshain - Transportation programs; performance audit by Secretary of Transportation, report.	(S) Committee on Rules	(S) Passed by indefinitely in Rules (16-Y 1-N)	02/12/10
SB 377 - Puckett - Workplace Fraud Act; established.	(S) Committee on Commerce and Labor	(S) Continued to 2011 in Commerce and Labor (15-Y 0-N)	02/01/10
SB 395 - Wagner - Stormwater management regulations; changes effective date that establishes local program criteria.	(S) Committee on Agriculture, Conservation and Natural Resources	(S) Read third time and passed Senate (40-Y 0-N)	02/04/10

SB 443 - Obenshain - Alcoholic beverage control; privatization of ABC stores.	(S) Committee on Finance	(S) Rereferred to Finance	01/22/10
SB 513 - Norment - Racing Commission; allocations from simulcast horse racing.	(S) Committee on Finance	(S) Rereferred to Finance	02/10/10
SB 517 - Norment - Wireless telecommunications devices; prohibits talking on such device unless in hands-free mode.	(S) Committee on Transportation	(S) Read third time and passed Senate (25-Y 15-N)	02/08/10
SB 574 - Ticer - Wireless telecommunications devices; prohibits talking on such device unless in hands-free mode.	(S) Committee on Transportation	(S) Incorporated by Transportation (SB517-Norment) (15-Y 0-N)	01/28/10
SB 600 - Wagner - Transportation Trust Fund; increases amount of general fund surplus.	(S) Committee on Finance	(S) Failed to report (defeated) in Finance (6-Y 9-N)	02/02/10
SB 601 - Wagner - Offshore drilling; royalties to be deposited in Transportation Trust Fund, etc.	(S) Committee on Finance	(S) Continued to 2011 in Finance	02/10/10
SB 655 - Herring - Racing Commission; allocations from simulcast horse racing.	(S) Committee on General Laws and Technology	(S) Incorporated by General Laws and Technology (SB513-Norment) (10-Y 4-N)	02/10/10
SB 677 - Hanger - Stormwater management regulations; extends effective date that establishes local program criteria.	(S) Committee on Agriculture, Conservation and Natural Resources	(S) Incorporated by Agriculture, Conservation and Natural Resources (SB395-Wagner) (15-Y 0-N)	02/01/10
SB 681 - Whipple - Stormwater management regulations; extends effective date that establishes local program criteria.	(S) Committee on Agriculture, Conservation and Natural Resources	(S) Incorporated by Agriculture, Conservation and Natural Resources (SB395-Wagner) (15-Y 0-N)	02/01/10
SB 684 - Miller, J.C. - Transportation; provides new and increased taxes, tolls, etc., & general fund revenues for funding.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/22/10
SB 691 - Obenshain - Minority Business Enterprise, Department of; enhancement measures for small, etc., businesses.	(S) Committee on Finance	(S) Rereferred to Finance	02/03/10

<p>SB 694 - McWaters - Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund.</p>	<p>(S) Committee on Finance</p>	<p>(S) Failed to report (defeated) in Finance (6-Y 9-N)</p>	<p>02/09/10</p>
<p>SB 703 - Marsden - Public Procurement Act; preference for construction contractors hiring local residents.</p>	<p>(S) Committee on General Laws and Technology</p>	<p>(S) Committee amendments</p>	<p>02/03/10</p>
<p>SJ 94 - Miller, J.C. - Motor fuel tax; joint subcommittee to study desirability of replacing with mileage-based fee.</p>	<p>(S) Committee on Rules</p>	<p>(S) Committee substitute printed 10105091D-S1</p>	<p>02/12/10</p>